

SHAFTSBURY SELECTBOARD
SPECIAL MEETING
Monday, January 28, 2013
6 PM

Members present: Lon McClintock (Chair), Craig Bruder, Carl Korman, Karen Mellinger, Billy Obenauer

Members absent:

Others present: Margy Becker (Town Administrator), Sandra Mangsen (Recording Clerk), Bill Fisk (Town Treasurer), Michael Foley, Jeri Schoof, Megan Donckers, Mitchell Race, Joann Race, Terry Stacy (Road Foreman), Jay T. Palmer, Oliver Durand (Fire Warden)

1. Call to Order

Lon McClintock called the meeting to order at 6:05 p.m.

2. Announcements

Margy Becker read aloud the names of individuals running for town board positions.

3. Public Comments

Oliver Durand (Fire Warden) updated the Selectboard on his search for quotes with respect to the conversion of current Fire Department trucks. Since he reported that the costs will likely be over \$10,000, bids will need to be solicited.

Lon McClintock reported that the Town will need to appear before the Development Review Board to seek approval for the Town Garage design. He then reminded those present that should any be appointed to the Development Review Board, they could be in conflict of interest should they hear the conversation in agenda items 5 and 6 with respect to the new Town Garage. Three candidates voluntarily left the room.

4. Conflict of Interest Statement

There were none.

5. New Town Garage Cost Estimates – MSK presentation

Lon McClintock reviewed the meeting of Selectboard members (excepting Billy Obenauer) with Jim Secor of MSK Engineering held on Friday, January 25. At that meeting cost estimates were reviewed (and are available this evening in paper copy). The estimates are expected to be more accurate than is typical, as MSK has searched for actual prices. In order to reduce project costs, the Selectboard has agreed to bid the pole barn for equipment storage as an 'alternate', and the dimensions of the salt shed have been reduced to 40 ft x 60 ft. The Town crew will clear the site and perform rough grading of site and access road.

Costs to be paid out of current operating budget are not included (fees for State permits; pole barn construction, site preparation to be carried out by Town employees). A municipal bond in the amount of \$1,550,000 is anticipated to cover all other costs.

6. Adoption of Resolution that Town is in Need of a New Town Garage, Sand/Salt Shed & Equipment Barn

Lon McClintock read his draft of an information sheet re the town's need for a new garage, sand/salt shed and equipment barn, which summarizes the various deficiencies in the current structure.

As the sheet mentioned demolition of the current garage, Billy Obenauer asked if that has been included in the budget. The chairman responded that demolition costs would be addressed separately, noting that demolition will only take place after the new structure has been built.

Motion. To adopt the Resolution and Order that the Town is in Need of a New Town Garage, Sand/Salt Shed, Equipment Barn, as amended at the meeting. Carl Korman; seconded by Craig. Carried, 5-0-0.

Motion. To recommend that the voters approve a municipal bond in the amount of \$1,550,000. Moved by Craig Bruder ; seconded by Karen Mellinger. Carried, 5-0-0.

Michael Foley, Mitch Race and Jay Palmer returned to the room after these motions had been passed.

7. Prepare Amendment to the Fund Balance Reserve Fund Policy (Town Meeting 2013)

Town Treasurer, Bill Fisk, explained the recommendation of the VT League of Cities and Towns (VLCT) with respect to the amount of Fund Balance to be maintained to meet unanticipated expenses and reduce borrowing in anticipation of taxes to finance operations. VLCT recommends that a town maintain between five and fifteen percent of budgeted town expense in its fund balance. The Treasurer anticipates that the current fund balance will be approximately 11% of budgeted expenses at the end of the current fiscal year on June 30, 2013.

The Selectboard intends to ask voters to approve a change in the cap for the Fund Balance from the current five percent to fifteen percent, so that unanticipated expenses can be met without seeking further voter approval.

Motion To approve the proposed Ballot article for the Fund Balance Amendment. Moved by Karen Mellinger; seconded by Carl Korman. Carried 5-0-0.

Lon McClintock explained that the amendment will raise the amount that can be reserved from five to fifteen percent of the Town Budget, and will allow the Selectboard to use the reserve to pay expenses in advance of receipt of taxes.

8. Review & Approve 2013 Town Meeting Warning

The residents will be asked to appropriate the sum of \$1,854,628 for town expenses; the amount to be raised by property taxes is to be reduced by \$120,000 allocated from the existing Reserve Fund Balance.

