

SHAFTSBURY SELECTBOARD
MEETING
APRIL 2, 2012
MINUTES

ATTENDING: **Board Members present:** Lon McClintock, Karen Mellinger, Craig Bruder, Carl Korman, Billy Obenauer. Town Officials: Margy Becker, Town Administrator; Bill Fisk, Town Treasurer. Guests: David Newell, Chris Ponessi, David Spurr, Norm Gronning, Trevor Mance, Mike Foley.

Lon McClintock entered the meeting at 6:30pm.

1. Call to Order

Vice Chair Karen Mellinger called the meeting to order at 6:20pm.

2. Announcements

No announcements made.

3. Public Comments

Mike Foley commented on the relationship between the DRB and the Select Board. Mike Foley stated that he had attended a DRB meeting where items were not on the agenda or were dealt with under Other Business. He said the process was dealt with too quickly and no comments from the public were taken. Mike Foley asked what would cause a Board to request that a sheriff be present at a meeting? Carl Korman stated that in his opinion any official, whether appointed or elected, can decide if a law enforcement presence is needed to keep order.

4. Conflict of Interest Statement

Vice Chair Karen Mellinger inquired if any Board member had a conflict of interest with any matter on the agenda. No conflict noted for the record.

5. Treasurer Bond

David Newell of Wills Insurance said the Town Treasurer is required by the State to be bonded. The Town does have insurance coverage for dishonesty, except for those bonded by the State. David Newell gave two quotes for bonds, \$300,000 at \$735 per year and \$500,000 at \$975 per year. The policy can limit two signatures on checks. The Board discussed what the bond amount should be. Carl Korman suggested the Board accept the \$300,000 bond amount and not require two signatures on checks.

Craig Bruder made the motion to approve a bond for \$300,000 at \$735 per year. Billy Obenauer seconded. Bill Fisk stated that the bond is in place to protect the taxpayers and all other treasurers. Karen Mellinger inquired if an assistant treasurer would be covered. David Newell stated that he would look into this and get back to the Board. **Motion carried unanimously.**

6. Planning Commission Appointments – Interviews

Norm Gronning would like to continue for another full term on the Planning Commission. Norm Gronning stated that there is a lot on the table now, and the Commission is doing important work for the community. Board Members asked Norm Gronning what experience he has and what plans does he see for the future. Norm Gronning stated that he has 50 years experience historic preservation and taught History for 30 years. He has also done appraisal work for people. Norm would like to see more houses included in the Historic District.

David Spurr would like to continue on the Planning Commission. David Spurr stated that he enjoys planning for the future. Board Members asked David Spurr how he would promote economic growth and also preserve the community. David stated that they can subdivide and have open space. When asked about special skills and insight, David responded that he is active in the community, is a fireman, and is active at school and with the Cub Scouts and Girl Scouts. As a surveyor he sees a lot of the community.

7. Development Review Board – Letter of Resignation

Margy Becker reported that Jake Jakubowski has stated that he would like to resign from the DRB and be considered for appointment as the Interim Zoning Administrator.

Craig Bruder made the motion to accept the resignation. Carl Korman seconded. The Board discussed the issue further. Billy Obenauer stated that the letter that Jake Jakubowski sent did not read as a letter of resignation. The Board discussed his experience and whether or not the community was supportive of Mr. Jakubowski. **Craig Bruder withdrew the motion; Carl Korman withdrew his second.**

Craig Bruder made the motion to table the resignation. Karen Mellinger seconded. Motion carried 5-0.

Craig Bruder made the motion to appoint Jake Jakubowski as the interim Zoning Administrator. Karen Mellinger seconded. Billy Obenauer asked that an amendment be added that the appointment be contingent on Jake Jakubowski's resignation from the DRB. There was no second for this proposed amendment.

Carl Korman asked that an amendment be added that "the interim appointment not exceed 60 days, revisit in 60 days to take further action". The Board discussed the time limit. Craig Bruder accepted the second amendment.

The motion to accept the amendment failed 2-3 with Carl Korman and Billy Obenauer voting in favor.

The main motion carried 4-1 with Carl Korman voting against.

Karen Mellinger made the motion to accept Jake Jakubowski's resignation. Craig Bruder seconded. The motion carried 4-1 with Billy Obenauer against.

8. Development Review Board Appointments – Interview

Chris Ponessi is interested in serving a three year term on the DRB. Chris Ponessi has been interested in a lot of projects that came to the DRB and has helped people get permits. The Board Members asked about Chris Ponessi's background, about issues with the DRB (raised by

the public), and if trust and confidence can be maintained. Chris Ponessi is a civil engineer and has helped draft by-laws and obtain state and local permits. Chris Ponessi stated that most meetings have run smoothly until one controversy came along.

