

**MINUTES OF THE SHAFTSBURY SELECT BOARD
OCTOBER 29, 2007
COLE HALL
SHAFTSBURY, VERMONT**

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

Others Present: **Mike Gleason (Bennington Banner), Jeff Mast (BCRC), Ron Daniels, Tyler Resch, Ken Moriarty, Ron Coleman, Aaron Chrostowsky (Town Administrator), Susan Swasta (Recording Secretary)**

1. Call Meeting to Order:

Chairman Wynn Metcalfe called the meeting to order at 7:01 PM. He asked if any Board member needed to recuse himself or herself from discussion of any topic on tonight's agenda. None did.

2. Minutes:

October 22, 2007 Select Board minutes

Cinda Morse made motion to approve the October 22, 2007 minutes. Lon McClintock seconded.

The following correction to the October 22 minutes was requested:

On page 5, under item 8 (Other Business), in the fourth paragraph, fourth sentence is changed to:

He said this system cannot be duplicated to monitor the landfill methane wells because the methane meter is no longer available.

Motion to approve October 22, 2007 minutes as amended carried 5-0-0.

3. Warrants:

The following warrants were presented for approval:

AP #20 -	\$ 18,124.96	General Warrant (includes landfill cap mower, health Insurance, Hazardous Waste Day)
PR #17 -	\$ 9,795.51	Payroll Warrant

Ms. Morse made motion to pay warrants. Karen Mellinger seconded. Motion carried 5-0-0.

4. Public Comments:

Tyler Resch asked why the meeting is not being televised. He was told that only the first and third meetings of each month are televised, and this is the fourth meeting.

5. Public Hearing on Intersection Improvements:

Jeff Mast of the Bennington County Regional Commission (BCRC) stated that he had found both intersections under consideration meet the criteria for stop signs.

Road Foreman Ron Daniels said that four-way stop signs at Peters Four Corners (Myers, Cross Hill, Tinkham, and Coulter Roads) would be good to stop speeding, but that it would cause the road to be torn up. He said that at the other intersection, Myers and Old Depot Roads, most people go slow and look up Old Depot, so there haven't been a lot of accidents.

Ms. Morse made motion to put in four-way stop signs at the Peters Four Corners intersection. Ms. Mellinger seconded.

Mr. Mast noted that at this intersection the issue is one of poor sight distance to the north more than speeding. Aaron Chrostowsky asked if there is any way to put down a different kind of material to protect the road, and Mr. Daniels said there is not. Mr. McClintock said that he has never had a problem with that intersection. After further discussion the vote proceeded.

Motion to put in four-way stop signs at the Peters Four Corners intersection carried 3-2. (Ms. Morse, Ms. Mellinger, Mr. Pennebaker for; Mr. McClintock and Chairman Metcalfe against.)

The Board next considered the Maple Hill-Old Depot intersection.

Ms. Morse made motion to put in a stop sign at Maple Hill Road and intersection advisory signs on Old Depot Road. Mr. McClintock seconded.

After discussion of the problems with unclear right-of way, poor sight distance, and having to stop at the bottom of a hill, voting proceeded.

Motion to put in a stop sign at Maple Hill Road and intersection advisory signs on Old Depot Road carried 5-0-0.

6. Party Labels Debate:

Chairman Metcalfe explained that Tyler Resch (representing the Democratic Party) had suggested that the Town go back to using party labels for Select Board candidates. He asked if any representatives of the Republican or Progressive Parties were present. None were.

Ms. Morse stated that she is not convinced there is a reason to go back. It is divisive and makes little difference at the local level.

Mr. Pennebaker asked if there is anything preventing parties from endorsing candidates. Chairman Metcalfe replied that there is not. Mr. Pennebaker noted that the parties are then free to back candidates without the use of labels.

Ms. Mellinger said that getting party endorsements without party labels could put a candidate in an ethical bind. Why not call a spade a spade? She thought that newcomers would find it helpful to know who has a more conservative or liberal bent.

