

**Town of Shaftsbury  
Selectboard Regular Meeting  
Monday, May 6, 2013**

Members Present: Craig Bruder, Karen Mellinger, Kenneth Harrington, Carl Korman.  
Members Absent: none  
Others Present: Margy Becker (Town Administrator), Sandra Mangsen (Recording Clerk), Mitchell Race, Norm and Mary Gronning, Tom Huncharek, Jay Palmer, Terry Stacy (Roads Foreman), Mike Batchner (BCRC), Oliver Durand (Fire Warden), Nancy Schoerke

**1. Call to Order:**

Craig Bruder called the meeting to order at 6:30 p.m.

**2. Conflict of Interest Statement**

There were none.

**2. Minutes – April 15, 2013**

**Motion. To approve the minutes of April 15, 2013 as circulated. Moved by Karen Mellinger; seconded by Carl Korman. Carried, unanimously.**

**3. Warrants**

**Motion. To approve Payroll Warrant #42 in the amount of \$6747.38. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously.**

**Motion. To approve Payroll Warrant #43 in the amount of \$10,595.85. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously.**

**Motion. To approve Payroll Warrant #44 in the amount of \$8034.05. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously.**

**Motion. To approve Check Warrant #29R in the amount of \$125.31. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously.**

**Motion. To approve Check Warrant #30 in the amount of \$74,395.17. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously.**

## **5. Announcements**

Ken Harrington reported a resident's concern about driveway access due to a sharp drop and water runoff unto to their property.

Karen Mellinger noted that Sycamore Landscaping is doing a great job on the mowing at the cemetery. She also thanked volunteers for the participation in the Clean-Up Day, and thanked Jim Meskun for putting up the flags.

Margy Becker noted that the household hazardous waste collection day was successful.

## **6. Public Comments**

Mitch Race announced an excursion to visit historic Deerfield, MA June 22, arranged in conjunction with the Bennington Museum. Tickets are \$30; more information will be forthcoming.

## **7. Regional Solid Waste Implementation Plan & MOU – BCR**

Mike Batcher reported on the receipt of a State grant, which is apportioned according to population in support of waste management. The grant funds pay for about 35% of total costs of collection days.

There is the possibility of coordinating with other towns; Pownal currently participates in Shaftsbury's hazardous waste day, for instance, but could join with Bennington instead. Similarly Shaftsbury could share with another town, possibly reducing costs.

He also reported that Act 148 has passed the Vermont legislature, and the Town should anticipate changes in requirements for solid waste management once it is finalized in November. He hopes for consultation with the towns in advance on how to address these changes. Improving education programs is one goal.

**Motion. To authorize the Selectboard to accept the Memorandum of Understanding with BCRC on the matter of Solid Waste Management. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously**

Mike Batcher stated hazard mitigation grant funds are still available. He suggested the Town should plan for mitigation of flood hazards, with prioritization of projects (culverts, bridges, etc.), in order to facilitate grant applications – should it decide to apply for grant funds.

## 8. Road Foreman Reports

Terry Stacy reported on the crew's progress in grading of town roads, the first round of which is now nearly complete. Signs damaged over the winter have been replaced. He invited suggestions on how to deter individuals from stealing or damaging signs. Members complimented Terry Stacy on the condition of gravel roads in town. The resident's complaint about difficult driveway access was discussed.

Karen Mellinger thanked the road crew once again for their help, especially with the recent bike race.

## 9. FY2014 Highway Equipment Purchases – Bid Award

### A. 1-ton flatbed truck

Two bids were considered:

Foster Motors, \$44,877

Goss Dodge Chrysler \$46,159 or \$49,684

Ken Harrington raised the question of how many small and larger trucks the town actually needs. Carl Korman asked about the consequences for the clearing of town roads, were the town to maintain a smaller fleet of trucks. It seems that clearing would take longer, but exactly how much longer is unknown.

**Motion. To award the bid for a 1-ton flatbed truck to Foster Motors for a purchase price of \$44,877. Moved by Karen Mellinger; seconded by Carl Korman. Carried 3-1-0 (Harrington opposed).**

Terry Stacy anticipates the total cost with the plow and sander at \$20,000 less than budgeted amount of \$75,000.

### B. Wheeled Excavator

Five bids were considered:

Hyundai R170W-9 (Pete's Equipment, Morrisville, VT) – net after trade, \$153,727.00

Hyundai R210W-9 (Pete's Equipment, Morrisville, VT) – net after trade, \$169,249.00

Hitachi (Nortrax) – net after trade, \$174,000

Volvo (Wood's CRW Corp, Williston, VT) – purchase price, \$182,650.00; net after trade \$177,650.00

Caterpillar M316D (Milton Cat) – purchase price \$203,000.00; net after trade \$178,000.00

Terry Stacy noted that the Road Crew tried all of the vehicles and preferred the Volvo. He expects to sell the town's current machine for at least \$7500, and

proposed a 30-day sealed bid to handle that sale. Volvo's offer of trade was \$5000.

