

**SHAFTSBURY SELECTBOARD  
REGULAR MEETING DRAFT MNUTES  
Cole Hall, 61 Buck Hill Rd  
SEPTEMBER 17, 2012**

**Board Members present:** Lon McClintock (Chair), Craig Bruder, Karen Mellinger, Billy Obenauer.

**Board Members absent:** Carl Korman

**Town officials present:** Margy Becker (Town Administrator), Bill Fisk (Town Treasurer, for work session prior to regular meeting), Sandra Mangsen (Recording Clerk). Terry Stacy (Roads Foreman)

**Visitors present:** Michael Foley, Robert and Kathleen Geneslaw, Tom Huncharek, Trevor Mance, Jay Palmer, Joanne Race, Andy and Nancy Schoerke, Keith Whitcomb (Bennington Banner); Jeri Schoof, Deena Ruege, Mary Gronning, Barry Mayer

**1. Call to Order**

Chairman Lon McClintock called the working session with the treasurer to order at 6:00 p.m.

**2. Work Session with Treasurer**

Continued from the previous meeting, based on the outline Bill Fisk had distributed.

Topics discussed included reporting of fiduciary funds, efficient handling of payroll via direct deposit, contractor vs employee status, online access (Read only) to financial information for Board Members via the new network. One more work session is planned for the next regular meeting on October 1<sup>st</sup>, 2012.

**3. Break**

At 6:55 p.m., the Chairman called for a five-minute break.

**4. Call to Order –regular Meeting**

The Chairman called the regular meeting to order at 7:00.p.m.

Chairman McClintock reported briefly on the work session with the treasurer and apologized for holding this meeting on a Rosh Hashanah.

**5. Announcements**

Karen Mellinger announced that Shaftsbury would hold a Colonial Day on September 29, 10 am – 4 pm in celebration of the town's 250 year history. Information is on the town website.

The next Household Hazardous Waste Day is Saturday, Oct 6th, 9 am – 1 pm. But it may close prior to 1pm if costs seem to be exceeding the budgeted amount.

#### **6. Public Comments**

There was a request that the household hazardous waste day be held on a day other than a holiday, when people may have difficulty taking advantage of it.

#### **7. Conflict of Interest Statement**

None were expressed.

#### **8. Road Foreman Reports**

Terry Stacy updated the Selectboard on current projects. Lon asked about erosion control and Terry mentioned the difficulty of growing grass at some points. He described another approach, which uses composting as an aid to erosion control. Karen Mellinger mentioned the need for some additional gravel at the Galusha property, facilitating non-destructive access to parking, which will be permitted on adjacent private property for the Colonial Da celebration.

#### **9. Government Surplus Equipment Purchases**

Craig Bruder explained the virtue of arranging a pre-approval process for some pieces of equipment, which can become available on short notice, particularly auctions of government surplus equipment. He suggested pre-approval for some items that are needed and may become available, such as a pick-up truck.

Various aspects were considered, such as a price limit, the identification of specific items, the appropriate mechanism for including the sum in the town budget. Terry Stacy noted that North Bennington has a “government surplus” line item in their budget.

The plan is to consult with department heads with regard to the possibility of putting into place a pre-approval policy for acquisition of some second-hand equipment.

Margy Becker will draft a policy, with a view to keeping the town administrator’s authority over expenditures clear, which will be related to the list of potentially useful second-hand equipment identified after consultation with department heads.

The discussion of the possible reclamation of Twitchell Hill Rd continued. Terry Stacy reported that Peckham is prepared to begin the reclamation on Monday 9/24; however, bids for the subsequent paving will not be opened until Monday night at the Selectboard meeting. Margy Becker reported that the bids are expected to be within the town’s financial means

Lon McClintock identified the options available, and polled the board. The consensus was that it would not be appropriate to exempt the paving from the bid process, and that proceeding with the reclamation prior to opening the bids and without knowing whether the paving could be completed this season, would not make sense.

Therefore, Margy Becker will ask Peckham if they can wait until Monday night to receive the Board's approval to proceed with the reclamation, which could begin as early as Tuesday morning.

The SB will hold a special meeting on Monday 9/24/12 to open bids and make a decision.

## **10. Civility Resolution**

Lon McClintock read the eight email comments he received with respect to the adoption of a civility policy.

He then encouraged people to speak at the Selectboard meetings, and noted he will not read the emails into the record, but will circulate them to the board. Those who sent comments include: Nancy and Andrew Schoerke; Kathleen and Bob Geneslaw, Phylis Porio, Jim Cassidy, Jennifer Viereck, Barry Mayer, and Mary Gronning.

