

**SHAFTSBURY SELECTBOARD  
REGULAR MEETING  
JULY 16, 2012  
MINUTES**

ATTENDING: **Board Members present:** Lon McClintock, Karen Mellinger, Craig Bruder, Billy Obenauer, Carl Korman. Town Officials: Treasurer Bill Fisk, Judy Stratton, Town Clerk: Town staff: Joe Herrmann, Water Superintendent; Traci Mulligan, Animal Control Officer, Margy Becker, Town Administrator; Visitors: Jennifer Viereck, Art and Cathy Whitman, David Mance, Phylis Porio, Jay Palmer, Mike Foley, Barry Mayer, Deni Mayer, Mitch and Joanne Race, Mark Bollhardt, Jim Meskun, Bill Brownell, Cathy and Bob Geneslaw, Brian Lent, Trevor Mance, Dave Newell (Wills Insurance), Deena Ruege, Margy Gronning;

**1. Call to Order**

Chairman McClintock called the meeting to order at 6:00pm.

**2. Announcements**

Lon McClintock announced the Board would later discuss potential closing of Bridge 35 on Lower East Road. He announced White Creek Road would be closed for repairs on Wednesday, July 18.

Karen Mellinger announced the Water Board's approval of the proposed budget and increase of \$1.00 per thousand gallons in the water metered rate. The increase is necessary to raise revenue for a reserve account to fund capital improvements. Joe Herrmann stated the water system was 78 years old.

**3. Conflict of Interest Statement**

Chairman McClintock inquired if any Board member had a conflict of interest with any matter on the agenda. No conflict noted for the record.

**4. Public Comments**

Cathy Geneslaw read her written comments concerning the DRB meeting of July 11<sup>th</sup>, 2012. She then submitted the letter to the Selectboard. Her comments pertained to conduct of people presiding over or in attendance at the meeting. She requested that the Chair and members of the DRB receive proper training in procedures for quasi-judicial bodies.

Trevor Mance provided a different perspective on the meeting procedures.

Lon McClintock provided his perspective on the roles and responsibilities of the board chairman.

Joanne Race expressed appreciation of DRB members' conduct.

Jennifer Viereck stated her concerns about persistent rumors and misperceptions of her conduct as Zoning Administrator with regards to certain applications that had come before the DRB during her tenure. She requested that people contact her directly about their concerns. She reiterated her opinion that she did not have a conflict of interest with regards to the July 11<sup>th</sup> issue of Michael Gardner's party status.

Art Whitman announced a new citizen's group has formed in Shaftsbury entitled "Citizens Advocating Responsibility and Equality in Shaftsbury". The mission of the group is to encourage and support civil discourse. He presented a proposed policy regarding the same, and requested that discussions on the policy be warned for the August 6<sup>th</sup> Selectboard meeting.

#### **5. Tax Anticipation Note**

Treasurer Bill Fisk announced the Town finished the FY12 year with an approximate \$40,000 surplus. Expenses incurred between July and November (when taxes are due) must be paid somehow. It is customary for the Town to secure a Tax Anticipation Note in July each year. This years' TAN through Peoples Bank is at an annual interest rate of 1.65%. The note will come due December 17, 2012 and will be paid in full from property tax revenues. The amount of the TAN is \$375,000.

**Karen Mellinger made the motion that the Selectboard approve the \$375,000 Tax Anticipation Note through Peoples Bank at an annual rate of 1.65%, inclusive of the Resolution and Non-Arbitrage Certificate. Carl Korman seconded. The motion carried unanimously.**

#### **6. Insurance Coverage**

Dave Newell of Wills Insurance reviewed the Town's insurance policies for the period of July 1 through June 30, 2012. Mr. Newell will provide greater clarity regarding flood coverage vs. coverage of damage from surface water. The Road Foreman will be asked to review the equipment schedule.

#### **7. Veterans Committee**

Jim Meskun and Mark Bollhardt explained the Veterans Committee is attempting to raise \$4,200 to purchase and install medallions on the headstones of veterans. The Selectboard commended the effort and also requested the Committee give some thought to notification to families. Jim Meskun inquired whether the Town would fund the cost replacement of flags along Rte. 7A. He then described the process being made towards updating the war memorial. The Committee will be selling mugs as a fundraiser. Mugs can be obtained through the Shaftsbury Store and Town Clerk's Office.

#### **8. Dog Licensing**

Town Clerk Judy Stratton and Animal Control Officer Traci Mulligan met with the Selectboard to review the process of issuing dog licenses, fee schedules, and enforcement options available to Vermont towns. It was agreed a) a better definition of what constitutes a "rabies control program" is needed, b) an inquiry needs to be made concerning the legality of the Town's imposition of 2 penalties versus one civil fine of \$500, c) the Court Administrator's Office should be consulted for advice on enforcement powers and procedures, d) a dog licensing and enforcement policy should be adopted, e) the Town's dog ordinance needs to be revised, and

brought up-to-date. Margy Becker and Billy Obenauer were asked to propose the enforcement policy.

**9. Brownell Salvage Yard – Hearing Preparations**

Lon McClintock inquired whether Board members had enough information in preparation of the July 23 public hearing concerning Brownell's Salvage Yard renewal of location approval. The hearing is required by new laws regulating salvage yards.

**10. Bridge 35 – Lower East Road**

The Board reviewed a proposed resolution for the temporary closure of bridge 35 on Lower East Road. Carl Korman suggested, and the Board agreed to, amended language.

**Karen Mellinger made the motion to adopt the resolution for temporary closure of Bridge 35 on Lower East Road. Carl Korman seconded. The motion carried unanimously.**

**Craig Bruder made the motion to authorize the Chair to sign the resolution on behalf of the Selectboard. The motion was seconded and carried unanimously.**

**11. Liaison Roles – Discussion tabled.**

**12. Town Administrator's Report**

Margy Becker reported bids for the design of the sidewalk and curbcuts at the corner of Church Street and Rte. 7A are due July 26<sup>th</sup> at noon. The grant agreement to enable purchase of new radios for the highway department is in the process of being signed by the State. New radios are required for the Town to meet the mandate for "narrowbanding"

**13. Other Business.**

Bill Obenauer pointed out that due to recusals and lack of attendance by a DRB Board member at the July 11 meeting, the DRB was faced the issue of needing a "supermajority" to conduct business. This would not have happened, he said, if the DRB had been a 5 member versus 7 member board.

**14. Minutes of July 2, 2012 – action tabled**

**15. Approval of Warrants**

CHECK WARRANT REPORT PR#1 IN THE AMOUNT OF \$6,016.07 for VMERS DB and DC RETIREMENT CONTRIBUTIONS: **Karen Mellinger made the motion to approve check warrant PR#1 in the amount of \$6,016.07. Craig Bruder seconded. Motion carried unanimously.**

CHECK WARRANT #2 IN THE AMOUNT OF \$167,286.64.

**Karen Mellinger made the motion to approve check warrant #2 in the amount of \$167,286.64. Carl Korman seconded. Motion carried unanimously.**

PAYROLL WARRANT PRW #2 IN THE AMOUNT OF \$6,196.38.

**Craig Bruder made the motion to approve payroll warrant PRW#2 in the amount of \$6,196.38. Billy Obenauer seconded. Motion carried unanimously.**

**16. Adjournment**

**Craig Bruder made the motion to adjourn at 8:50p.m. Billy Obenauer seconded. Motion carried unanimously.**

Submitted by  
Margy Becker