Chairman Metcalfe said that this Board has tried to keep parties off the table. He has heard from David Mance, who expressed the view that that being a Democrat or Republican has nothing to do with how roads are taken care of, or other Town matters.

Chairman Metcalfe said that if people want to know, they can ask the candidate. He would really hope people go to the polls without knowing candidates' parties. Ms. Mellinger countered that a lot of people do vote based on parties.

Mr. Chrostowsky stated that he was informed by the Vermont Secretary of State that only 24 of 246 towns use party labels, and none have gone back after stopping the practice.

Ms. Mellinger asked if parties have sponsored candidate debates, and Chairman Metcalfe replied that the Select Board has sponsored debates. Mr. Chrostowsky said the Vermont League of Cities and Towns (VLCT) has information on holding a "meet the candidates" night. Ms. Mellinger thought this would be a good idea.

Mr. Pennebaker noted that there may be a problem if one candidate has implicit party support

while another runs as an independent and lacks this advantage. Ms. Morse said all candidates could seek party support if they want it.

Chairman Metcalfe said that to him it has everything to do with the person, not the party. Ms. Mellinger said that newer people could be put at a disadvantage.

Mr. Resch said that he agrees that partisanship has nothing to do with the issues the Select Board deals with, but feels that there is an amorphous quality to elections. It's a matter of transparency to the public.

Chairman Metcalfe asked for a motion to resume party labels. Ms. Mellinger said that she does not see it as the sense of the Board to resume party labels, but would like to follow up on holding a candidates night. Other Board members agreed.

7. Water System Planning Loan:

Mr. McClintock made motion to sign the water system planning loan agreement. Ms. Mellinger seconded.

Mr. McClintock stated that Mr. Chrostowsky was going to get one more piece of information on this. Mr. Chrostowsky replied that the loan forgiveness document was not online.

Mr. McClintock said there is no guarantee of loan forgiveness. Ms. Mellinger confirmed that this would only happen if they get money from somewhere else, and they probably would not because the interest rate would be higher.

Mr. McClintock asked if the loan would be paid back by the Town or the water users, and Ms. Mellinger replied that it would be repaid by water users. It will be built into water bills, to be repaid by 2016. If they decide to go to construction before 2012, it could be wrapped into the construction loan.

Motion to sign the water system planning loan agreement carried 5-0-0.

8. Sand/Salt Shed Agreement:

Ms. Morse made motion to lease the salt/sand shed from Dailey's for \$300 for a six-month lease. Ms. Mellinger seconded.

Mr. Chrostowsky noted that this is happening because they were asked to move off the neighboring property. Chairman Metcalfe said Mr. Daniels had said there would still be room on Town property, but this is much better. Mr. Chrostowsky stated that the money will come out of the sand and salt budget.

Motion to lease the salt/sand shed from Dailey's for \$300 for a six-month lease carried 5-0-0.

9. Budget Process and Timeline:

Chairman Metcalfe noted that Mr. Chrostowsky had given Board members this document. He outlined the plan to send a letter to department heads by November 1, asking for budget information by November 20.

Mr. Chrostowsky will then have ten days to do the budget spreadsheet, and on December 3 the Board will come in at 5:00 PM and deal with the stuff they can handle without department heads. They will meet on Saturday, December 8 with department heads, and then on December 10 deal with the highway department and employee benefits.

Ms. Mellinger asked about Board members meeting with their liaison persons, and was told they would be able to meet with them between November 1 and November 20. She asked if they would get information on health insurance from VLCT, and Mr. Chrostowsky replied that they would receive this soon.

Ms. Morse asked if they will have reports from the Recreation and Facilities Committees. She said that the Board needs to know if there are long-term recommendations on Cole Hall to think about.

Chairman Metcalfe asked Mr. Chrostowsky to email these two committees to ask if they can have information available to the Board at the end of November. Ms. Morse asked that the Ancient Roads Committee also be contacted.