Motion. To approve the warning for 2013 Town Meeting. Moved by Carl Korman; seconded by Karen Mellinger. Carried, 5-0-0.

9. Review & Approve Warning for Bond Vote – March 2013

MOTION. To approve the warning for the bond vote. Moved by Craig Bruder; seconded by Carl Korman. Carried, 5-0-0.

10. Review & Approve Notice for Bond Informational Meeting (Scheduled for February 25, 2013)

MOTION. To authorize the Town Administrator to issue a notice as recommended by Bond Counsel for the Bond Informational Meeting scheduled for Feb 25, 2013. Moved by Billy Obenauer; seconded by Karen Mellinger. Carried, 5-0-0.

11. Interview Candidates for Appointment to Development Review Board

Michael Foley was interviewed. He was asked what he could bring to the Board and how members of the Board might behave differently than members of the public attending a meeting, and about his familiarity with the zoning bylaws.

Michael Bidy did not appear for his interview.

12. Review Proposed Board Stipend Policy

Billy Obenauer suggested that stipends be given only if an individual's term is completed; however, Lon McClintock suggested that such a policy was too harsh and failed to take account of individual's reasons for resigning from a position. Performance standards, such as regular attendance at meetings were considered. It was noted that the stipend is hardly substantial, and that no stipends are offered to alternates.

MOTION. That the Board authorize the town administrator to create the warrants to pay stipends to all Development Review Board members who have served during this fiscal year. Moved by Karen Mellinger; seconded by Lon McClintock. Carried 4-1-0 (with Obenauer opposed).

13. Review Conflict of Interest Policy

The Chairman had sent out revised draft of the policy, consideration of which was deferred so as to allow time for Board members to study it.

Carl Korman initiated a discussion of actual conflict of interest vs. the appearance of conflict; it was agreed that the appearance of a conflict of interest is difficult to define precisely enough to include it in a policy. Lon McClintock suggested distinguishing instead direct and indirect conflicts of interest.

14. Minutes - deferred

Approval of minutes was deferred.

15. Warrants

Motion. To approve Check Warrant # 21 in the amount of \$25,306. Moved by Craig Bruder; seconded by Billy Obenauer. Carried, 5-0-0.

Motion. To approve Payroll Warrant # 29 in the amount of \$7,863.34. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 5-0-0.

16. Other business

Karen Mellinger reported that the Memorandum of Understanding between the school and the town with respect to the costs of maintaining the generator will be forthcoming; Richard Pembroke has submitted a draft for the Selectboard's consideration.

Margy Becker reported that she will be warning a meeting for discussion of alternatives for improvement of safety at the Church Street and Rte 7A intersection.

17. Executive session

Motion. To go into executive session at 8:05 p.m. to discuss the Development Review Board appointments. Moved by Carl Korman; seconded by Billy Obenauer. Carried, 5-0-0.

Motion. To exit the executive session at 8:40PM. Moved by Carl Korman seconded by Karen Mellinger. Carried 5-0-0.

Motion. To change the term of the open Development Review Board position to a 3-year term expiring 2016, as part of restructuring of the Development Review Board. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 5-0-0.

Motion. To appoint Megan Donckers to fill the vacant 3-year position, term expiring 2016. Moved by Carl Korman; seconded by Craig Bruder. Carried, 5-0-0.

Motion. To change the term of the vacant position (formerly Megan Donckers' seat) to a 3-year term expiring 2014. Moved by Billy Obenauer; seconded by Craig Bruder. Carried, 5-0-0.

Motion. To appoint Mitch Race to the vacant 3-year term, expiring in 2014. Moved by Carl Korman; seconded by Billy Obenauer. Carried, 5-0-0.

Motion. To appoint Jay Palmer to the second Development Review Board alternate position, term expiring in 2014. Moved by Craig Bruder; seconded by Billy Obenauer. Carried, 5-0-0.

It was noted that David Mance's term is due to expire in March 2013. Jennifer Viereck's term as alternate is also due to expire at that time. The Selectboard agreed to consider appointments to those positions at that time.

18 Adjournment

MOTION: To adjourn the meeting. Moved by Carl Korman; seconded by Billy Obenauer. Carried, 5-0-0.

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Sandra Mangsen (Recording Clerk)