

SHAFTSBURY SELECTBOARD
REGULAR MEETING
May 3, 2010
MINUTES

ATTENDING: Board Members present: Lon McClintock, Karen Mellinger, Bill Pennebaker, Craig Bruder, Cinda Morse; Staff: Margy Becker, Town Administrator; Larry Johnson, Lister; Oliver Durand, Fire Warden.

1. **Call to Order**

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

2. **Announcements**

Cinda Morse announced that the Economic Development Committee and local business will be meeting on May 13th at Cole Hall at 5:30pm. A state official will be discussing Village Center Designation and its benefits for local business, inclusive of tax credits.

Karen Mellinger thanked everyone for their efforts on Green-up Day.

Bill Pennebaker stated that the Firemen's Dinner on April 24th was a success. Bill reminded everyone that Hazardous Waste Day will be on May 8th from 9:00am to 1:00pm. Free Tire Day is also on May 8th. Four tires per household are allowed and tires can't be on rims. For more information you can call the Town at 442-4043.

Craig Bruder announced that the Memorial Day Parade will be is hosted by Shaftsbury Veterans Committee and held on May 31, 2010. It will leave Cole Hall at 9:00am.

3. **Conflict of Interest Statement**

Chairman McClintock inquired if any Board member had a conflict of interest with any matter on the agenda. Cinda Morse abstained from discussions pertaining to Brownell's Junkyard and compliance issues relative to the Superior Court's Settlement and Stipulation Order.

4. **Public Comments**

No comments made.

5. **Fire Warden-Oliver Durand**

Oliver Durand told the Board Members about the brush fire on April 15, 2010 at Rousseau's. Besides the Shaftsbury Fire department others that responded included North Bennington, Bennington Rural, and North Hoosick. The statement presented to Shaftsbury from all four Towns totaled \$1505.02. The Town will be compensated for half of this invoice, which will total \$752.51, by the State of Vermont.

6. Web Site Development

Bill Pennebaker stated the new web page is a work in progress. The present web page will stay as is until the new page is up and running.

7. Grader Bids

Margy Becker informed Board Members that John Deere's proposed interest rate has gone down to 2.95%. The Board compared rates with Chittenden Bank and John Deere. The Board discussed semiannual vs. annual financing plans. The down payment of \$62,500 will be drawn from the grader reserve fund.

Karen Mellinger made the motion to accept the 5 year financing plan with John Deere. After subsequent discussion, Karen Mellinger withdrew the motion.

The Board discussed the payment plans further.

Karen Mellinger made the motion to accept the 5 year annual payment plan with John Deere, with the down payment of \$62,500 to be made on July 15, 2010 and the first of 5 installments of \$38,201.19 due July 15, 2011. Bill Pennebaker seconded. Motion carried 4-0. This financing plan is for the 672G John Deere Grader with manual controls and full-machine warranty, for a total sale price of \$237,500. The total amount financed will be \$175,000.

8. VTrans Bridge Inspection Reports

The VT Agency of Transportation's bridge inspections revealed that bridge #25 on Harrington Road did not need maintenance, bridge # 16 on Granger Hollow Road needs new guard rails, and bridge #19 on Shaftsbury Hollow Road needs gravel removal.

Cinda Morse made the motion to accept the Bridge Inspection Report. Bill Pennebaker seconded. Motion carried unanimously.

9. Brownell's Salvage yard

Lon McClintock stated that the complaint against Brownell's Salvage Yard from neighbors needs further action. The Town needs to define how much authority they have in regulating the complaints against Brownell's. The Vermont Agency of Natural Resources has concerns with contaminants. Additional testing is needed along with more clean-up.

Karen Mellinger requested a copy of the Miller Report that the State referenced in the letter to Brownell's Salvage Yard.

Chair McClintock will contact the Zoning Officer to have him monitor Brownell's to see if they are in compliance with the Stipulation. If Brownell's is found to be in compliance, the matter will be closed. If they are not in compliance, the Board will determine whether it is a minor or serious infraction. The State will be asked to do a follow-up.

