

SHAFTSBURY SELECTBOARD  
SPECIAL MEETING  
July 26, 2010  
MINUTES

ATTENDING: **Board Members present:** Lon McClintock, Bill Pennebaker, Craig Bruder, Cinda Morse; Staff: Margy Becker, Town Administrator; Guests: Annette Jenks, Tom Dailey, Esq; Andrea and Bill Hogan, Dave and Mary McKeighan; Ben Benedict, Dave Rosner.

**Board member absent:** Karen Mellinger

1. **Call to Order:** Chairman McClintock called the meeting to order at 6:30pm.
2. **Announcements:** There were none.
3. **Conflict of Interest Statement:**

Chairman McClintock inquired if any Board member had a conflict of interest with any matter on the agenda. No conflict of interest was noted for the record.

4. **Public Comments:** No comments were made.

5. **Zoning Administrator – Candidate Interviews**

Cinda Morse inquired regarding the order of agenda items. The Selectboard agreed to take up discussion of the Planning Commission's recommendation of a candidate for appointment to the zoning administrator vacancy as "other business". Cinda Morse inquired as to the nature of the Board's pending 'meeting' with the candidate. The Board discussed its plans for an interview. Cinda Morse stated she felt the Selectboard interview was unnecessary. The Board agreed to an abbreviated interview.

**Craig Bruder made the motion to meet with the zoning administrator candidate upon recommendation of the Planning Commission. Bill Pennebaker seconded. The motion carried 3-1 in favor, with Cinda Morse voting against.** The Board agreed to hold the candidate interview during their regular meeting on Monday, August 2<sup>nd</sup>.

6. **Old Cross Road Discontinuance – Deliberations**

**Bill Pennebaker made the motion to discontinue Old Cross Road to further validate similar action of the Selectboard in 1911. Cinda Morse seconded.**

Bill Pennebaker stated the record of 1911 was clear and that he is of the opinion the 1932 Selectboard action reaffirms the 1911 action. There is little to gain in preserving the old public

right-of-way, and the expense to the Town would be large. The road under consideration is just a fragment of a road.

Cinda Morse stated her agreement, noting the Town has confirmed alternate access to the cemetery. Craig Bruder stated he could not identify any "public good" that would be addressed by preserving the road, since there is cemetery access over Sugar House Road.

Lon McClintock stated disagreement regarding the conclusiveness of the 1932 Selectboard action, noting the action was not a 'statement' and therefore could not help clarify the 1911 Selectboard action. He stated the usefulness of the old road has expired, part of the road has become overgrown and is a heavily wooded section, and the old right-of-way is almost a nuisance to present landowners. He further stated the Selectboard's action is to provide finality.

Bill Pennebaker acknowledged the small public benefit of recreational use of the old road.

**Action: The vote carried 4 – 0 in favor of discontinuance of 'an Old Cross Road'.**

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

The Board continued discussion of proposed personnel policies with regards to holiday pay, scheduled holidays, payment of overtime versus accrual of comp time, the addition of dental insurance, sick time "buy back", and earned sick/personal time. The Board agreed to further research short-term disability policies and life insurance coverage.

### **8. Approval of Warrants**

PAYROLL WARRANT PR#3 IN THE AMOUNT OF \$7,569.05.

**Craig Bruder made the motion to approve payroll warrant PR#3 in the amount of \$7,569.05. Bill Pennebaker seconded. Motion carried 4-0.**

CHECK WARRANT #W5 IN THE AMOUNT OF \$4,575.83.

**Cinda Morse made the motion to approve check warrant #W5 in the amount of \$4,575.83. Craig Bruder seconded. Motion carried 4-0.**

CHECK WARRANT #W3 IN THE AMOUNT OF \$62,500 for down payment on 2010 grader.

**Craig Bruder made the motion to approve check warrant #W3 in the amount of \$62,500. Bill Pennebaker seconded. Motion carried 4-0.**

**9. Approval of Minutes:** Approval of July 12, 19, 26 minutes was tabled until next meeting.

**10. Other business:** The Board agreed to a personnel work session on August 16<sup>th</sup>.

**11. Adjournment:** Cinda Morse made the motion to adjourn at 8:35pm. Craig Bruder seconded. Motion carried unanimously.

Submitted by  
Margy Becker

**Personnel discussions: Notes from Special Meeting July 26 (Karen absent)**

Lon McClintock expressed satisfaction with a holiday pay rate of 2.5 times regular pay. At a \$10.00/hour pay rate this equates to \$10.00 plus time and one half.

It was agreed that all hours worked on a holiday would be paid at 2.5 times regular pay.

Scenario: Christmas is on a Sunday, and the holiday is observed Monday: If the crew is called in on Sunday – the rate is 2.5 times regular pay; If they do not work the scheduled holiday observance on Monday – they get their usual holiday pay at ‘straight’ time.

Bill Pennebaker inquired regarding days on either side of premium pay. Cinda Morse stated her position to be no pay on Monday, if work on Sunday.

The Board agreed to 12 scheduled holidays and no floating holidays.

Saturday holidays will be observed on Fridays; Sunday holidays will be observed on Mondays.

Board members agreed to look into the cost of dental insurance premiums. Lon McClintock recommended further research into short-term disability policies with increased life insurance and death benefits; there was support for maintaining the 50/50 cost-share arrangement for payment disability premiums. Bill Pennebaker as if the Town should look at separating life insurance from short-term disability?

Bill Pennebaker suggested the Board should consider rewarding longevity.

All Board members are in support of having sick/personal time be earned time.

Earned vacation time will be paid at severance. Earned sick time will not be paid at severance.

The Board discussed ‘buy back’ of unused sick hours after 2 years of service and a minimum accumulation of 24 sick days. The idea is to have the Town ‘buy back’ (at straight time rates) any unused sick time over 12 days. 12 days would be kept “in the bank”.

Reconciliation of sick time will happen the final pay period of each fiscal year.

The personnel subcommittee recommended payment of all overtime. Some Board members expressed concern about not having the ability to resort to comp time to ease budget overruns. Discussions regarding overtime and compensatory time resulted in a compromise. Compensatory time will be discouraged; it will only be available for use after approval by the Selectboard. The Town Administrator recommended that comp time be required to be used within the quarter earned, or by the end of the second quarter.

Bereavement leave is to be covered through personal time.

It was agreed that regular part-time employees working over 20 hours will be offered benefits at a pro-rated basis.

