

**MINUTES OF THE SHAFTSBURY SELECT BOARD  
JANUARY 21, 2008  
COLE HALL  
SHAFTSBURY, VERMONT**

Board Present: **Wynn Metcalfe, Bill Pennebaker, Lon McClintock, Karen Mellinger, Cinda Morse**  
Others Present: **Henri Billow (Treasurer), Mitchell Race, Mike Gleason (Bennington Banner), Jim Meskun (Auditor), Aaron Chrostowsky (Town Administrator), Susan Swasta (Recording Secretary)**

1. Call Meeting to Order:

**Chairman Wynn Metcalfe called the meeting to order at 7:04 PM. He asked if any Board member needed to recuse himself or herself from discussion of any topic on tonight's agenda. None did.**

2. Minutes:

**January 7, 2008 Select Board minutes**

Karen Mellinger made motion to approve the January 7, 2008 minutes. Lon McClintock seconded.

**The following corrections to the January 7 minutes were requested:**

***On page 2, under item 6 (BCRC Household Hazardous Waste Days), fourth paragraph, first sentence is changed to:***

**Chairman Metcalfe said that this would not allow residents to get rid of bulky items and electronics, and Ms. Morse noted that it is a real advantage to be able to get rid of these items.**

***On page 3, under item 6 (BCRC Household Hazardous Waste Days), fourth paragraph, motion is changed to:***

Ms. Morse made motion to participate in the two 2008 BCRC regional Hazardous Waste Days instead of holding Town Hazardous Waste Day, contingent on a conversation with Pownal. Mr. McClintock seconded.

**(Mr. McClintock requested that the January 21 minutes record that this motion, which had been amended to include bulky goods and electronics and approved by a 3-2 vote, is rendered moot by the subsequent conversation with Pownal.)**

***On page 4, under item 9 (Heindel & Noyes), first paragraph, first sentence is changed to:***

**Mr. Pennebaker reported that he had talked with Buzz Surwillo of the Agency of Natural Resources about methane remediation plans.**

***On page 5, under item 10 (Budget Work Session), third paragraph, second sentence is changed to:***  
**The vision plan would increase the prescription deductible in the health plan by \$50, saving \$1388, so the net cost increase would be \$107.**

Motion to approve January 7, 2008 minutes as amended carried 5-0-0.

**January 14, 2008 Select Board minutes**

Bill Pennebaker made motion to approve the January 7, 2008 minutes. Mr. McClintock seconded. Motion carried 4-0-1. (Ms. Morse abstained because she had not attended the meeting.)

3. Warrants:

The following warrants were presented for approval:

Transfer Warrant:	\$56,999.74
AP Warrant #33:	\$28,827.95
Payroll Warrant #29:	\$ 8,762.39

Ms. Morse made motion to pay warrants. Mr. McClintock seconded. Motion carried 5-0-0.

4. Public Comments:

**Jim Meskun came forward to present a matter concerning the Walter Hooke Memorial Fund. He said that he was speaking both as a member of the Town auditors and as a veteran.**

**Mr. Meskun said that the Veterans Committee proposes to change the name of the fund to the Walter Hooke Memorial Veterans Fund. This would not change the use of the fund, which could still be used for anything the Town wants, but would honor Mr. Hooke as a World War II veteran. The Town auditors support the name change. Mr. Meskun noted that the fund will be used to add names of veterans to the wall downstairs.**

**Ms. Morse asked if Mr. Hooke had named the fund, and Mr. Meskun replied that he does not know. He said that Mr. Hooke is still alive, living in Cambridge, NY, and that they intend to get in touch with him to find out his views on the name change.**

**Ms. Morse said that the Trustees of Public Funds have been putting together documentation on funds. Mr. Meskun said that the Hooke Fund is not under the Trustees, but is a separate fund.**

**Ms. Morse and Mr. Pennebaker stated that they would prefer to wait until someone speaks with Mr. Hooke to see if they can determine what he wants. It was the consensus of the Board, with which Mr. Meskun agreed, to postpone action on the name change.**

5. Other Business:

**Mr. Pennebaker gave an update on methane remediation. He stated that he has been trying to model possible systems, and that the most promising one is a vent on the landfill cap. He said that even the smallest commercially available pump would be sufficient for this purpose.**

**Mr. Pennebaker will explore costs. He would like to get a professional engineer to do the work. Aaron Chrostowsky said that Jon Andres has not read the documentation yet. Mr. Pennebaker gave Mr. Chrostowsky a document for Mr. Andres.**

**Mr. McClintock discussed possible costs associated with a Town noise ordinance. He said that he had contacted the court manager of the Judicial Bureau, and was told that they do handle municipal ordinances.**

**He had also spoken with the captain of the sheriff's department, who told him that it would cost \$25.50 per hour to have a sheriff respond to a call, with a minimum of four hours for each call. The Town would also be billed for each court appearance.**

**Mr. McClintock stated that he had estimated two calls per month, at a cost of \$2450 per year, plus \$800 in court costs. The total might be as much as \$4000-\$5000 per year on noise complaints. He concluded that it is not financially viable for the Town to have a noise ordinance. Mr. McClintock would like the Board to reconsider the noise ordinance at their next meeting, and discuss removing it from the Planning Commission agenda.**

Mr. Pennebaker asked why he had assumed two calls per month, and Mr. McClintock replied that he had looked at what even a nominal amount of activity would cost. He said that the Town would have no control over costs because people would just call the sheriff, and neighbors with chronic problems could easily generate 12-24 calls per years.

Mr. Pennebaker said that he questions that assumption, but has no proof. He doesn't think there would be that many calls.

Mr. McClintock said he would like to talk about the landfill reserve fund, which he thinks may be overfunded. They may want to prepay some of the principal on the landfill closure loan.

Chairman Metcalfe reported on his conversation last week with Heindel and Noyes. He told them the Board will move ahead by themselves, and that Buzz Surwillo of the Agency of Natural Resources is OK with that. Chairman Metcalfe said he had been upfront about not paying interest charges or paying \$1500 for a meeting. He said the Heindel and Noyes representative had agreed that it had not been a \$1500 meeting.

Chairman Metcalfe asked Heindel and Noyes for a final invoice and expects to hear from them. Mr. Pennebaker noted that they still have equipment in the shed, and Chairman Metcalfe replied that they will see what the invoice says regarding the equipment. Chairman Metcalfe stated that the folks next to the landfill are happy to have the apparatus installed in their house.

6. Budget Work Session:

Treasurer Henri Billow came to the table for the work session. The recording secretary left the meeting at this time.

The meeting adjourned at ? PM.

**Respectfully Submitted,  
Susan Swasta**