

SHAFTSBURY SELECTBOARD
SPECIAL MEETING MNUTES
Cole Hall, 61 Buck Hill Rd
April 30, 2012

Board Members present: Lon T. McClintock (Chair), Karen Mellinger (Vice Chair), Craig Bruder, Carl Korman (by phone)

Board Members absent: Billy Obenauer

Others present: Margy Becker (Town Administrator), Sandra Mangsen (Interim Recording Clerk), Michael Bidy, Megan Donckers, Michael Foley, Robert Geneslaw, Kathleen Geneslaw, Larry Johnson, Mitchell Race, Joann Race, Jeri Schoof, Terry Stacy

1. Call to Order

Lon McClintock called the meeting to order at 7:00 p.m.

2. Announcements

The Chair reported that Selectboard members had examined the conditions of Potter Montgomery Road.

Craig Bruder reported that he had met with the Fire Department for the opening of bids for the acquisition of a new truck. The bids will be presented at the May 14 Selectboard meeting.

Karen Mellinger reminded those assembled about the upcoming Shaftsbury Green-up Day (Sat., May 5 9-12PM) and Hazardous Waste Day (Saturday, May 12, 9-1PM). She described the limitation on material that can be accepted, and stated that E-waste (such as TVs and computers) should be taken to the Bennington Transfer Station, where it is accepted for free.

Margy Becker reported that a community-wide meeting to discuss broadband access is being planned for end of May, with the precise date still to be arranged.

3. Public Comments

Mike Foley read an E-mail from Jennifer Viereck (former zoning administrator) from Feb 2012 in which particular citizens' names were mentioned with respect to attendance at a meeting at which the recent TAM application was discussed. In particular, he stated that his own name and that of Kathleen Geneslaw were mentioned. He inquired as to Board members' knowledge of that E-mail and the context in which it may have

arisen. He also expressed his concern about the need for transparency with respect to DRB appointments.

Kathleen Geneslaw raised questions about DRB procedures with respect to public hearings in June and July, 2011.

Michael Foley expressed his wish that minutes be approved more quickly in the future.

4. Conflict of Interest Statement

There were no conflicts expressed.

5. Highway Truck Bids – Bid Opening

Lon McClintock reminded those present that bids should normally be opened at the same time, by at least two people, in order to ensure fairness.

Terry Stacy, Road Foreman, presented a tabulation of two truck bids received from DeLurey's (North Hoosick, NY) and Kenworth (Shelburne, VT). The equalized bid amounts were DeLurey's at \$88,750 and Kenworth at \$89,803.

MOTION: Karen Mellinger moved that the bid award for the purchase of a new International cab and chassis at a cost of \$88,750 be awarded to DeLurey's. Motion was seconded by Craig Bruder. Motion carried 4-0-0.

Jeff DeLurey stated the truck would be delivered in September to the body manufacturer. Truck and body should be delivered in November 2012.

It was noted that the decision for the purchase of an extended warranty is not required immediately and that bids for a new plow are expected to arrive on May 1, 2012.

6. TAM Host Town Agreement-Status

Lon McClintock reported that the Selectboard has received confirmation of Development Review Board (DRB) approval of TAM's expansion of tonnage processed to 30,000 tons. Paragraph 16 of the Host Town Agreement negotiated between the Selectboard and TAM in December 2011 requires renegotiation of the Agreement when TAM has approval from the DRB for processing in excess of 20,000 tons.

Lon McClintock asked the Board members what information they would like from TAM in order to facilitate renegotiation of the Host Town Agreement. He noted that having details about any changes in operation as TAM moves toward the 30,000-ton goal would be helpful. Subsequent discussion focused on the likely increase in truck traffic on Airport Road, possible use

of bigger trucks, and the impact of those changes on road maintenance.

The chair noted that the new agreement need not be dramatically different, but could require renegotiation at particular points, keeping the goal of fairness both to TAM and to the taxpayers.

Karen Mellinger mentioned that it would be helpful to examine other Host Town Agreements, and will investigate those in addition to researching the actual language of the relevant statute, with a view to bringing other Selectboard members up to speed on the issues at the meeting of May 21.

Information from Trevor Mance about his plans for expansion will also be solicited.

