

MINUTES OF THE SHAFTSBURY SELECT BOARD
OCTOBER 5, 2009
COLE HALL
SHAFTSBURY, VERMONT

Board Present: Lon McClintock (Chairman), Bill Pennebaker, Karen Mellinger, Cinda Morse
Others Present: Mark Rondeau (Bennington Banner), Michael Taylor, Craig Bruder (and his father), Ken and Rose Carlson, Joe Herrmann, Ron Daniels, Larry Johnson, Alice Miller (VT Rep.), Margaret Becker (Town Administrator).

1. Call Meeting to Order:

Chairman Lon McClintock called the meeting to order at 7:00 PM.

2. Announcements:

Chairman McClintock announced a public hearing on Thursday, October 8 at 5:30PM in Cole Hall for the purpose of hearing public comments concerning the Town's application for 2010 Enhancements grant funds to construct a sidewalk around the corner of the 'Mance Property' at the intersection of Church Street and Rte. 7A.

Karen Mellinger confirmed the Household Hazardous Waste Collection event is Saturday, October 10, 2009. This collection is open to residents of Shaftsbury, Stamford, and Pownal. No alkaline batteries will be accepted. Compact fluorescent light bulbs will be accepted.

Bill Pennebaker announced the broadband survey will be winding down in the next two weeks. Please deliver survey responses to the Town Clerk.

3. Conflict of Interest Statement:

Chairman McClintock asked if any Board member has a conflict of interest with any topic on tonight's agenda. None did.

4. Public Comments:

There were no public comments.

5. Special Election – Selectmen Vacancy:

Chairman McClintock reported that Judy Stratton gave out 6 petitions. Only one was returned from candidate - Craig Bruder. He asked whether or not the Town should move ahead with the expense of a special election or cancel the election and appoint for the balance of the term until March. Karen Mellinger stated that potential candidates had been given the opportunity to step forward, and that the expense of a special election at this point would not be money well-spent. She concurred with proceeding to appoint. Bill Pennebaker stated his support for an appointment, while noting if there had been more than one candidate who had filed – he would still support the special election. Cinda Morse stated she was a fan of process and pointed out the advantage of holding the special election was to provide an opportunity for write-in candidates. She then also stated she would support an appointment.

The Chair asked Craig Bruder to join the Board. Mr. Bruder explained he has been Chair of the Shaftsbury Planning Commission and has enjoyed serving his community. He said he has lived in Shaftsbury for 5 years and has children enrolled at the Elementary School. He would like to bring new ideas and perspectives to the Selectboard. Mr. Bruder is presently employed as an underwriter for a captive insurance company. He has been in the insurance business for many years. Mr. Bruder said he is unsure if he will remain Chair of the Planning Commission, if appointed as a Selectboard member. When asked by Cinda Morse if he would run again in March, Mr. Bruder responded yes.

Bill Pennebaker made the motion to appoint Craig Bruder to the vacant Selectboard position for the balance of the term and until March 2010. Karen Mellinger seconded. The MOTION carried unanimously,

6. Construction Project Updates:

Ron Daniels provided status reports on various highway projects. Work to be done on Meyers Road includes ditching, seeding, and lining with stone; guard rail posts and wire also need to be installed. The crew will finish up the Shaftsbury Hollow Road drainage project in the very near future. The Airport Road Box Culvert is completely installed except for guard rails. Continued spot grading will be needed until the road stops settling. The White Creek Road bank stabilization project is complete.

Discussions ensued regarding a newly found sink hole opposite the Carlson residence at the edge of pavement on Westview Drive. Water has undermined the pavement. There is more settling further along the road towards the end and its intersection with Stevens Lane. Ron Daniels stated he does not support paving at these locations this fall, until road repairs can be made. Margy Becker stated she has submitted a request for an extension to the Class 2 paving grant, which provides funding for paving Cleveland Avenue, Ledgely Road, Westview Place, and Stevens Lane. Ron Daniels was asked if he could provide a cost estimate for repairs needed to Westview Drive. The Board agreed to continue discussions on this item at a special meeting on Thursday, October 8, at 5:30PM.

Joe Herrmann reported Sycamore Lane is completely "looped" and all houses are tied in. The site is being cleaned up and being prepared for blacktop. Sycamore Lane is 80% complete. Meadow Lane is all on-line and is 90% complete. 90% of the pipe needed on Ledgely Drive has been run through. Pipe has been laid on Westview, but houses have yet to be tied in. Drilling Technologies hopes to have the project completed by Friday October 16th. Site restoration will include paving in certain locations. Ken Carlson reported that Drilling Technologies has been very professional and responsive to citizens concerns. He has been very happy with the work the company has completed. Drilling Technologies has provided a one year warranty for their work.

