

SHAFTSBURY SELECTBOARD  
SPECIAL MEETING  
March 22, 2012  
MINUTES

ATTENDING: **Board Members present:** Lon McClintock, Karen Mellinger, Craig Bruder, Carl Korman, Billy Obenauer. Town Officials present: David Mance, DRB member; Staff: Margy Becker, Town Administrator; Visitors: Tom Huncharek, Megan Donckers, Mike Foley, Jeri and Ron Schoof, Mitch and Joanne Race; Dennis Del Angelo;

**1. Call to Order**

Chairman McClintock called the meeting to order at 6:00 p.m.

**2. Announcements**

There were no announcements.

**3. Public Comments**

David Mance pointed out there is the potential for 5 appointments to the DRB. He asked that the Selectboard consider staggering terms. He then pointed out that the DRB is a quasi-judicial body, and it needs to be remembered that there is to be no communication between Board members and applicants outside of meetings. Lon McClintock further explained how the DRB gathers facts concerning applications.

**4. Conflict of Interest Statement**

Chairman McClintock inquired if any Board member had a conflict of interest with any matter on the agenda. No conflict noted for the record.

**5. Town Garage Permitting**

The Selectboard agreed to request MSK Engineering and Long Trail Engineering to submit revised bids that are fixed price in nature to be consistent with the RFP. Both engineering firms had provided revised surveying estimates only.

**6. DRB Interviews**

The Board met with Tom Huncharek, who has asked to be considered for a regular appointment. The Board met with Megan Donckers, who has asked to be considered for appointment as an alternate. The Board agreed to continue interviews on April 2<sup>nd</sup>, when a full board would be present. Lon McClintock said he would confirm when DRB terms actually end, and whether or not the Selectboard could make interim appointments.

Billy Obenauer inquired when or if the Selectboard would consider public comments regarding DRB structure? A brief discussion followed regarding the pros and cons of changing the DRB structure. Lon McClintock noted the Selectboard discussions should be legally warned for a future meeting. He also requested the DRB be notified of the Selectboard's intent to address the topic – in case DRB members expressed a desire to meet with the Selectboard beforehand.

#### **7. Cemetery Mowing Bids:**

Margy Becker distributed cemetery mowing bids. She reported that all reference checks had been positive. Karen Mellinger stated concern regarding the age of equipment of the low bidder. Carl Korman cautioned Board members there had been little if any justification for ignoring the lowest bid. In order to award the bid to Mr. Coonradt the Selectboard should have revised its bid policies to enable cemetery mowing to be awarded via 'sole source' procedures. This avenue would be open to the Selectboard in the future. Mr. Korman also said he is open in the future to considering a 10 – 15% discount in support of bids from Shaftsbury residents. The Selectboard reviewed bid sheets for equipment listings. Insurance certificates were reviewed.

**Carl Korman made the motion to accept the low bid of \$9,500. Lon McClintock seconded.**

Craig Bruder noted the absence of vehicle coverage on Mr. Sweet's certificate and that the low bidder did not appear to have enough equipment to perform the job. He stated in his opinion the bid was therefore nonconforming.

**Billy Obenauer made the motion to amend the main motion to approve the low bid contingent on demonstration of auto insurance coverage. Carl Korman agreed with the friendly amendment.**

Lon McClintock stated the Board should adhere to its purchasing policies.

**The Board voted 3 – 2 in favor of the motion, as amended, to award the bid to Nathan Sweet for \$9,500 and contingent upon demonstration of auto insurance coverage.**

#### **8. Certificate of Highway Mileage**

The Town Administrator confirmed that Deer Run Road had been properly added to the map as a class 3 road. Granger Hollow Road Extension has been added as a legal trail; Shaftsbury Hollow Road has been added to the map as a Class 4 highway. The Certificate matches the new highway maps sent by the VTRANS. The Board signed the Certificate of Highway Mileage. This will be submitted to the VTRANS, following the Clerk's signature as 'attestation'.

The certificate confirms the Town's mapped Class 2 road mileage at 19.990, Class 3 mileage to be 50.44, Class 4 mileage to be 1.70, and legal trail mileage to be .80 miles.

**Craig Bruder made the motion to approve the annual Certificate of Highway Mileage. Karen Mellinger seconded. The motion carried unanimously 5-0.**

#### **9. Executive Session – Personnel**

**Karen Mellinger made the motion at 8:45PM to enter executive session for a personnel matter. Craig Bruder seconded. The motion carried unanimously.**

Margy Becker departed from the meeting.

**10. Adjournment**

\_\_\_\_\_ made the motion to adjourn at \_\_\_\_\_ pm. \_\_\_\_\_ seconded.  
**Motion carried unanimously.**

Submitted by  
Margy Becker