There was some support for developing a civility policy, but also for education of town officials and the public with respect to rules of procedure. There is a need for officials to hold themselves to a high standard, and to be knowledgeable about relevant statutes. Although some suggest that mandatory training is in order, the need to recruit committee members suggests that the training cannot be too onerous - lest the pool of applicants be severely reduced. It was also noted that Board members will need to determine what is considered civil, and that expressing disagreement with a stated position should not automatically be regarded as uncivil behavior.

Karen Mellinger read the resolution she had drafted, which was then discussed at some length.

Michael Foley asked if members of all town committees will be required to participate in any training to be offered. Lon McClintock responded that the Selectboard cannot micromanage the DRB and Planning Commission, but will encourage current board members to take advantage of training. In addition, the Selectboard can ask if candidates for appointment would be willing to participate in training that may be offered. Whether or not such training would be limited to Board members or be open to the public remains undecided, since there were strong arguments for either alternative.

There was general support for the resolution, which Karen Mellinger will revise and present at the meeting of 9/24. Once adopted by the Selectboard, the DRB and Planning Commission will be encouraged to consider and adopt such a resolution.

Karen Mellinger applauded the process and thanked those who have participated.

#### **11. Boards, Commissions, and Town Official Training**

Lon McClintock has identified an individual interested in offering training at a rate of \$300/hour, for four to six hours. There was further discussion of the possibility of public attendance at training sessions.

Billy Obenauer pointed out that some topics can be more carefully and openly considered without the public being present. It may therefore be helpful to restrict some sessions to Board members. Lon McClintock will investigate legality of excluding the public.

A decision will be made at next Monday's meeting. The hope is to schedule sessions at the convenience of as many as possible.

#### **12. Zoning Administrator: New Appointment and Compensation Policy**

Tyler Yandow has accepted the position of Zoning Administrator.

**MOTION: That the Zoning Administrator be compensated based on an hourly rate of \$17, with the town retaining all zoning permit fees. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 4-0-0**

#### **13. Brownell's Salvage Yard – Certification of Location**

Deferred until the next meeting

#### **14. Industrial Composting Bylaw — final language**

Margy Becker presented a revised version of the Industrial Composting Bylaw. Board members agreed that the revisions were in accordance with the amendments proposed by the Selectboard.

#### **15. Highway Access Ordinance — schedule hearing**

A public hearing will be scheduled for prior to November 1<sup>st</sup> – if relevant to the ordinance adoption process.

#### **16. Liaison Roles**

**Motion: That Craig Bruder serve as highway liaison and that Lon McClintock serve as Public Health Officer. Moved by Karen Mellinger; seconded by Billy Obenauer. Carried, 4-0-0.**

**17. 2013 Highway and Fire Truck Purchases — Financing**

**MOTION: To accept financing over a 5-year term at a fixed rate of 2.09% to finance the Highway and Fire Truck purchases. Moved by Karen Mellinger; seconded by Billy Obenauer. Carried, 4-0-0.**

**18. Fuel Bids — Bid Opening**

Bids received for supplying propane, diesel, and heating oil were opened at the meeting. These will be discussed at next meeting

**19. Town Administrator's Report**

Margy Becker updated the Board on her activities over the past two weeks.

**20. Other Business**

The Selectboard noted Bob Holmes has resigned from the DRB.

**MOTION: To accept with regret the resignation of Robert Holmes, with thanks for his service he has given. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 4-0-0.**

In view of Bob Holmes' resignation, Karen Mellinger asked Margy Becker to post notices of the vacancy.

**21. Minutes –Aug. 20, Sep 6, Sep 10, 2012**

Deferred until the next meeting.

**22. Warrants**

**MOTION: To approve Payroll Warrant # PRW11 in the amount of \$7155.73. Moved by Karen Mellinger; seconded by Craig Bruder. Carried 4-0-0.**

**MOTION: To approve Payroll Warrant # PRW11 (retirement) in the amount of \$129.36. Moved by Karen Mellinger; seconded by Craig Bruder. Carried 4-0-0.**

**MOTION: To approve Check Warrant Report # W008 in the amount of \$19,417.42. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 4-0-0.**

**23. Adjournment**

**MOTION: To adjourn the meeting. Moved by Karen Mellinger; seconded by Billy Obenauer. Carried 4-0-0.**

The meeting was adjourned at 10:47 p.m.

Respectfully submitted,

Sandra Mangsen  
(Recording Clerk)