

**Town of Shaftsbury
Special Selectboard Meeting Minutes
Monday, February 25, 2013
Shaftsbury Elementary School
Buck Hill Road**

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

Members absent: None

Others present: Margy Becker (Town Administrator), Michael Bidy, Bill Fisk (Town Treasurer), Megan Donckers, Oliver Durand (Fire Warden), Kathleen Geneslaw, Mary Gronning, Tom Huncharek, Sandra Mangsen (Recording Clerk), Jay Palmer, Tom Scoggins, Joanne Race, Mitchell Race, Jeri Schoof, Terry Stacy (Road Foreman), Tyler Yandow (Zoning Administrator), Tim Scoggins, Mary Gronning, Barry Mayer; Eric Strubel; Visitors: Jim Secor, MSK Engineering;

5:30 PM Selectboard Meeting

1. Call to Order

Lon McClintock called the meeting to order at 5:34 p.m.

2. Announcements

Lon McClintock announced that MSK Engineering applied for a waste water supply permit for the proposed new garage facility; the permit has been approved. In addition a letter is in hand from the Shaftsbury Fire Department indicating that the location chosen is suitable for the garage facility.

Lon McClintock sought the Selectboard's approval to take one agenda item out of order. Members agreed that a discussion of a possible preference for giving a portion of the garage work to local contractors would be discussed under "other business" earlier in the meeting than indicated on the agenda.

3. Public Comments

There were none.

4. Conflict of Interest Statement

No member stated a conflict.

5. Development Review Board Interviews – Alternate Position

Two individuals were interviewed, Kathy Geneslaw and Michael Bidy. The candidates were asked about their reasons for seeking the alternate position, their professional background and likely contribution to the Board, and their ability to evaluate applications objectively with reference to the Town Zoning Bylaws.

Ms. Geneslaw pointed out that she has much experience as a citizen advocate, having attended numerous meetings and having been involved in discussions of various issues over the last few years. Asked whether she would be able to separate her feelings about an issue as a property owner from what may be permitted under the town bylaws, she answered that while there will always be grey areas in the interpretation of the bylaws, she would be able to be objective in matters that came before the Board. As for her professional background, she reported that she is a registered nurse and holds a master's degree in public administration. She would expect the chair of the Board to take responsibility to maintain order in the meetings while allowing members of the public to be heard as much as possible, and would hope that Board members could receive packets of information at least ten days before each meeting in order to allow time for thorough review of complex material. She feels her past involvement as a citizen advocate in some contentious issues that came before the Town's Boards would not necessarily require her to recuse herself should similar issues emerge during her tenure; indeed, the expertise she has gained in researching such issues would enable her to be objective and she not necessarily recuse herself simply because she had taken a certain position in the past.

Michael Bidy reported that his long residence in the town and his twenty years as the Town Tree Warden has made him aware of the process employed by the Development Review Board; his own past dealings with the Board required him to educate himself about the relevant bylaws and the process of reviewing applications. He suggested that he could make a particular contribution in attempting to ensure that property owners had a different (and better) experience than he himself had had. He noted that the Development Review Board must attend to state laws and to the Town's bylaws, and that it must listen to citizens. He noted as well that all communications should be during meetings, with no ex parte communication permitted. At the request of a Selectboard member, he briefly reviewed his own experience with the Board. He has run his own business as an arborist since the 70s. He would expect to attend most meetings, and certainly all meetings that dealt with an issue he had been involved in, until that issues was concluded.

6. FY13 Budget Year-To-Date Review

Bill Fisk presented a financial report. Tax revenues stand at \$1,339,220.52, or 102.03% of the amount budgeted.

Expenditures are close to those budgeted at this point, two-thirds of the way through the fiscal year. Actual expenditures to-date are \$1,293,502.01, or 68.7% of amounts budgeted. He reviewed the situation category by category.

Members of the Selectboard thanked him for his report.

7. Open Garage for Public re: Bond Vote re: new Town Garage

Lon McClintock announced that Terry Stacy has arranged for the garage to be open to public view on Friday, Mar 1 (4-6 p.m.) and Saturday, Mar 2 (8-11 a.m.), so that residents can see what the current situation is before voting day.

