

**MINUTES OF THE SHAFTSBURY SELECT BOARD
SEPTEMBER 18, 2006
COLE HALL
SHAFTSBURY, VERMONT**

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

Board Absent: Jim Mead

Others Present: Kathy Cardiff (Health Committee), Mike Gleason (Bennington Banner), Aaron Chrostowsky, (Town Administrator), Susan Swasta (Recording Secretary)

1. Call Meeting to Order:

Chairman Wynn Metcalfe called the meeting to order at 7:08 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. Warrants:

The following warrants were presented for approval:

- PR#11 - \$ 8,117.79 payroll warrant
- AP#17 - \$ 41,270.53 (health insurance, landfill closure)

Cinda Morse made motion to pay warrants. Bill Pennebaker seconded.

Karen Mellinger noted that the general warrant included payment for deed research that had been done in error. She questioned whether this bill should be paid until the matter is cleared up. Chairman Metcalfe stated that Aaron Chrostowsky had not been directed to follow up on this, and it was decided to have him do so.

Ms. Mellinger also questioned payment for October insurance benefits for a town employee who has left. Mr. Chrostowsky replied that he had been advised by legal counsel that the October benefits should be paid.

Motion to pay warrants was amended to specify that the surveyor's bill for deed research included in AP#17 not be paid until Mr. Chrostowsky resolves the matter with the surveyor. Motion carried 4-0-0.

3. Minutes:

September 11, 2006 Minutes:

Ms. Morse made motion to approve September 11 minutes. Ms. Mellinger seconded.

Mr. Pennebaker requested two changes to the September 11 minutes:

Page 3, Section 5 (Landfill Closure Update), second sentence changed to:

There was a discussion of postponing payment of the \$33,000 retainage.

Page 3, Section 6 (Pay As You Throw Update), third sentence, "them" changed to "then" to read:

Mr. Pennebaker said that he expects monthly revenue to drop, then level out to a steady state.

Motion to approve September 11 minutes as amended carried unanimously.

4. Public Comments:

Chairman Metcalfe reported that the Board had met with Grange members to discuss making the Grange Hall a community

facility. He invited town residents to join a committee to explore this possibility. Anyone interested may contact him.

Chairman Metcalfe announced that Hazardous Waste Day and Free Tire Day will be held Saturday, October 7 from 9:00 AM to 1:00 PM. Free Metal Week will be October 3, 5, and 7; pipes must be four feet or less in length.

Ms. Mellinger reminded residents that latex paint is not accepted as hazardous waste, but must be disposed of as regular trash. Paint remaining in cans should be dried up.

5. Health Committee:

Kathy Cardiff came forward to make a Health Committee presentation. She traced the beginning of this committee to efforts by the late Charles Yoder, a trustee of public funds, to use dormant health fund monies for public benefit. The committee decided to

use the money, which amounts to about \$700 a year in interest from the health fund, for public health presentations.

October has been designated Shaftsbury Health Awareness Month, and four public presentations will be held on Thursday nights from 7:00 to 8:30 at the elementary school. The four programs will be:

October 5 - Dave O'Brian on mental health blues; depression and seasonal affective disorder

October 12 - Dianne Lamb on nutrition, including quick and healthy meals and changes in the food pyramid

October 19th - Ed Lanoue on medication interactions

October 26th - Pat Carpenter and Jennifer Thuermer on diabetes and heart disease

The Committee hopes for a sizable turnout, and all are invited. The programs will be taped by CAT-TV. Postcards on the events will go out to town residents on Friday, and there will be a public service announcement on CAT-TV. The Board thanked Ms. Cardiff and the Committee for their good work.

6. Landfill Closure Update:

Mr. Pennebaker reported that there are still issues regarding finances to be resolved. He feels Reifenberg's bill for spreading compost is rather high and needs to be negotiated. He detailed the costs, which total about \$15,000. The hauling cost was agreed to, but the labor cost seems questionable. Mr. Pennebaker noted that \$22,000 was still saved on topsoil, and that this should be a negotiable number.