9. Town Service Officer Appointment

Karen Mellinger made the motion to appoint Kathy Cardiff as Town Service Officer. Craig seconded. Motion carried unanimously.

10. TAM, Inc. Application for Act 250 Permit Amendment

A three member District Environmental Commission reviewed TAM's application and decided it was a minor change to TAM's existing Act 250 permit. In doing so the Commission did not need to schedule a hearing. The Selectboard may opt to request a hearing. The Board Members discussed with Trevor the increase in traffic and tonnage. Trevor Mance stated that the operating hours would be the same. The Board discussed the ten Act 250 criteria conditions on the permit. The Board agreed it would not request a hearing on the permit amendment for 30,000 tons.

After some discussion with Trevor Mance, the Board agreed the Host Town Agreement will need to be changed because of the increase in tonnage. The DRB permit language is slightly confusing.

11. New Town Garage-Permitting Bid Award

MSK bid \$10,500 with a full boundary survey.
Long Trail put in a bid not to exceed \$13,700 for same.

Billy Obenauer made the motion to accept MSK's bid of \$10,500. Craig Bruder seconded. Motion carried unanimously.

12. Computer Network Proposals-Bid Opening

E Enable Inc. bid \$12,553.77 for hardware and \$3,025 for labor.
RCS Consulting bid \$8,842.60 for hardware and \$2,500 for labor.
Competitive Computers bid \$10,131 for hardware and \$3,800 for labor.

The Board agreed Margy Becker will meet with Tim Scoggins, Craig Bruder, and Lon McClintock to review the bids prior to the Board's next regular meeting on April 16th.

13. BCRC Memorandum of Understanding for Household Hazardous Waste Grant Funding

Karen Mellinger made the motion to approve the Memorandum of Understanding for Household Hazardous Waste Grant funding. Billy Obenauer seconded. Motion carried unanimously.

14. Household Hazardous Waste Days – Clean Harbor's Contract

Tabled

15. Select Board Liaison Assignments

Assignments tabled until next meeting. Board Members will email Lon McClintock with their preferences.

16. Listers-Certificate of No Appeal Pending

Craig Bruder made the motion to accept the Listers Certificate of No Appeal Pending. Karen Mellinger seconded. Motion carried unanimously.

17. Town Administrator Report

Margy Becker reported that they are still in the midst of getting the new Town Treasurer settled in. There have been meetings to discuss the purchases of vehicles for the Town Garage and Fire House. Margy Becker is working on the solid waste quarterly report.

18. Other Business

Lon McClintock informed the Board and public the status of reapportionment. The House Government Operations Committee has accepted another proposal to change two sections of Bennington to make Shaftsbury eligible to keep a representative. Shaftsbury still needs another 165 voters in its district to retain a representative. Tim Corcoran of Bennington is against taking any people from Bennington to make Shaftsbury whole. The Shaftsbury Board of Civil Authority met and created two proposals along the Bennington town line (Rte. 7A) to make Shaftsbury whole, yet the Government Operations Committee decided to take part of Arlington to add to Shaftsbury to keep a Shaftsbury Representative. The Town won't know the results until the Senate takes up the bill.

19. Approval of Minutes

Tabled

20. Approval of Warrants

CHECK WARRANT #41 IN THE AMOUNT OF \$11,796.30.

Karen Mellinger made the motion to approve check warrant #41 in the amount of \$11,796.30. Carl Korman seconded. Motion carried unanimously.

RETIREMENT WARRANT #40R IN THE AMOUNT OF \$111.14.

Craig Bruder made the motion to approve retirement warrant #40R in the amount of \$111.14. Carl Korman seconded. Motion carried unanimously.

PAYROLL WARRANT PRW38 IN THE AMOUNT OF \$7,005.20.

Craig Bruder made the motion to approve payroll warrant PRW38 in the amount of \$7,005.20. Carl Korman seconded. Motion carried unanimously.

PAYROLL WARRANT PRW39 IN THE AMOUNT OF \$8,635.33.

Craig Bruder made the motion to approve payroll warrant PRW39 in the amount of \$8,635.33. Carl Korman seconded. Motion carried unanimously.

Treasurer Bill Fisk found an error with check warrant #40 which was approved at a prior meeting. The error results in a reduction of \$206.60 making the amount \$34,637.17.

21. Executive Session-Personnel

Craig Bruder made the motion to adjourn to executive session at 10:14pm. Carl Korman seconded. Motion carried unanimously.

The Board exited Executive Session at 10:25PM. No formal action was taken.

22. Adjournment

Motion to adjourn at 10:25PM. The motion was seconded and carried unanimously.

Submitted by
Carol MacLean