

**MINUTES OF THE SHAFTSBURY SELECT BOARD  
APRIL 2, 2007  
COLE HALL  
SHAFTSBURY, VERMONT**

Board Present: **Wynn Metcalfe, Chairman, Cinda Morse, Bill Pennebaker, Karen Mellinger, Jim Mead**  
Others Present: **Ron Daniels (Road Foreman), Mike Gleason (Bennington Banner), Art Whitman (Economic Development Committee), Phylis Porio (ECD), David Mance, Jr., Ransom Jenks, Alan Baker, Michael Bidy, Aaron Chrostowsky (Town Administrator), Susan Swasta (Recording Secretary)**

1. Call Meeting to Order:

**Chairman Wynn Metcalfe called the meeting to order at 7:00 PM. He noted that a Water Board meeting had preceded the Select Board meeting, at 6:00 PM.**

2. Public Hearing on Interim Zoning Bylaw:

**Chairman Metcalfe stated that the interim zoning bylaw to be voted on is the same bylaw that was adopted for the previous two years, and that this, the third re-adoption, will be the last time the bylaw may be renewed.**

Karen Mellinger made motion to approve the interim zoning bylaw, to operate until such time as the new zoning bylaw is passed . Cinda Morse seconded. Motion carried 5-0-0.

3. Road Foreman Report:

**Road Foreman Ron Daniels reported that the road crew has been busy scraping roads and has two graders going, one on each side of town. He said that mud season has not been bad yet, but may get worse. Ms. Morse asked how the road report is coming along, and Mr. Daniels replied that it is done. Aaron Chrostowsky stated that the report will be ready next week.**

**Jim Mead gave some background on the road report. The road crew has been evaluating roads as to number of houses, amount of traffic, and state of culverts and ditching in order to come up with an overall road plan. They intend to start with the worst areas and proceed systematically according to the plan.**

**Resident Ransom Jenks asked if there are plans to blacktop more roads. Chairman Metcalfe replied that he does not foresee conversion of any dirt roads to blacktop, but there may be some recoating of currently paved roads.**

**Mr. Mead pointed out that it costs \$140,000 per mile to blacktop a gravel road. He stated that the town currently spends \$70,000-\$75,000 per year on gravel, and that this amount of gravel would cover a little over two miles of road. He wants people to understand what they are working with.**

**Mr. Jenks asked about road grants, and was told that the town always applies, and last year got \$90,000 for a project that cost \$120,000. It has only received one grant in the past eight years. There was a discussion of state aid for highways. Mr. Chrostowsky stated that the state grants more for Class 1 roads than for Class 2, more for Class 2 than for Class 3. Shaftsbury has no Class 1 roads, and receives about \$150,000 per year in all.**

4. Minutes:

**March 26, 2007 Minutes**

Ms. Morse made motion to approve the March 26, 2007 minutes. Ms. Mellinger seconded. Motion carried 5-0-0.

### **March 19, 2007 Minutes**

Bill Pennebaker made motion to approve the March 19, 2007 minutes. Ms. Mellinger seconded.

The following corrections to the March 19 minutes were requested:

**On Page 5, Section 10 (Other Business), paragraph two, first sentence is changed to:**

*Mr. Pennebaker reported that Joe McKechnie had asked why there had been no plowing of roads in his area on Sunday, saying that the roads are not in good shape.*

**On Page 5, Section 10 (Other Business), paragraph two, second sentence is changed to:**

*Mr. Chrostowsky replied that Road Foreman Ron Daniels had said that he wanted to avoid overtime, felt that the roads were manageable, and knew they would be going out early Monday morning.*

Motion to approve March 19 minutes as amended carried 4-0-1. (Chairman Metcalfe abstained because he had not attended that meeting.)

