

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

Board Present: **Lon McClintock (Chairman), Karen Mellinger, Cinda Morse, Bill Pennebaker, Wynn Metcalfe**

Others Present: **Larry Johnson, Mike Gleason (Bennington Banner), Paul Olmstead, Iris Olmstead, Rep. Alice Miller, Aaron Chrostowsky (Town Administrator), Susan Swasta (Recording Secretary)**

1. Call Meeting to Order:

**Chairman Lon McClintock called the meeting to order at 7:00 PM.**

2. Announcements:

**Chairman McClintock announced that the Town office will be closed on Friday July 25 for vacation time.**

3. Conflict of Interest Statement:

**Chairman McClintock asked if any Board member has a conflict of interest with any topic on tonight's agenda. None did.**

4. Meeting Minutes:

**July 7, 2008 Select Board minutes**

Cinda Morse made motion to approve July 7, 2008 minutes. Karen Mellinger seconded. Motion carried 5-0-0.

5. Warrants:

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

**Correction to AP Warrant #48: Correct \$8532.39 to \$6402.39 (Bills were included that had already been paid.)**

Ms. Mellinger made motion to correct AP Warrant #48. Ms. Morse seconded. Motion carried 5-0-0.

**General Warrant AP#53: \$4851.16 (life insurance, heating oil)**

Ms. Morse made motion to pay AP Warrant #53. Ms. Mellinger seconded. Motion carried 5-0-0.

**Transfer Warrant: \$6586.71**

Ms. Morse made motion to pay Transfer Warrant. Bill Pennebaker seconded. Motion carried 5-0-0.

**General Warrant AP#2: \$4050.41 (mowing, interest on note)**

Ms. Morse made motion to pay AP Warrant #2. Ms. Mellinger seconded. Motion carried 5-0-0.

**General Warrant AP#2: \$78,676.37 (insurance, transfer station, Clean Harbors)**

Ms. Morse made motion to pay AP Warrant #2. Ms. Mellinger seconded.

**Ms. Mellinger asked Aaron Chrostowsky to call Clean Harbors to make sure their list of materials disposed of is correct. Board members agreed that it would be good to go out to bid on Hazardous Waste Day disposal services. Mr. Chrostowsky will check with Treasurer Henri Billow on why there are two #2 AP warrants.**

Motion to pay AP Warrant #2 carried 5-0-0.

**Payroll Warrant #1: \$10,054.67**

Ms. Morse made motion to pay PR Warrant #1. Ms. Mellinger seconded. Motion carried 5-0-0.

**Payroll Warrant #2: \$6589.83**

Ms. Mellinger made motion to pay PR Warrant #2. Ms. Morse seconded. Motion carried 5-0-0.

**Payroll Warrant #3: \$5336.97**

Ms. Morse made motion to pay PR Warrant #3. Ms. Mellinger seconded. Motion carried 5-0-0.

6. Public Comments:

**State Representative Alice Miller said that people had asked her about the status of the sidewalk project. Ms. Mellinger reported that she had talked to the engineer today about the hold up on approval by the state right of way division. She said that the required utility permit has been sent to the right of way division. She will check with them tomorrow. Rep. Miller asked what the latest time to begin the project this summer would be. Ms. Mellinger replied that mid-August or early September would be the latest.**

7. Review and Approve Box Culvert Installation Bids:

**Mr. Chrostowsky reported that there had been five bids, and that Road Foreman Ron Daniels had recommended accepting the lowest bid of \$15,555.40 from Ken Harrington. Mr. Chrostowsky stated that he has budgeted \$1000 for guard rails, based on past costs. The Town has \$40,000 from the state and will match that amount with \$4400. So far \$28,495 has been spent on the box culvert.**

Ms. Morse made motion to award the box culvert installation contract to Ken Harrington for \$15,155.40. Ms. Mellinger seconded. Motion carried 5-0-0.