Karen Mellinger reported that the Water Bond is with the ANR and will be sent along to the Bond Bank shortly. Karen Mellinger provided a status report on the Sidewalk Project. MacDonald-Secor hopes to finish up by the middle of October.

Margy Becker provided a status report on repairs to Cole Hall. Work has begun on steeple repair and roofing, the southside door has been restored and antique hardware (black iron) will be installed. Roof and cornice repairs are underway. Window replacements have been ordered.

Lon McClintock reported on the status of the Facilities Committee's consideration of the Keefe & Wesner Report regarding the assessment of Cole Hall. The Committee has yet to reach a consensus on whether or not an addition to Cole Hall is the way to proceed. The costs of adding on to Cole Hall are less than constructing a new building. The Facilities Committee decided to investigate the cost of having Keefe & Wesner develop more refined plans for an addition to Cole Hall.

Margy Becker reported that staff have met with Facilities Committee members to review the Keefe & Wesner recommendations. The Town Clerk has expressed concern that the vault is too small and that a rear main entry leaves people at an out-of-the-way location in the building – which may pose a security issue. This entry is proposed to house the new ADA accessible entryway, inclusive of an elevator to the main floor. She also noted that the site plans under review do not allow access to the residence behind Cole Hall. These comments will be communicated to Mark Wesner.

7. Cemetery Committee – Status Report

Cinda Morse reported that the Cemetery Committee held its organizational meeting. She recommended that meeting attendees Angie Abatello, Joyce Scary, Judy Stratton, and Madilyn Harrington be formally appointed to the Committee. Ms. Morse stated she understands that the Selectboard wants the Cemetery Committee to make recommendations for a 'Superintendent' to replace Wynn Metcalfe. She reported that a job description for the position is needed, and she is in receipt of a sample the Committee will review at its next meeting on October 15th. The Committee must also decide whether this shall be a paid position or not. Ms. Morse suggested an extensive review of the budget for cemeteries is needed, in order to evaluate whether fees being collected are going to the right place – i.e. perpetual care vs. mowing vs. fence repair. An inventory of cemeteries is needed to identify necessary repair work. Ms. Morse said she considers Shaftsbury cemetery records to be in good shape.

Lon McClintock asked for clarification of the Committee's charge. He noted the range of local committees that have been established. Some have appointed members, some do not. Mr. McClintock expressed his concern to stem from the fact the Cemetery Committee will oversee provision of services to the community, and it should be clarified whether the Committee can spend money.

Lon McClintock made the MOTION to establish an interim \$70.00 burial fee – which has been the published fee. Bill Pennebaker seconded. The MOTION carried unanimously.

Karen Mellinger inquired as to the status of the audit of cemetery records. Lon McClintock reported that the Town Auditors would be meeting the next day (Tuesday, Oct. 6th). The Selectboard discussed new interim policies for collection of all cemetery fees through the Town Office – with the Treasurer and Town Clerk cross-checking revenue collection and records.

Lon McClintock asked the Board to consider increasing the fee charged for burial markers to a fee that reflects their true cost. He clarified that the Town has a published rate of \$120 for corner markers, but the real price is \$200.

Bill Pennebaker made the motion to charge an interim fee of \$200 for corner markers and a \$25 installation fee. Karen Mellinger seconded for discussion purposes.

Cinda Morse inquired whether only stone markers are to be used, citing that Burlington allows markers comprised of alternate materials to be used. Further discussions ensued regarding

corner markers, fees, and whether or not corner markers of differing materials should be installed in historic cemeteries. Cinda Morse stated this was an issue the Cemetery Committee should address. Lon McClintock suggested that a resident in Town assist with laying out corner markers. Alice Miller suggested a local granite supplier.

Bill Pennebaker then amended his MOTION to state “an interim policy will be to charge the current price for corner markers plus the cost of installation.” The motion was seconded and carried unanimously.

Cinda Morse made the MOTION to appoint Angie Abatello, Judy Stratton, Joyce Scary, and Marilyn Harrington to the Cemetery Committee. Bill Pennebaker seconded. The motion carried unanimously.

