

**MINUTES OF THE SHAFTSBURY SELECT BOARD**  
**JUNE 12, 2006**  
**COLE HALL**  
**SHAFTSBURY, VERMONT**

Board Present: Wynn Metcalfe, Chairman, Karen Mellinger, Cinda Morse, Bill Pennebaker, Jim Mead

Others Present: Audrey Rutheiser, Harvey Rutheiser, Michael Bidy, Matt Tuthill (Bennington Banner), Aaron Chrostowsky, Susan Swasta

1. Call Meeting to Order:

Chairman Wynn Metcalfe called the meeting to order at 7:10 PM. He asked if any Board member needed to recuse himself or herself from discussion of any agenda topic scheduled for tonight. None did.

2. Minutes:

June 5, 2006 Minutes:

Cinda Morse made motion to approve June 5, 2006 minutes. Karen Mellinger seconded. Motion carried 5-0-0.

3. Warrants:

The following warrants were presented for approval:

- PR#48 – \$ 8,291.97 Payroll Warrant
- AP#?? – \$ 41,515.97 General Warrant (truck lease payment, transfer station payment, pagers)

Ms. Mellinger asked about a change order for painting a new fire truck that had cost about \$1700. Aaron Chrostowsky explained that there had been several change orders made at the factory, and that some change orders had cost the town money, but others had saved money.

Ms. Morse made motion to pay warrants. Bill Pennebaker seconded. Motion carried unanimously.

4. Public Comments:

Mike Bidy stated that he is having a problem with the zoning administrator concerning enforcement of the permitted hours of operation for the TAM transfer station. Mr. Bidy said that TAM has been operating seven days a week, starting at 4:30 AM some days. As a result, he is losing the enjoyment of his property.

Chairman Metcalfe asked Mr. Bidy if he had contacted the zoning administrator directly, and he replied that he had, many times. Mr. Bidy asked if he had any recourse except to hire an attorney. Chairman Metcalfe said that he would talk to Zoning Administrator Tony Zazzaro about the problem tomorrow. If the problem is not resolved, Mr. Bidy should come to the Select Board, who will deal with it.

5. Landfill Update:

Mr. Pennebaker reported on the bids for landfill closure received from Rifenburg and from Capital Earthmoving. The

Rifenburg bid was lower, and even though Capitol lowered its bid later, it did not include everything that the Rifenburg bid included. Therefore, Mr. Pennebaker and Mr. Chrostowsky concluded that the Rifenburg bid should be accepted.

Mr. Pennebaker made motion to accept the Rifenburg landfill closure bid of \$667,500. Mr. Mead seconded.

Mr. Pennebaker noted that there are still loose ends to be resolved. The Rifenberg bid does not include the soil to be used as cushion and protection layers, which will probably run around \$100,000. Materials from the TAM and Harrington sites are under consideration. If soil requires screening, it will be more costly. Trucking the soil is part of the bid price. There was discussion of a possible onsite soil source and the need for testing this material. Mr. Chrostowsky will talk to Ron Daniels about getting a sample for testing.

The Board discussed funding for landfill closure. It will be necessary to borrow money because the town's landfill closure fund, in addition to grant monies to be received from the state, will not be enough to cover all closure expenses. In addition, some of the state funds will not be confirmed until July.

Motion to accept the Rifenburg landfill closure bid of \$667,500 carried 5-0-0.

Mr. Pennebaker made motion to warn a public meeting to be held in 30 days to seek taxpayer approval to borrow up to \$150,000 for landfill closure. Ms. Morse seconded. Motion carried 5-0-0.

Ms. Mellinger asked Mr. Chrostowsky if a loan could be prepaid without penalty if the anticipated additional \$40,000 comes in from the state next year. He will check on this.

#### 6. Pay As You Throw (PAYT):

Chairman Metcalfe went through a list of PAYT tasks to be completed:

1. Public Relations -- Letter to the editor about PAYT from the Board
  - Ms. Mellinger and Mr. Pennebaker will write a letter.
2. Informational posters to be placed at the landfill
  - Mr. Mead will handle posters.
3. Flyer for Shaftsbury residents
  - Mr. Mead will prepare a flyer, which will present the same PAYT information as the letter to the editor.
4. Updating of town Web site to include PAYT information
  - Mr. Chrostowsky will update the Web site.
5. Ordinance for roadside dumping fine
  - Mr. Chrostowsky stated that there is already a town ordinance on dumping. Chairman Metcalfe said there is also a state fine. Mr. Chrostowsky will check on the fine amounts.
6. Landfill closed days for 2006
  - Mr. Chrostowsky will sit down with Trevor Mance to list all days. The landfill will be open the Saturday before July 4th.
7. Days and hours of operation
  - For now the same hours will be kept, with the possibility of change in response to public opinion.

#### 8. Clear bag policy

-- It was decided that clear bags will not be necessary.

#### 9. Transfer station management

-- Trevor Mance will not be bringing any of Shaftsbury's garbage to the landfill. Only stickered trash will be accepted.

