

**MINUTES OF THE SHAFTSBURY SELECT BOARD**  
**JULY 24, 2006**  
**COLE HALL**  
**SHAFTSBURY, VERMONT**

**Board Present:** Wynn Metcalfe, Chairman, Cinda Morse, Bill Pennebaker, Jim Mead

**Board Absent:** Karen Mellinger

**Others Present:** Michael Biddy, Neal Goswami (Bennington Banner), Aaron Chrostowsky, Susan Swasta

**1. Call Meeting to Order:**

Chairman Wynn Metcalfe called the meeting to order at 7:05 PM. He asked if any Board member needed to recuse himself or herself from discussion of any agenda topic scheduled for tonight. None did.

Chairman Metcalfe reported that he had had a couple of phone calls from Church Street residents complaining about a speeding small blue car. According to the sheriff's office, the driver has been caught. He was driving 62 miles per hour in a 25 mile per hour zone.

**2. Warrants:**

The following warrants were presented for approval:

- PR#1 - \$ 9,003.40 payroll warrant
- PR#2 - \$ 5,415.41 payroll warrant
- AP #3 - \$ 33,545.33 (pre-buy of oil)

**Cinda Morse made motion to pay warrants. Jim Mead seconded. Motion carried 4-0-0.**

**3. Minutes:**

July 17, 2006 Minutes:

**Ms. Morse made motion to approve July 17, 2006 minutes. Mr. Mead seconded.**

**One correction to the minutes was requested:**

**On page three, section eight (Other Business), paragraph five; the last sentence is changed to:**

**She said that if a few people are willing to get together, she will help to put the presentation together.**

**July 17, 2006 minutes were approved as amended 4-0-0.**

**4. Public Comments:**

**Treasurer Henri Billow reported that there is \$34,374 in the checking account. A \$150,000 line of credit has been taken out. 12.7% of the budget has been spent. Ms. Billow and Mr. Chrostowsky noted that this includes a lot of front-end expenses.**

**Michael Biddy stated that he has seen no permits posted for excavation and extraction in connection with TAM's work on the Airport Road curve. He noted that if work is not taking place in a town right of way, a**

Development Review Board (DRB) permit is required. Mr. Chrostowsky stated that the work is taking place in the right of way and Mr. Bidy said that it is well out of the right of way.

Chairman Metcalfe said that he is not sure if the DRB has typically heard these kinds of cases. Mr. Bidy stated that zoning bylaws require a permit for extraction and excavation and that it seems foolish to proceed without engineering input. He expressed concern about drainage, citing lack of culverts and a steep bank above the roadway. He also said that soil conditions for support of a paved road are unknown, and that the aggregate to be used for paving will create loose material on the shoulder of the curve that will pose a danger to drivers.

Chairman Metcalfe stated that Road Foreman Ron Daniels and Brian Lent of Dailey's had approved what is being done. Ms. Morse stated that we want to make sure we know everything that happens before it happens. She asked if Mr. Mance had submitted a plan for the work. Mr. Chrostowsky passed around a sketch done by Mr. Mance. Ms. Morse noted that it includes no technical information and no identifying information and that it is reasonable to expect such documentation.

Bill Pennebaker stated that the sketch should include elevations and slopes and a view of the road looking down on it. Drainage should be checked carefully, which Mr. Daniels should be able to do. Chairman Metcalfe stated that he will talk to DRB chairman Jim Carter to see if a permit is required, and will have Mr. Daniels take a look at it to see if he is happy with it. He will also ask Mr. Mance to improve the sketch. Ms. Morse stated that there should be something to keep people on the road so that they don't cut the corner, and Chairman Metcalfe replied that typically this is done by using gravel.

#### **5. South Shaftsbury Sidewalk Project:**

Mr. Chrostowsky will be meeting with state enhancement grant coordinator Curtis Johnson this August 1 at 11:30 AM. He went over the tentative project schedule suggested by Mr. Johnson, which projects a fully executed contract between the state and the town by the end of August. Drawings would be prepared from September-October, permit review would take place from November-January, and the project would be ready for construction bid in February of 2007.

