

SHAFTSBURY SELECTBOARD  
REGULAR MEETING  
JULY 19, 2010  
MINUTES

ATTENDING: **Board Members present:** Lon McClintock, Karen Mellinger, Bill Pennebaker, Craig Bruder, Cinda Morse; Town Officials: Larry Johnson, Margy Becker, Town Administrator. Guest: Tom Dailey, Esq; Beth Boepple, Esq.

**1. Call to Order**

Chair Lon McClintock called the meeting to order at 7:05pm.

**2. Announcements**

The Water Board met at 6:00pm and completed the budget for 2011 and completed the budget for 2011. A letter will be sent to all water users explaining the new billing cycle and the \$4.00 maintenance fee increase per year.

Margy Becker announced the delivery of the new grader that the crew is outfitting.

A reminder of the transfer station hours which are Tuesday, 7am to noon; Thursday, 11am to 4pm; and Saturday, 7am to 4pm.

**3. Public Comments**

No comments made.

**4. Conflict of Interest Statement**

Chair McClintock inquired if any Board Member had a conflict of interest with any matter on the agenda. Bill Pennebaker stated he had a conflict of interest concerning item #8 the Planning Commission Appointment.

**5. Joe Vadakin – Equipment Lease Purchasing**

Tabled until next meeting.

**6. Continuance of Discontinuance Hearing – Old Cross Road**

The Select Board took a field trip to Sugar House Road and Little Rhode Island Cemetery (Mattison Cemetery). The purpose of the trip was to document public access to the cemetery.

**Karen Mellinger made the motion to reopen the hearing of Old Cross Road to accept new information. Bill Pennebaker seconded. Motion carried unanimously.**

Entered in the record:

1. Deed to the Benedict property

2. Deed with the public right of way to the cemetery,
3. Letter from Chris Williams
4. Letter from Linda Webber.
5. Tom Dailey entered into the record copies of Vermont statutes
6. A letter from the Hogan's dated 12/2/09
7. Rob Woolmington's Opinion regarding laying out roads
8. Selectboard Minutes dated 1/7/85 to reclassify .22 mi. of TH17 to trail

**Cinda Morse made the motion to close the record and not take any further evidence. Craig Bruder seconded. Motion carried.**

**Craig Bruder made the motion to table discussion until next Monday, July 26, 2010 at 6:30pm. Karen Mellinger seconded. Motion carried 4-1-1, Lon McClintock abstaining and Cinda Morse voting against.**

### **7. New Personnel Policies – Compensation & Benefits Discussions**

The Personnel Committee recommended to the Board the following: 12 days of sick/personal time per year, 12 holidays per year, and the buyback of sick/personal days at the end of the year. The Board discussed adding Dental Insurance, changing the probationary period from 90 days to 180 days, eligibility for benefits starting at date of hire, leave time to become earned time vs. 'grant' annually on Jan. 1st, and earned leave only to be taken during probationary period. Overtime would be paid only after 40 hours of worked time. Holiday pay will continue to be paid at regular wages. If the holiday is worked the employee would be paid at time and a half, except for Thanksgiving and Christmas which would be double time. The Board discussed holiday pay further and tabled discussions until the next regular meeting.

### **8. Planning Commission Appointment**

Bill Pennebaker recused himself from discussions.

**Karen Mellinger made the motion to appoint Bill Pennebaker to the Planning Commission. Craig Bruder seconded. Motion carried 4-0.**

### **9. Other Business:**

Compost bins are available for sale through the BCRC for just under \$30.00.

Chair McClintock inquired as to the status of the two recruits for Zoning Administrator. He was informed that the interviews were not completed.

The Board discussed Tony Zazzaro, who has tendered his resignation as Zoning Administrator, but offered to serve if needed. If the date of his resignation has passed can he still serve?

**Karen Mellinger made the motion to approve Tony Zazzaro continuing to serve until replaced. Cinda Morse seconded. Motion carried unanimously.**

The Board discussed the upcoming DRB hearing concerning the Zoning Administrator's Judicial Opinion concerning Paulin's compliance with signage provisions. A letter will be sent to the DRB stating the Select Board's opinion. The consensus of the Selectboard is that the Zoning Administrator does not have the authority to issue judicial opinions.

**Karen Mellinger made the motion to authorize Lon McClintock to write the letter to the DRB on behalf of the Board Members. Cinda Morse seconded. Motion carried 5-0.**

**Cinda Morse made the motion to authorize MSK Engineering to proceed with developing gross cost estimates for 2 potential town garage sites for a cost not to exceed \$1,750. Craig Bruder seconded. Motion carried 4-1, with Karen Mellinger voting against.** Karen Mellinger stated she voted against the motion because the engineer's estimate was for a cost of only \$1,000-\$1,500. The garage reserve fund will pay for the study.

**10. Approval of Warrants**

PAYROLL WARRANT PR#2 IN THE AMOUNT OF \$4842.75.

**Karen Mellinger made the motion to approve Payroll Warrant PR#2 in the amount of \$4842.75. Cinda Morse seconded. Motion carried 5-0.**

PAYROLL WARRANT PR#1 IN THE AMOUNT OF \$7575.62.

**Cinda Morse made the motion to approve Payroll Warrant PR#2 in the amount of \$7575.62. Karen Mellinger seconded. Motion carried 5-0.**

RETIREMENT WARRANT #W3R IN THE AMOUNT OF \$106.07.

**Bill Pennebaker made the motion to approve Retirement Warrant #W3R in the amount of \$106.07. Karen Mellinger seconded. Motion carried 5-0.**

CHECK WARRANT #W4 IN THE AMOUNT OF \$18,137.15.

**Cinda Morse made the motion to approve Check Warrant #W4 in the amount of \$18,137.15. Bill Pennebaker seconded. Motion carried 5-0.**

**11. Approval of Minutes**

**Karen Mellinger made the motion to approve minutes of June 21, 2010. Bill Pennebaker seconded. Motion carried 4-0-1. Lon McClintock abstained.**

**Bill Pennebaker made the motion to approve minutes of June 28, 2010. Cinda Morse seconded. Motion carried 5-0.**

**12. Town Administrator Evaluation**

**Craig Bruder made the motion to enter executive session at 9:25pm. Cinda Morse seconded. Motion carried 5-0.**

Submitted by  
Carol MacLean