5. Warrants:

**The following warrants were presented for approval:**

**PR #39 - \$ 13,578.33 Payroll Warrant**

**AP #42 - \$ 21,061.08 General Warrant**

**Transfer Warrant - \$92 ,027.25 Transfer to General Fund**

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

6. Public Comments:

**Chairman Metcalfe stated that in general the Board will listen to public comments, but wait to do homework before they respond.**

**Mr. Jenks spoke in opposition to the proposal raised last week to make North Road one way. He believes it is not necessary and would be an imposition to North Road residents. Chairman Metcalfe replied that he himself had made this suggestion, but it had only been made with the intent of gathering information. Mr. Jenks recommended against spending any money on a study.**

**Art Whitman, representing the Economic Development Committee, read a statement expressing concern over the Planning Commission's attitude toward business. He quoted Planning Chairman Chris Williams from meeting minutes and said that Mr. Williams' statements show that he values rights of individuals over businesses.**

**The Committee believes that the Planning Board's attitude is not consistent with the views of the community. Mr. Whitman encouraged the Select Board to discuss section 2.2 of the Town Plan with the Planning Board, to not take town businesses for granted, and to create an atmosphere to bring in new businesses.**

He noted that he is not criticizing the work of the Planning Board, which has put in a lot of time and effort. Chairman Metcalfe said that discussion of the Committee letter will be put on the next meeting agenda.

7. Tree City, USA

Alan Baker, who has just finished a Stewardship of the Urban Landscape course, reported on the Tree City, USA program. He hopes Shaftsbury will participate. He explained the four criteria for the program: to have a tree warden, to have a tree ordinance, to devote \$2 per capita (which may include in-kind services), and to hold an Arbor Day celebration. Mr. Baker suggested that Arbor Day events might involve the school and town-wide tree-planting.

Mr. Baker explained that a tree ordinance could be kept simple and educational, and might define who can cut down a tree in a town right of way, and rules for planting trees in rights of way. There was a discussion of the necessary funding, much of which may already be covered by the tree warden budget and work by the road crew on tree and brush cutting. There was also discussion of the town forest on West Mountain.

Mr. Baker plans to do a town tree inventory. He said that he would serve as point person, along with Tree Warden David Mance, Jr., for the Tree City program. The Board agreed that this is worth pursuing.

8. Discussion of Town Responsibilities of Planning and Zoning Permit:

Chairman Metcalfe stated that the Town responsibilities are enhancement of traffic safety, through additional safety postings on Airport Road and the closing of North Road to through commercial traffic. He said that if they decide that they want to reduce the speed limit to 25mph, a traffic study will be necessary. It may be possible to put up warning signs rather than changing the speed limit.

Ms. Morse made motion to close North Road to through commercial traffic. Mr. Mead seconded.

There was a discussion of how this limitation will be defined. Chairman Metcalfe said that commercial deliveries to North Road addresses will be permitted. Only through commercial traffic will be prohibited. Ms. Morse expressed concern about enforcement. Mr. Pennebaker said that spot enforcement would be necessary.

Mr. Chrostowsky explained that the intent is to minimize impact on residential areas by having commercial traffic go to Class 2 Airport Road rather than Class 3 North Road. This will apply largely to TAM and Dailey's trucks, but it was noted that other commercial trucks use North Road as well.

Michael Bidy pointed out that there are problems with Airport Road as well as with North Road. Turning right onto 7A from Airport Road in a large truck is dangerous because of the angle and because of the speed of 7A traffic. He thinks the state should extend the 40mph speed limit on 7A further north. Mr. Bidy suggested getting Allison Church to do a traffic study. He cautioned that this is not an easy issue.

Mr. Pennebaker suggested looking at improvements to the Airport Road-7A intersection. Perhaps more of the apron could be paved to make the turn more navigable. Board members agreed that Mr. Chrostowsky should pursue a traffic study, especially of those two intersections.

Ms. Morse asked if the state has a vested interest in this, and whether there might be an accident history that would support investment of public funds. Mr. Chrostowsky will check on this as well.

9. Review Select Board Rules and Procedures:

Ms. Morse made motion to accept Select Board Rules and Procedures. Mr. Pennebaker seconded.