8. Discuss Potential Cutbacks on Paving Projects:

**Mr. Chrostowsky, referring to a memo he had emailed to Board members on this issue, recommended holding off on paving Cleveland Avenue and the Ledgely neighborhood until next fall. Chairman McClintock noted that Ledgely will soon have construction for water improvements, and Cleveland will be having sidewalks put in. It makes sense to delay paving so that these streets do not have to be dug up twice. Savings would be \$8760 for Cleveland and \$18,700 for Ledgely, for a total of \$26,865. The Town will still get the state matching funds for Cleveland if it is paved by November, 2009.**

**Mr. Chrostowsky said that he would still like to go ahead with some paving in order to get the current rates from Peckham. The Town is bound by contract to pave all of these roads, but Peckham is willing to work with them. Per ton rates will increase by next year, but probably not dramatically. Mr. Chrostowsky said that he and Mr. Daniels will meet with Peckham to discuss the**

rates and bring the figures back to the Board for approval.

Ms. Mellinger noted that a bond vote will be needed for the water project. She asked Mr. Chrostowsky if the Meadow Lane water project work will be paid for from the water fund. Mr. Chrostowsky replied that it will, and that he and Mr. Daniels will be meeting with Water Superintendent Joe Herrmann tomorrow.

Ms. Mellinger made motion to postpone paving Cleveland Avenue and the Ledgeley neighborhood streets until 2009. Mr. Pennebaker seconded. Motion carried 5-0-0.

9. Review and Discuss Plowing Policy:

Chairman McClintock reported that he had met with Mr. Daniels and a member of the State Highway Department. The state's policy is to plow between 4:00 AM and 10:00 PM, then to have a skeleton crew to keep certain routes open. On weekends there is a smaller crew in the morning and a somewhat larger crew in the afternoon. He noted that the state has also experienced significant increases in overtime, and that the Town of Killington went substantially over budget last winter in overtime, sand, and salt.

Chairman McClintock proposed a new plowing policy of running a full crew to clear the roads between 3:00 AM and 7:00 AM, and having the crew off duty between 10:00 PM and 3:00 AM. Mr. Daniels will have discretion to send people out during those hours if necessary. Ms. Morse asked if it would be possible to limit overtime by having the work day end earlier if plowing is done. Chairman McClintock replied that trucks and equipment require maintenance. There was discussion of how much time is required to do maintenance and how long it takes to plow, sand, and salt all roads.

Chairman McClintock said that he has broken out amounts spent on overtime, sand, and salt for specific time periods. Using this method he can keep an eye on spending. Mr. Chrostowsky stated that this will be a cut in services, and that they need to let residents know that they should not drive on Town roads between 10:00 PM and 3:00 AM. Board members agreed that it makes sense to try the new plowing policy.

Ms. Mellinger made motion to approve the plowing policy of not having road crew out between 10:00 PM and 3:00 AM, at the discretion of the Road Foreman. Mr. Pennebaker seconded. Motion carried 5-0-0.

10. Budget (Work Session):

**It was agreed to take care of other agenda items before taking up the budget.**

11. Discuss Change in Meeting Schedule:

Chairman McClintock proposed going back to holding Select Board meetings every other week. He feels that this is more efficient, and that more work can be done outside of meetings. Ms. Morse noted that they had begun meeting every week because meetings had started running to 10:00 or 11:00 PM.

Ms. Mellinger felt that meeting weekly makes it easier to keep on top of things. She said that Mr. Chrostowsky will need to communicate with Board members during the week they do not meet to make sure things are getting done. Mr. Chrostowsky said he could still do a Board report each Friday. Mr. Pennebaker and Mr. Metcalfe agreed that this is reasonable for summer months, but probably not for budget season. Everyone agreed to change to meeting every other week for the time being. The next meeting will be in two weeks. Mr. Chrostowsky will put a notice in the newspaper.

12. Town Administrator Update:

**Mr. Chrostowsky stated that the tax collector would like to use the Town Attorney for tax sales. Attorney fees would be added to tax sale purchases.**

Ms. Mellinger made motion to authorize the tax collector to hire the Town Attorney to conduct tax sales. Ms. Morse seconded. Motion carried 5-0-0.