Lon McClintock suggested the Committee elect a Chair, and that Committee membership should remain open in case others come forward and desire to participate. Cinda Morse asked for clarification as to the skills people may need to bring to the Committee – citing the need to adhere to Vermont statutes. Lon McClintock suggested 1 – 3 additional members.

8. Status of Transition to Modified Accrual Accounting

Margy Becker reported Treasurer Henri Billow is still waiting for final adjustments and journal transactions from Bill Hall. Lon McClintock said that line items are now structured so that Howard Park and Cemetery income and expenses are reported in the general fund. Grants remain separate at present. This is the Treasurer’s preference.

9. Minutes

Karen Mellinger made the motion to approve the minutes of September 21, 2009 – noting that the following corrections needed to be made:

1. The title should reflect 9/21/09 and not 9/14/09
2. Paragraph 3 Item#2 Announcements: “Gail Green” should read “Gayle” Green.
3. Page 6 Item #14: correct “Chuck Putnam” to “Chuck Putney”

The motion was seconded and carried unanimously.

10. Warrants:

The following warrants were presented for approval:

Transfer Warrant due to General Fund from Cole Hall and Lister’s Reappraisal funds in the amount of \$32,082.71.

Ms. Morse made motion to pay the Transfer Warrant in the amount of \$32,082.71. Mr. Pennebaker seconded. Motion carried 4-0-0.

Check Warrant #W9: \$17,000 (Getty Construction)

Ms. Morse made motion to pay Warrant #W8. Mr. Pennebaker seconded. Motion carried 4-0-0.

Payroll Warrant #13: \$7,844.43

Ms. Morse made the motion to pay payroll warrant #13. Ms. Mellinger seconded. The motion carried 4-0-0.

Payroll Warrant 13R: Return payroll check \$73.44.

Ms. Morse made the motion to pay payroll warrant #13R. Ms. Mellinger seconded. The motion carried 4-0-0.

Payroll Warrant #14: \$6,148.99.

Ms. Morse made the motion to pay payroll warrant #14. Bill Pennebaker seconded. The motion carried 4-0-0.

Check Warrant #W9R: (retirement) \$4,883.04.

Ms. Morse made the motion to pay check warrant #W9R. Ms. Mellinger seconded. The motion carried 4-0-0.

Check Warrant #10: \$83,610.13 (BCRC dues, CSI for box culvert, Gorman Group for chloride, Greenmen Pedersen for sidewalk inspection services, Greater Heights Tree Co. for work on Meyers Road, Jay Coonradt mowing contract).

Ms. Morse made the motion to pay check warrant #10. Ms. Mellinger seconded. The motion carried 4-0-0.

Check Warrant #11: \$105,018.54 to Drilling Technologies (Water Project)

Karen Mellinger made the motion to pay check warrant #11. Bill Pennebaker seconded. The motion carried 4-0-0.

14. Other Business:

Karen Mellinger announced the upcoming public hearing at Cole Hall on Thursday, October 8th, at 5:30PM regarding the Town's submittal of an application for 2010 federal Enhancement Grant funds.

Bill Pennebaker reported the Planning Commission has completed its review of the highway access ordinance and now presents it to the Selectboard with modest revisions – inclusive of revised language to have the Zoning Administrator conduct the 1st level of review of the curbcut with the Road Foreman's assistance. If B71 standards are not met, the DRB becomes involved. This proposed ordinance will be added to the October 19th agenda for 1st reading.

Bill Pennebaker also submitted to the Board for review the Planning Commission's recommendation for a proposed amendment to the zoning ordinance. The amendment concerns fencing, plantings, and walls within the Town's highway right-of-ways. This item will be discussed October 19th.

Karen Mellinger reported she received a comment from a resident on Meyers Road regarding the State's signage regarding the layout of the intersection of Meyers Road and Rte. 7A. It was agreed that District 1 needed to be consulted regarding installation of a sign that more correctly displays the angles of intersection. She also reported that Bob Mattison had contacted her regarding the poor condition of Shaftsbury State Park Road. The State sounds interested in pursuing a 50/50 split on maintenance costs for the road. Ms. Mellinger will follow-up with Mr. Mattison to track down his State contact.

Cinda Morse reported on Ancient Roads Committee activity. The Committee would like to recommend 4 roads to become trails. Peggi Price has consulted Rob Woolmington. The Committee would like to address the Board at a November meeting.

Lon McClintock made the MOTION to adjourn at 9:00PM. Bill Pennebaker seconded. The motion carried.

Respectfully Submitted,
Margy Becker