**Board members discussed changes to the rules. Ms. Morse recommended that language concerning duties of the secretary be changed to recording, not keeping, the minutes. Others agreed. There was a discussion of item E, which states that all business shall be done in agenda order unless agreed by Board vote. Board members agreed that consensus of the Select Board, not a vote, was sufficient to change agenda order. Other minor changes were discussed and approved.**

Motion to accept Select Board Rules and Procedures with the changes agreed to by Board members carried 5-0-0.

10. Mowing Bids:

**Mr. Chrostowsky opened a bid for roadside mowing from David C. Hosley. The bid for completing one mowing was \$8400, for completing two was \$15,000. Mr. Chrostowsky stated that Mr. Hosley did not bid on mowing the landfill because he thinks it should not be mowed for a year.**

Ms. Morse made motion to accept David Hosley's bid to do one round of roadside mowing for \$8400. Mr. Pennebaker seconded. Motion carried 5-0-0.

11. Other Business:

**Ms. Mellinger stated that the Board needs to authorize Mr. Chrostowsky to sign, after consultation with Liz Walker and Mark Angstrom, a letter of intent for a water system improvement project. This will potentially put the town in line for funding for a no-cost loan. The work would not begin until next summer at the earliest, but planning would begin this summer. The project would increase water flow and upgrade water mains in the Ledgly-Sycamore Lane area.**

Ms. Mellinger made motion to authorize Mr. Chrostowsky to sign, after consultation with Liz Walker and Mark Angstrom, a letter of intent for a water system improvement project. Ms. Morse seconded. Motion carried 5-0-0.

**Mr. Pennebaker reported that he had spoken to the Heindel and Noyes engineer, who told him that the cost of the blower for the methane remediation system is not included in the bid. The cost of burying the pipes should be covered by the bid, if the town digs the trenches.**

There was discussion of why the blower would not have been included in the bid, and Mr. Pennebaker said he had asked that, and would look over the whole thing very carefully. He also said that methane measurements at the Eastmans have shown a very very small amount of methane, and that the power should go in at the remediation site tomorrow.

**Ms. Mellinger reported a speeding complaint on Sycamore Lane. She also reminded people of Green-Up Day, which will be headquartered at Cole Hall this year. People may call her to adopt a road for clean-up. Mr. Mead said that the town should be on the look-out for people dumping personal trash at the collection points this year.**

**Ms. Mellinger pointed out that one transfer warrant had been left out of the warrant approvals. Chairman Metcalfe read it in for a vote.**

Ms. Morse made motion to approve payment of a \$12,718.58 transfer warrant. Ms. Mellinger seconded. Motion carried 5-0-0.

**Mr. Mead reported that Pat DeAndrea of the National Forest would like to attend a Board meeting in order to discuss privately owned property near Glastenbury that may be sold to the National**

**Forest. This would remove the land from the Grand List.**

**Chairman Metcalfe suggested that he and Mr. Mead attend a Lake Paran Association meeting to explain the cost of road paving. He will find out if they can be invited.**

**Chairman Metcalfe stated that the room layout will be changed by the next meeting. He also said that it is necessary to get the Recreation and Facilities Committees together. Mr. Chrostowsky will try to get Curt to attend the next meeting to discuss this. There also needs to be a discussion of the Water Board.**

**Chairman Metcalfe asked Board members when they can get together for a general discussion. It was agreed that they would do this instead of holding a regular meeting next week. They will start at 6:00 PM instead of 7:00 PM.**

**Mr. Chrostowsky reported that he had spoken to the sheriff about renewing the contract, and that they will start to rewrite the contract.**

Ms. Morse made motion to go into Executive Session (Personnel). Ms. Mellinger seconded. Motion carried 5-0-0.

The Board went into Executive Session at 8:36 P.M.

The Board left Executive Session at 9:55 P.M.

Ms. Morse made a motion to reappoint Anthony Zazzaro to the position of Zoning Administrator for a term of three of years. Ms. Mellinger seconded. Motion carried 5-0-0.

The meeting adjourned at 10:00 P.M.

**Respectfully Submitted,  
Susan M. Swasta**