**Mr. Chrostowsky stated that there is a problem with a resident building a wall on Town right of way. Chairman McClintock noted that this has come up in the past and that the Select Board needs to have a policy on it.**

**Mr. Chrostowsky stated that an assistant Zoning Administrator needs to be appointed for time periods when the Zoning Administrator is on vacation or unavailable. He will come back to them with a recommendation from the Planning Commission.**

13. Other Business:

**Ms. Mellinger reported that Shaftsbury has been moved to the top of the list for state loan funds for water system improvements. They are now on a fast track and will be looking at a bond vote. The Water Board should probably meet before the next Select Board meeting.**

**Mr. Metcalfe reminded Mr. Chrostowsky that Development Review Board (DRB) and Planning Commission checks go out on July 1, and that he needs the Town road ordinance on disk if it is available.**

**Mr. Metcalfe stated that he is concerned about a bond vote, and that the Board needs to decide how many bond votes they are going for. There was a brief discussion of the water bond vote and of getting numbers from the Facilities Committee on facilities costs.**

**Ms. Morse reported that she had signed the contract for the Solid Waste Implementation Plan (SWIP) coordinator, as approved last week. She reported that the Economic Development Committee has sent the revised Village Center Designation maps to the state.**

**Mr. Pennebaker reported on methane readings, stating that the situation is now unclear and that he is not as optimistic. There is still a reasonable chance that it will work, but they will have to be patient, watch, and wait. Readings are at or over the 5% level only about 10% of the time, but this may not satisfy the state.**

10. Budget (Work Session) (resumed):

**Chairman McClintock asked Mr. Pennebaker if he still thinks landfill fund money can be used for the budget deficit. Mr. Pennebaker replied that they will need to wait and see.**

**Mr. Metcalfe recommended taking \$25,000 from the calcium chloride budget, \$10,000 from the fire truck sale, and \$5000 from the reappraisal fund. There was discussion of whether the reappraisal fund had been allocated by voters. Mr. Chrostowsky said it was not a ballot article, so they could take money from the fund. The total savings would be \$40,000. \$23,000 added from paving would make \$63,000.**

**Chairman McClintock stated that the actual deficit total is &75,410.58, but applying the surplus from the previous year brings it down to something over \$63,000.**

**Ms. Mellinger said she was not considering taking from the reappraisal fund. She recommended taking \$25,000 from calcium chloride, \$10,000 from the fire truck sale, and \$3000 from Select Board professional services. She had thought about money from the landfill fund, but that does not look good.**

Ms. Morse agreed on taking funds from calcium chloride and paving, but not from the reappraisal fund or fire truck sale. She felt they should not undermine the process of setting aside funds for future purposes.

Mr. Pennebaker still hopes to be able to pull some money from the landfill fund, but not yet. He will ask the state to let them try his pumping system for a year, which would only cost about \$1000. He will check with Buzz Surwillo of the Agency of Natural Resources. Mr. Pennebaker recommended using calcium chloride, fire truck sale, paving, and reappraisal funds.

Chairman McClintock noted that they are close to consensus. They all agree to use the past surplus funds, paving, and calcium chloride money. Ms. Morse said they should inform people about current year budget problems when the special meeting is held.

Rep. Miller noted that when they had budget problems in the past they had asked for a cut in Town insurance costs, and had also cut back on travel and supplies. She suggested pursuing grant funds to make Cole Hall more energy efficient, and looking at the budget on legal fees. Chairman McClintock noted that all departments had come in under budget. Only road service and maintenance were over budget.

Chairman McClintock said that they need to have a proposal to eliminate last year's deficit, and a separate proposal to address the upcoming deficit. Ms. Morse stated that it is important to let people know how we got to where we are, and that we are putting procedures in place to avoid future problems.

Chairman McClintock stated that Bill Hall of the Vermont League of Cities and Towns will be working with Treasurer Henri Billow on accounting and budget procedures. He said the Board will adopt a proposal for the budget deficit at the next meeting, and submit proposals for the upcoming deficit.

Mr. Metcalfe noted that they have not discussed adjusting the tax rate to deal with the deficit. It would add two or three cents to the tax rate and not mess with services. Ms. Mellinger said that the school tax rate may go way up this year. Chairman McClintock said that they should have an estimate on the school tax by the next meeting.

Shaftsbury resident Larry Johnson said he would not mind the rate increase if they promised to take it out next year. Mr. Metcalfe agreed with him. Chairman McClintock noted that it's useful to go through this process and see where the money could come from. Mr. Chrostowsky will pull together figures for the next meeting.

14. Executive Session (Contract, Personnel):

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

The meeting went into Executive Session at 9:05 PM.

**Respectfully Submitted,**

**Susan Swasta**