Chairman Metcalfe said that they will need to have the road plan for the meeting with Mr. Daniels. Mr. Pennebaker stated that the Solid Waste Committee may have a proposal for a swap shed.

Ms. Morse noted that the more they can introduce the hard choices coming up in the future to the community, the more they are doing their jobs. Residents need to see the demands on very limited resources.

Chairman Metcalfe asked Board members to email questions to Mr. Chrostowsky for the people they'll be meeting with, so that they can prepare ahead of time.

10. Solid Waste Implementation Plan (SWIP):

Chairman Metcalfe thanked Mr. McClintock for the letter he prepared.

Mr. McClintock made motion to adopt the SWIP as presented by the BCRC. Ms. Mellinger seconded.

Ms. Morse asked if the agreement specifies the amount of money. Mr. McClintock replied that it is included in the body of the SWIP, and that Lissa Stark of the BCRC will try to keep it at \$5200, which will require some negotiation with the state.

Ms. Mellinger noted that the SWIP is an unfunded state mandate. Mr. McClintock said that it would be OK if they made them hire a person to implement, but they are making them hire a person to tell them what to implement, and to enforce it.

Ms. Morse said they should express their displeasure to state representatives. Mr. McClintock said that he had informed Ms. Stark that they are trying to be supportive.

Motion to adopt the SWIP as presented by the BCRC carried 5-0-0.

11. Response to Heindel & Noyes Letter:

Mr. McClintock stated that part of this conversation should be held in Executive Session because of legalities. It was agreed to hold off discussion for Executive Session.

12. Other Business:

Chairman Metcalfe asked Mr. Chrostowsky to put items for discussion into the agenda, not under Other Business.

Mr. Pennebaker distributed information on the DLC data logging computer to Board members. He said that it logs output of the methane meter as well as recording air temperature and barometric pressure.

Chairman Metcalfe stated that the Grand List breakdown had been distributed to Board members.

Mr. Chrostowsky summarized updated recycling numbers. He said there is not really a trend, but construction and demolition waste is increasing. Mr. Chrostowsky said he can follow up on glass and cardboard, but that Trevor Mance does not do these on a monthly basis.

Ms. Mellinger asked whether placement of the flagpole in Maple Hill cemetery had been approved by the Select Board, and was told that it had not. Mr. Chrostowsky explained that the Veterans Committee had put in the flagpole. Chairman Metcalfe agreed with Ms. Mellinger that the Board should be informed before things are put up.

Mr. Pennebaker said the flagpole looks fine, but asked who will maintain it. Chairman Metcalfe assured him that "it will never look bad." Mr. Chrostowsky will send a thank-you note, and also mention that they would appreciate knowing in advance in the future.

Ms. Morse said that another solid waste bylaw working session is scheduled for tomorrow night, but that the subcommittee has not met yet. She asked if the meeting should be postponed. It was decided to hold the meeting, and skip the section that the subcommittee is working on.

Chairman Metcalfe said he received a call that a group is being put together to look at the future of Lake Paran. They hope to include a couple of Shaftsbury Select Board members. Ms. Mellinger and Mr. McClintock volunteered to participate.

Chairman Metcalfe stated that Head Lister Angie Abbatiello will come in to visit with the Board concerning reappraisal. They need to inform people about the process.

Ms. Morse asked if Rep. Alice Miller should be asked to attend. Ms. Mellinger said that she did not think the legislature had done anything on reappraisal. She noted that the Town is ready because money has been put aside.

Chairman Metcalfe noted that deer season is starting, and if he is not here Monday Ms. Morse will take charge.

Ms. Mellinger said she will be away next Monday and asked if the noise ordinance is on the agenda. Mr. Chrostowsky replied that it is; a public hearing on the ordinance is scheduled.

The Board went into Executive Session (legal) at 8:30 PM.

The Board left Executive Session (legal) at 9:40 PM.

Meeting adjourned at 9:45 PM.

**Respectfully Submitted,
Susan Swasta**