#### 10. Employee wages and duties

-- Board members decided that \$10 per hour would be an appropriate wage, and that the employee would work 25 hours per week.

--There was discussion of possibly training a current town employee to act as a substitute in case of absence

-- The attendant would sell stickers. Ms. Morse stated that this should not be a cash transaction, but paid by check.

-- Other sources of stickers were discussed. Paulin's and the Country Store may sell the stickers at a higher price to offset administrative costs.

--Ms. Morse and Ms. Mellinger felt strongly that stickers should also be available at Cole Hall. Chairman Metcalfe does not want this to be Mr. Chrostowsky's responsibility, and advised that he seek volunteer help to handle sticker sales at Cole Hall.

--There was discussion of provision of a small building for the attendant, possibly a prefab structure to be bought at Home Depot, and the best location for the attendant. Chairman Metcalfe, Mr. Mead, and Mr. Chrostowsky will look at the traffic pattern to judge the best location.

#### 11. Procedure for revenue

-- PAYT will be set up as a separate line item in the budget.

#### 12. Training of employee

-- Mr. Chrostowsky will train the new employee.

#### 13. Handling of bulky trash items

-- There was a discussion of how to set a fee for unbagged trash -- bulky items or truckloads of trash. Bulky items will be weighed. For loose trash, the employee will set a fee based on the number of stickers he deems appropriate. Board members stated that this fee should be high to discourage unbagged trash. The flyer will state that bags are strongly preferred.

#### 14. PAYT charges

-- Board members discussed whether PAYT fees should just cover waste disposal costs, or other expenses as well. Ms. Mellinger stated that she does not think it should cover the \$9000 landfill monitoring expense, but others felt that this needs to be included for this year because it was not otherwise budgeted.

--Some Board members thought that PAYT should cover increased transfer station management fees for this year, again because they were not budgeted and must be paid.

--After discussion of funds to be generated, Board members decided that a \$1 sticker fee would be appropriate. A 15-gallon bag would take one sticker, a 30-gallon bag would take two. If another bag size is used, the bag will be weighed to determine the number of stickers necessary.

#### 7. Other Business:

During the PAYT discussion Paula Laporte came into the meeting, so the discussion was interrupted in order for her to state her business. As a neighbor of the business now located at the Stanley Tools location, Ms. Laporte stated that she had asked about possible problems with noise from trucks at the Act 250 meeting, and had been

assured this would not be a problem. She reported that trucks have been running all night in the parking lot on a regular basis. Chairman Metcalfe said that he or Mr. Chrostowsky will contact Anthony Tripoli, the business manager, about this problem, and get back to her.

Ms. Mellinger brought up the matter of town meeting warning, and Chairman Metcalfe said it would be put on next week's agenda.

Ms. Mellinger said that Jerry Mattison had asked her about dates for emergency management training. Mr. Chrostowsky suggested possible dates and stated that the exam could also be done online.

Ms. Mellinger asked if the wetland problem brought up by Tyler Resch had been addressed. There was a discussion of the culvert involved in the drainage problem, and Chairman Metcalfe asked Mr. Mead to speak with Mr. Daniels to clarify the situation. Ms. Mellinger asked that someone get back to Mr. Resch about it.

Ms. Morse announced that the Economic Development Committee meeting will take place Wednesday night at 7:00 PM. There will be discussion with Planning and DRB members about the sewer feasibility study, and Don Rohbinski will be there as a reference.

Mr. Mead stated that David Vanderwerken spoke with him about a problem with his next door neighbor shooting on his property. He has put up safety zone signs and wants to know how they can be enforced. Chairman Metcalfe replied that there is nothing the town can do because there is no noise ordinance. Fish and Wildlife can do nothing either. His only recourse is to file a civil lawsuit. There was discussion of the fact that the Planning Board had sent a noise ordinance to the Select Board last year, but the Board had not acted on it. Chairman Metcalfe expressed doubts that this would solve problems with shooting.

Chairman Metcalfe brought up a problem concerning a barking dog on property neighboring Gale Morin's. Two tickets have been issued, for barking and lack of license, but the owner has ignored them and will not answer his door. Chairman Metcalfe will ask attorney Rob Wilmington what the next step should be. Ms. Mellinger said that perhaps the Humane Society could inquire if he wants to get rid of the dog, and Chairman Metcalfe said he would mention this.

Chairman Metcalfe noted that Ken Coonradt has been elected Lions Club Citizen of the Year, and he suggested inviting the Lions president to make the award at a Select Board meeting, so the Board could also honor Mr. Coonradt. Other Board members felt it would not be appropriate to invite the Lions to make their award here, and that the Board should think about making honors awards part of Town Meeting.

Chairman Metcalfe stated that Jim Condon had done a great job on the cemetery and would be awarded dinner for two. He asked the Board how much the award should be, and they agreed that \$50 would be a good amount.

Ms. Morse made motion to go into Executive Session (Personnel) at 9:50PM. Mr. Mead seconded. Motion carried unanimously.

Meeting adjourned at 10:20PM.

Respectfully Submitted,

Susan M. Swasta