Mr. Chrostowsky would like to meet with potential design engineers who might donate their time on the project after he meets with Mr. Johnson. Chairman Metcalfe asked Mr. Chrostowsky to draft a realistic timeline after his August 1 meeting, and to have a discussion with Karen Mellinger about a sidewalk committee.

#### **6. Landfill Closure Grant Resolution:**

Chairman Metcalfe read the resolution authorizing the Select Board to apply for the state solid waste grant. Mr. Pennebaker had a question about a December 31, 1992 reference included in the resolution, and Chairman Metcalfe asked Mr. Chrostowsky to find out what the date refers to.

Ms. Morse made motion to approve the landfill closure grant resolution pending clarification of the December 31, 1992 reference. Mr. Pennebaker seconded. Motion carried 4-0-0.

#### **7. Landfill Closure Construction Update:**

Mr. Chrostowsky stated that town attorney Rob Woolmington had commented on the agreements with Trevor Mance and with the Harrington's to provide materials for landfill closure. Mr. Mance is OK to sign the agreement as is. Mr. Chrostowsky is waiting to hear from the Harrington's.

Mr. Mead made motion to accept the agreements with Trevor Mance and with the Harrington's to provide materials for landfill closure. Chairman Metcalfe seconded.

Mr. Pennebaker questioned the down payment of \$5000 to be applied against invoices specified in the agreements, since the town may choose not to use the material. Chairman Metcalfe stated that the down

payment would only be made if the town intends to use the material, but Mr. Pennebaker replied that the agreement does not say that.

Ms. Morse asked if we anticipate using material from both sources, and Mr. Pennebaker answered that we do, but that it will depend on whether material needs to be screened. He wants something in the agreement ensuring refund of unused balance of down payment. Chairman Metcalfe asked Mr. Chrostowsky to have this change made to the agreements. He suggested making a motion to sign the agreement subject to the change.

Mr. Pennebaker made motion to sign the agreements with Trevor Mance and with the Harrington's to provide materials for landfill closure if they agree to reimbursement of unused down payment balance. Mr. Mead seconded. Motion carried 4-0-0.

Chairman Metcalfe stated that the Board needs to decide how to deal with day to day issues that arise as landfill closure progresses. It was decided that decisions will be based on discussion between Mr. Pennebaker and Mr. Chrostowsky, with more Board members involved whenever possible.

Chairman Metcalfe asked that as many Board members as possible attend the pre-construction meeting this Thursday.

#### **8. Special Town Meeting Preparation:**

Mr. Chrostowsky will prepare a Power Point presentation tomorrow and will take the letter prepared by Mr. Pennebaker to the printer. Before doing so he will run the numbers by Mr. Pennebaker and Ms. Morse to be sure everything adds up. Chairman Metcalfe will run the meeting and Mr. Pennebaker will field any technical questions.

There was a discussion of topsoil prices and of possible reductions to the \$150,000 to be asked for at the meeting. Ms. Morse advocated staying focused on the funding of the project, not on potential variations. She said that all presentation material should be clear and consistent. Chairman Metcalfe said that people will want to know how it will be paid back and that Mr. Chrostowsky and Ms. Billow will address that. He asked Board members to meet at Cole Hall at 6:00 PM next Monday.

#### **9. Discussion of Employee Benefits Policy:**

Ms. Morse distributed handouts summarizing the work of the Policy and Procedures Committee on employee benefits. This includes information on current benefits, comparison to the Vermont League of Cities and Towns (VLCT) standards, what the Committee is recommending, and financial implications. The goals are predictable costs, benefit incentives that keep employees working, benefits that make Shaftsbury a desirable place to work, and employee cost sharing.

#### **10. Other Business:**

Meeting adjourned at 9 PM.

Respectfully Submitted,  
Susan M. Swasta