7. Potter Montgomery Road

Several members examined the road before this evening's meeting. Terry Stacy described possible improvements to the road, including removal of some trees, allowing for water run-off into a new shallow ditch, and the possibility of building up the road by adding gravel. Discussion ensued.

Lon McClintock asked Terry Stacy to submit a plan for improvement to that road, including projected dollar cost, so that the Selectboard will be able consider his suggestions in the context of the town's stated priorities. Mr. Stacy was asked to conduct a site visit of the road with Tree Warden Jim White for the purpose of flagging trees that pose hazards to drivers or walkers. The Board was supportive of removal of only those trees, if funds are available within the budget.

8. VTRANS Bridge Inspection Reports

MOTION. Karen Mellinger moved that the Selectboard acknowledge that the bridge inspection reports for structures inspected during calendar year 2011 have been received, reviewed, and shared with those individuals charged with preventative and routine maintenance of the structures. Craig Bruder seconded the motion, which carried 3-0-0.

(Before the vote on this motion, Mr. Korman had left the meeting because of technological difficulties when his cell phone failed.)

9. Annual Financial Plan – Highways

MOTION. Craig Bruder moved that the Annual Highway Financial Plan for maintenance and improvement of town highways be approved. Seconded by Karen Mellinger. Carried 3-0-0.

The document was signed by Board members present.

Margy Becker then described the possibility of replacing the Cider Mill Culvert Project (for which the Town has received a VTRANS culvert grant) with a bridge replacement project on Lower East Road, at the request of Terry Stacy, Road Foreman. The Town would have to relinquish the culvert grant for the Cider Mill culvert upgrade before VTRANS would turn around and re-issue a grant for a different culvert/bridge. The decision on whether to swap projects will hinge on inspections by VTRANS. And more information needs to be gathered on both these projects.

10. Selectboard Liaison Assignments

Discussion is deferred until a subsequent meeting when the full Board is available.

11. Town Administrator's Report

Margy Becker described her work activities since the last meeting.

12. Other Business

Craig Bruder reported that updates to the town's personnel policy are in progress; he hopes to identify any further changes in consultation with Margy Becker, and asked that the item be placed on the agenda for an upcoming meeting.

13. Minutes: 3/21/12; 4/2/12; 4/16/12

Approval of minutes of 3/21/12 and 4/16/12 is deferred until the next meeting.

MOTION. Karen Mellinger moved that the minutes of 4/2/12 be approved, as corrected. Craig Bruder seconded. The motion was withdrawn due to lack of quorum. These minutes will be approved at a future meeting.

14. Warrants

MOTION. Karen Mellinger moved approval of Check Warrant Report # 44 in the amount of \$30,775.50. Seconded by Craig Bruder. Carried 3-0-0.

MOTION. Craig Bruder moved approval of Payroll Warrant PR41 in the amount of \$112.55. Seconded by Karen Mellinger. Carried 3-0-0.

MOTION. Craig Bruder moved approval of Payroll Warrant PR42 in the amount of \$7811.58. Seconded by Craig Bruder. Carried 3-0-0.

MOTION. Karen Mellinger moved approval of Payroll Warrant PR43 in the amount of \$9682.96. Seconded by Karen Mellinger. Carried 3-0-0.

The following documents were circulated and signed by Selectboard members who were present:

Adaptive Reuse of Motel Properties (Bylaw 4.1.1.4.6, adopted by the Selectboard, 11/28/2011)

Reserve Fund Balance Policy (as amended by the Selectboard 1/25/2010).

Appointment of Kathy Cardiff as Town Service Officer.

Karen Mellinger asked for clarification with respect to the Planning Commission warning of a scheduled hearing presenting proposed bylaws with respect to flood hazards and Shaftsbury's historic district.

15. Executive Session – personnel

MOTION. Craig Bruder moved that the Board move into executive session to deal with matters of compensation. Karen Mellinger seconded. Carried 3-0-0.

The Board exited Executive Session at 10:50PM.

16. Adjournment

MOTION. Karen Mellinger moved to adjourn the meeting at 10:50PM. Craig Bruder seconded. The motion carried 3-0-0 and the meeting was adjourned.

Respectfully submitted,

Sandra Mangsen
(Interim Recording Clerk)