8. Other Business (part 1)

New Town Garage: Bid Policies – Local Preference: Jim Secor was asked about strategies for giving preference to local contractors if the garage bond is approved. He reported that the project will need to be entrusted to bondable contractors, so that not all local contractors will be eligible. MSK can, however, provide a list of local skilled tradesman to general contractors who will need to subcontract particular aspects of the construction. There was some discussion of possible strategies, by working a mechanism for preferential treatment into the bid process, (perhaps with a two-fold bid process, one open to all contractors, and the other restricting all or some of the work to local contractors) or by rewarding a general contractor who met a specified level of allocation of work to local contractors.

7:00 PM Public Information Meeting – Proposed Construction of New Town Garage**9. Presentation by Selectboard**

Lon McClintock outlined the reasons for the proposed replacement of the existing garage.

10. Presentation by MSK Engineering

Jim Secor and Jeff Goldstone presented information about the site and the proposed construction.

11. Public Questions & Comments

There was substantial discussion. Approximately thirty members of the public were in attendance.

12. Close Public meeting

The Public Information Meeting was ended at 8:20 p.m.

Selectboard Meeting Continued

The Selectboard reconvened at 8:22 p.m.

13. Liquor License Renewal Application – Thyme Tables

Lon McClintock explained that the license must be renewed every two years.

Motion. To approve the Liquor License Renewal Application of Thyme Tables. Moved by Karen Mellinger; seconded by Craig Bruder. As a few problems were noted in the documentation, the motion was withdrawn.

14. Brush Truck Body – Bid Opening

Two bids were opened, one from Lucky's and one from Arrowhead Equipment. Arrowhead's bid was \$14,000; Lucky's was \$7945. Each had various options attached. Lucky's was tentatively determined to be the low bidder; Oliver Durand will examine the bids in detail with Margy Becker.

15. Conflict of Interest Policy – 2nd reading

This matter was deferred for consideration at a later meeting.

16. Other business (part 2)

The Selectboard's next meeting will be held on Mar 11, and will be chaired by Karen Mellinger (vice-chair). The Selectboard's Rules of Procedure are to be on the agenda.

The presentation at the Town meeting with respect to the garage proposal was discussed.

17. Town Administrator Report

Margy Becker noted that potential election of a Constable with law enforcement credentials has sparked inquiries from the Sheriff's Department regarding the role of Shaftsbury Town Constables.

She noted that the transfer station must be recertified. Marsh Engineering Services will provide necessary expertise. Used oil disposal remains a problem. Safety Kleen has been sold to Clean Harbors; therefore perhaps the Town will receive a more competitive quote for disposal of used oil at Transfer Station. Although the town no longer collects oil, residents continue to drop off full containers.

18. Warrants

Motion: To approve Payroll Warrant 31(2) in the amount of \$159.45. Moved by Billy Obenauer; seconded by Carl Korman. Carried unanimously.

Motion: To approve Payroll Warrant 33 in the amount of \$7617.43. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously.

Motion To approve Check arrant Report PR 31 and PR 33 in the amount of \$256.80. Moved by Karen Mellinger; seconded by Billy Obenauer. Carried unanimously.

Motion. To approve Payroll Warrant 34 in the amount of \$9441.51. Moved by Craig Bruder; seconded by Karen Mellinger. Carried unanimously.

Motion. To approve Check Warrant Report 25 in the amount of \$62,771.13. Moved by Karen Mellinger; seconded by Craig Bruder.

Motion. To approve Transfer Warrant for Budgeted Transfers to Reserve Funds in the amount of \$62,000. Moved by Craig Bruder; seconded by Karen Mellinger. Carried unanimously.

19. Minutes – February 13, 2013

Motion. To approve the minutes of February 13, 2013, as corrected. Moved by Craig Bruder; seconded by Karen Mellinger. Carried, 4-0-1 (Korman abstaining).

20. Executive Session – Personnel Matter

Motion. To adjourn to executive session at 8:50 p.m. to discuss the appointment of an alternate member to the Development Review Board. Moved by Karen Mellinger; seconded by Billy Obenauer. Carried unanimously.

The Board exited Executive Session at 9:07PM.

Motion: To appoint Michael Bidy as DRB Alternate for a term of one year. Moved by Karen Mellinger. Seconded by Craig Bruder. Carried unanimously.

21. Adjournment

Motion: To adjourn at 9:10PM. Moved by Craig Bruder. Seconded by Billy Obenauer. Carried unanimously.

Respectfully submitted,

Sandra Mangsen
(Recording Clerk)