10. Facilities Planning

Lon McClintock reported facilities planning is coming together with the focus on the Town Garage. There is a debate as to whether the Town should acquire the adjoining Village property. The next focus will be on Cole Hall.

11. Personnel Policies

Cinda Morse suggested that a three member sub-committee be formed with herself, Craig Bruder, and Margy Becker. They will set up meetings and present the Board Members with the policy recommendations.

The sub-committee will examine VLCT benefits to help determine the policies for vacation and sick time, and for family and parental leave.

12. Town Administrator Reports

Margy Becker stated that the employee evaluations are moving along. Road Crew evaluations will be on June's agendas. She has hired Joan Vargo as the new bookkeeper.

Lon McClintock asked that the performance evaluation forms for the Town Administrator's evaluation be made available to the Board, in addition to the list of the Department Heads who will conduct an evaluation. Margy Becker will provide the Board with this information.

Cinda Morse will present new ideas for evaluation forms to the Board.

Margy Becker stated that a plan needs to be in place for back-up when the Animal Control Officer is on vacation. Margy informed the Board that there is not an ordinance in place for the pick-up of animal waste by their owners.

Lon McClintock asked Bill Pennebaker if he could write an ordinance that is enforceable for the cleanup of animal waste. Bill agreed to follow up on this.

13. Tentative Agenda- May 17, 2010

Recreational Committee, Emergency Management Committee, Block Grant up date, Personnel Policy, Road Report, Cemetery Superintendent, Report from Henri Billow.

14. Approval of Warrants

FINAL PAYMENT TO MACDONALD-SECOR FOR SIDEWALK CONSTRUCTION IN THE AMOUNT OF \$7,500;

Cinda Morse made the motion to approve Chair McClintock's signature. Karen Mellinger seconded. Motion carried.

RETIREMENT WARRANT #W41R IN THE AMOUNT OF \$123.29.

Karen Mellinger made the motion to approve retirement warrant #W41R. Cinda Morse seconded. The motion carried unanimously.

PAYROLL WARRANT PR#44 IN THE AMOUNT OF \$8495.68.

Craig Bruder made the motion to approve payroll warrant PR#44. Karen Mellinger seconded. The motion carried unanimously.

PAYROLL WARRANT PR43 (REVISED) IN THE AMOUNT OF \$622.97.

Karen Mellinger made the motion to approve warrant PR43-Revised. Bill Pennebaker seconded. The motion carried unanimously.

PAYROLL WARRANT PR43 IN THE AMOUNT OF \$5210.91.

Karen Mellinger made the motion to approve warrant PR43. Bill Pennebaker seconded. The motion carried unanimously.

CHECK WARRANT #W40 IN THE AMOUNT OF \$14, 833.93.

Karen Mellinger made the motion to approve check warrant #W40. Cinda Morse seconded. The motion carried unanimously.

CHECK WARRANT #W41 IN THE AMOUNT OF \$31,764.91.

Cinda Morse made the motion to approve check warrant #W41. Bill Pennebaker seconded. The motion carried unanimously.

15. Approval of Minutes

Karen Mellinger made the motion to approve the minutes for April 5, 2010. Cinda Morse seconded. Bill Pennebaker stated that in section 7 there is a duplication of Paul Maitland's appointment which needs to be removed. In Section 13 second sentence, delete "decrease in rates" and insert "decrease in residents". In third paragraph delete "with the State of Vermont" and add "State Representative". Item 14, 4th paragraph change "Daniels" to "Woolmington".

The motion carried.

Karen Mellinger made the motion to approve the minutes for April 19, 2010. Cinda Morse seconded. Motion carried.

Karen Mellinger made the motion to approve the minutes for April 26, 2010 with one modification to p. 2 paragraph 3, add "manual controls" in discussion on the grader. Cinda Morse seconded. The motion carried.

16. Adjournment

Craig Bruder made the motion to adjourn at 9:20pm. Cinda seconded. Motion carried.

Submitted by,

Carol MacLean