The contractor's charges for covering an additional area, discussed at the last meeting, still need to be resolved. Mr. Chrostowsky stated that John Endres has not yet completed the survey to determine the total area covered, and Mr. Pennebaker emphasized that this survey is needed as soon as possible. Mr. Chrostowsky has emailed Reifenberg in order to set up a meeting on these issues.

Mr. Pennebaker reported that he and Mr. Chrostowsky had met with the state on transfer station recertification. They had thought that it would be possible to fast track the process by using the short form, but were told that the long form must be used because the landfill was just closed. Mr. Pennebaker stated that it is essential that this be completed by the end of the month.

Ms. Morse asked if technical help is needed to complete the long recertification form. Mr. Chrostowsky replied that he does not think this is necessary because he received a good template and information and anticipates completing a draft by Friday. He stated that technical information is not required. Mr. Pennebaker will be the Board liaison with Mr. Chrostowsky on completing the form.

Mr. Pennebaker reported that all four methane wells on the landfill now read at above LEL (lower explosive level). Because the measuring device does not give specific levels, he cannot get quantitative readings, so cannot tell how high levels actually are, or in what direction they are moving.

Mr. Chrostowsky stated that he has been informed by Buzz Surwilo that the town has three weeks to put a remediation plan in place for the methane wells. Mr. Surwilo told him that any competent engineer could develop a satisfactory plan. Mr.

Chrostowsky asked KAS to put together a proposal, and received a quote of \$5900 for a remediation plan. There was a discussion of whether this is a reasonable quote, and of past problems in dealing with KAS.

Mr. Pennebaker stated that he thinks these high methane levels were triggered by the landfill closure, but that it indicates that the gas collection system is not working well. There was a discussion of whether a methane level increase is a normal consequence of the landfill closure process and should have been anticipated by the contractor.

Mr. Chrostowsky stated that Mr. Surwilo had not had an answer about that, but had noted that the methane wells had spiked in the past. Mr. Pennebaker said that if an updated gas venting system is required, he believes it should be considered as a part of the landfill closure process and paid for with those funds.

Mr. Chrostowsky said that he will call people for answers as to whether the methane problem should have been anticipated. He will also call Bennington to see if they have a measuring device that will indicate specific methane levels. Mr. Pennebaker reminded the Board that this must be taken care of in three weeks.

Mr. Pennebaker made motion to reluctantly accept the \$5900 KAS bid for a remediation plan.

There was a discussion of the evident inadequacy of the gas collection system, and whether in designing it KAS had not taken past methane problems into account. They were paid once to design it, and now want an additional \$6000 to make it right. Board members discussed other engineers who might be able to handle this. Despite the time pressures, it was decided some other engineers should be called.

Mr. Pennebaker made motion to give Mr. Chrostowsky authority to spend up to \$6000, in consultation with Mr. Pennebaker, to hire a competent engineer for a remediation plan. Ms. Morse seconded. Motion carried 4-0-0.

7. Other Business:

Chairman Metcalfe reminded Board members to get information for the newsletter to Ms. Mellinger by tomorrow.

Chairman Metcalfe stated that he is always concerned about missing things that should go on the agenda. He asked Board members to think about agenda items to get on the table. Ms. Morse brought up finishing the personnel policy and the conflict of interest policy. Ms. Mellinger suggested discussing historic preservation grant money, and the Grange Hall. Mr. Chrostowsky stated that he had prepared a list of items that he believes require follow-through, which he will email to Board members.

Ms. Mellinger asked Mr. Chrostowsky if he had found an archeological consultant for the sidewalk grant, and he replied that he had and will receive a price tomorrow. He will also get a price for a sewer feasibility questionnaire from the UVM Center for Rural Studies.

Ms. Morse reported that the Economic Development Committee meeting scheduled for tomorrow night has been postponed.

8. Executive Session (Personnel):

Ms. Morse made motion to go into Executive Session (Personnel). Ms. Mellinger seconded. Motion carried 4-0-0. Board went into Executive Session at 7:56 PM.

Meeting adjourned at 8:30 PM.

Respectfully Submitted,
Susan M. Swasta