Ken Harrington raised the possibility of buying a used machine rather than a new one. Karen Mellinger pointed out that this expenditure had been approved by the votes as a part of the current year's budget. She reminded board members that similar discussions have taken place with respect to the acquisition of fire trucks, and that the Selectboard has tried to budget carefully. Carl Korman pointed out that acquisitions by private business and government entities are subject to different constraints, since the town owes its allegiance to the voters; moreover, reliance on expert opinion is critical in these situations. Since Terry Stacy is the town's expert, he recommends taking Terry's advice in this matter. Karen Mellinger noted that the recommendation to purchase the Volvo is within the amount budgeted, assuming that the existing machine can be sold for \$7,500 or more.

**Motion. To award the bid for a wheeled excavator to Wood's CRW Corporation for the purchase of a Volvo EW160F for the price of \$182,650, with the understanding that the current excavator will be sold. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 3-1-0 (Harrington opposed).**

Terry Stacy asked whether to proceed immediately to sell the existing machine, and how the Selectboard would like to handle that process. The consensus was that a sealed 30-day bid will be advertised, to allow time for nearby towns to examine the machine and to submit bids.

## **10. Selectboard Vacancy**

Craig Bruder reminded the Selectboard that Billy Obenauer's resignation has created a vacancy. Margy Becker reported that the position was posted and one member of the community (Mitchell Race) expressed his interest in serving. The vacancy can be filled in one of three ways: Selectboard may appoint someone to serve until the next regular or special election; the Selectboard may call a special election to fill the vacancy; or the community may petition the Selectboard to hold an election (requires a certain percentage of population).

Members agreed that since there has been only one expression of interest, the Selectboard should make an appointment. Craig Bruder suggested that Mitch Race be interviewed immediately, and Mitch Race agreed to that suggestion. He indicated his willingness to serve, cited his residence in the town for the past thirteen years, and his service as president of the Shaftsbury Historical Society. He currently serves on the Development Review Board, from which he may consider resigning. Mitch described his professional background in bringing concepts to realization, and his ability to compromise. Selectboard members agreed that he is well-qualified. There followed some discussion of the terms of the appointment and its effect on the possible turnover on the Selectboard.

**Motion. To appoint Mitchell Race to fill the vacancy on the Selectboard, the position to be held through the next annual town meeting. Moved by Carl Korman; seconded by Karen Mellinger. Carried, unanimously.**

Selectboard members congratulated Mitch Race on his appointment. Margy Becker will prepare written appointment letter.

**11. Town Officer Appointments**

a) Annual Appointments

**Motion. To appoint/reappoint those listed below to positions as town officers:**

<b>Animal Control Officer</b>	<b>Traci Mulligan</b>
<b>Emergency Coordinator</b>	<b>Jerry Mattison</b>
<b>Energy Coordinator</b>	<b>Ben Hulett</b>
<b>Road Commissioner</b>	<b>Terry Stacy</b>
<b>Tree Warden</b>	<b>Jim White</b>

**Moved by Karen Mellinger; seconded by Carl Korman. Carried, unanimously.**

b) BCRC Commissioner and Member-at-large.

Craig Bruder and Bill Pennebaker are the current representatives; Craig Bruder wishes to be replaced.

**Motion. To appoint Ken Harrington as BCRC regional commissioner. Moved by Carl Korman; seconded by Karen Mellinger. Carried unanimously.**

c) Health Officer

The position is vacant and no interested persons have come forward. Craig Bruder proposed having a discussion at the next meeting about possible changes in this position in an effort to attract more interested parties.

d) Appointments to Boards & Commissions – Policy

Craig Bruder suggested further consideration of this issue at the next meeting.

**12. Administrative Assistant Job Description – approval**

Craig Bruder and Margy Becker have drafted a job description, which was circulated to Selectboard members. Members suggested that the number of hours per week be specified. It was noted that this position was included in the town's budget.

### **13. Town Garage Committee – Report**

Karen Mellinger reported on another well-attended meeting, including three Selectboard members and some new participants. One column has appeared in the Bennington Banner; the intention is to aim for one column per month. The group is investigating financing options (bonds or bank loans). They have begun to examine solar energy options. Several members of the group participated in a site visit to a similar, but larger facility in a nearby community.

### **14. Town Administrator’s Report**

Margy Becker reported on a plan to sell the former brush truck; Oliver Durand estimates its value at c. \$4000. He believes that other town fire departments might be interested and proposed that the town delay offering it to the public.

Margy Becker reported that bids will be let for fuel; that there are some domain registration issues for the web site; that she still awaits a response from VTrans with respect to conceptual sidewalk construction plans and the need to upgrade lighting at that corner (Church St and Rte 7A).

There was a discussion of the role of town constables in law enforcement. The law has changed recently, and the Selectboard needs to revisit the issue. At the moment the town constable has no law enforcement powers, not being a certified law enforcement officer.

### **15. Other Business**

Craig Bruder asked members to sign the Reserve Fund Balance Policy to put it in force. Similarly he requested signing of the Conflict Of Interest Policy.

Liaison assignments – Craig Bruder has now made provisional assignments, which he plans to circulate to members, from whom he invites responses. The assignments are to be settled at the next meeting.

### **16. Adjournment**

**Motion. To adjourn the meeting. Moved by Carl Korman; seconded by Karen Mellinger. Carried unanimously.**

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,  
Sandra Mangsen (Recording Clerk)