

Town of Shaftsbury
Minutes of Regular Selectboard Meeting
Cole Hall - 61 Buck Hill Road
Monday, October 15, 2012
6:00PM

Members present: Lon McClintock (Chair), Craig Bruder, Carl Korman, Karen Mellinger, Billy Obenauer

Town Officials Present: Margy Becker (Town Administrator), Bill Fisk (Town Treasurer), Mangsen (Recording Clerk), Jerry Mattison (Emergency Coordinator)

Other Present: William Pennebaker, Rob Steuer, Jim Marshall, Chris Williams, Kathleen Geneslaw, Robert Geneslaw Jeri Schoof, Mitchell Race, JoAnn Race, Lexy Covell

1. Call to Order

Lon McClintock called the meeting to order at 6:03 p.m.

**2. Public Hearing Continuance - Proposed Zoning Bylaw Amendment
“Enclosure of Existing Outbuildings”**

Lon McClintock reminded the Board that as proposed the pole barn amendment has no requirement that a permit be obtained. Thus the improvement without a permit gives no vehicle for tracking the change in valuation.

The Selectboard could amend the proposal, to require permitting, and could recommend waiving of permitting fees. He explained the difference between an “exemption” and a “permitted use.” If exempt, a construction is not subject to the bylaws and no permit is required. If a use is permitted, the Zoning Administrator can simply issue any required permit. Should the Zoning Administrator deny a permit for a construction not consistent with the bylaws, the DRB would become involved.

There was substantial discussion of character of the enclosure, and the possible undetected changes of use.

William Pennebaker mentioned the need to include an exemption for agricultural uses.

Motion: To refer the draft zoning bylaw for enclosure of outbuildings back to the Planning Commission, and to recommend they consider it a permitted use, with attention to appropriate exemption for

agricultural usage. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 5-0-0.

3. Work Session with Town Treasurer

Various issues were discussed with the town treasurer, including logistics of and timeline for publishing the budget, the Facilities Committee's need for budget information in relation to the design and construction of new garage, the possible effect of a bond vote on future budgets, the need for transparency for voters, treatment of surplus carry forward, and the need for consistent scheduling of audits.

Scheduling of audits – consistency would be helpful.

4. 6:50PM Recess

Lon McClintock declared a recess at 6:57 p.m.

5. 7:00PM Call to Order-Regular Meeting

Lon McClintock called the meeting back to order at 7:04 p.m.

6. Announcements

Carl Korman offered his compliments to the Norshaft Lions volunteers for their work on Oktoberfest this past weekend.

Karen Mellinger reminded citizens of the winter parking ordinance, in effect from Nov 1 through April 15, prohibiting on-street parking from 10 p.m. to 6 a.m.

Margy Becker reported on the reclaiming of Twitchell Hill Rd, scheduled for early next week, followed by paving during the week of Oct 29.

7. Public Comments

Mitchell Race drew attention to the visit of a former governing member from the Town of Shaftesbury U.K. on Sun Oct 28, 11 a.m. to 4 p.m.

In response to a question, Margy Becker reported that the gravel area on White Creek Road will be paved shortly.

8. Conflict of Interest Statement

There were none.

9. Financial Reports - Treasurer

Treasurer Bill Fisk distributed copies of his reports to Selectboard members, noted that revenues to date are in line with projections and that expenditures are tracking as expected. He entertained questions from the Board.

10. Tour of the Dragons Bike Race – Jim Marshall

Jim Marshall distributed material and discussed the race in terms of the larger context of bicycle races in the region.

Shaftsbury offers a more rural setting than that available in the previous race held in downtown Bennington, which is significantly simpler, to arrange, has lower overhead, and is more competitive. A 16-mile circuit is envisioned. He responded to questions from Selectboard members. Lon McClintock asked Margy Becker to check on insurance coverage if the Selectboard approves use of the Shaftsbury's roads for this race. Mr. Marshall noted that USA Cycling provides insurance for all of the townships involved.

MOTION: That the Town of Shaftsbury permit the Tour of the Dragons race to go forward on Saturday May 4, 2013, given that the questions raised with respect to insurance will all have been answered successfully. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 5-0-0.

11. Emergency Shelter Initiative – Jerry Mattison (Emergency Coordinator)

Descriptions were circulated with respect to a Red Cross proposal to provide supplies to be stored in Shaftsbury for an emergency shelter. The Board members were polled by the chairman and were generally in favor of the proposal; the Board directed Mr. Mattison to develop a budget and to identify storage possibilities for the materials. Once that information is in place, the Selectboard will revisit to this matter.

12. Bridge 35 Repairs – Status/Action as necessary

Margy Becker brought the Selectboard up-to-date on the needed repairs and the three bids that are in hand.

She has consulted with the Road Foreman, Terry Stacy, on the bids themselves and on whether this should be regarded as an emergency situation such that normal purchasing policy might be waived. Both the Town Administrator and Terry Stacy recommend accepting the low bid.

The Board discussed the question of setting aside normal policy in response to what could be regarded as a special situation. It was noted that all three bids have been pre-approved by VTrans. When polled, a majority favored proceeding with the repairs as soon as possible, although Mr. Obenauer noted that the situation has been known for some months, suggesting that normal procedures could have been followed. The Town Administrator pointed out that the particulars of the construction possibilities have become known only recently.

Motion. To suspend the normal purchasing policies in order to proceed with the Bridge 35 construction. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 4-1-0 (Obenauer opposed).

Motion. To approve the bid from Renaud Bros. in the amount of \$56,000 to proceed with the construction of Bridge 35 (replacement of the bridge deck and guard rails). Moved by Craig Bruder; seconded by Carl Korman. Carried, 5-0-0.

13. Sidewalk Engineering Design – Bid Award

Margy Becker brought the Selectboard up-to-date concerning the bid process. More information is to be provided from the VTRANS, such that Selectboard can make a decision after the appropriate bid review process. The Chair recommended taking action on bid selection at a special meeting between now and Nov 5.

14. Highway Access Ordinance – 2nd reading

The matter is deferred until a later meeting.

15. Request for Fuel Assistance – Julia Mattison Fund

A request has been received, and the Board attempted to preserve a degree of anonymity for the applicant.

Motion. To authorize expenditure from the Mattison fund for the purchase of 150 gallons of fuel for the applicant. Moved by Karen Mellinger; seconded by Billy Obenauer. Carried, 5-0-0.

16. Error and Omissions – Vaine – Hollow Hide-Away

The matter will be considered at the meeting on Oct. 29th

17. Selectboard Meetings – Frequency/duration of meetings

Lon McClintock summarized the feedback he has received with respect to the length of Selectboard meetings.

Various suggestions were made: imposition of time limits on presentations to the Board; circulation of documents in advance, and perhaps posting them on the website to facilitate public access. Karen Mellinger noted that the conversations between the Board members and the public can be very useful. It was also noted that the website is maintained by a volunteer, whose time is limited.

Some have complained that Shaftsbury Selectboard meetings are played by CAT TV less often than those of other towns, due to their excessive length. Craig Bruder suggested that weekly meetings, lasting two hours, might be preferable.

18. Town Administrator's Report

The Animal Control Officer has request a hearing before the Selectboard, in the matter of complaint concerning dogs running at large and an attack on a domestic pet. The hearing will be scheduled at a special meeting on Tues Oct 30 (meeting to commence at 7:00 p.m., with the hearing to begin at 7:30).

Margy Becker will try to post the additional Development Review Board (DRB) vacancies this coming week.

19. Other Business

a) Brownell's Salvage Yard – Renewal of Location Approval

The plan is to re-warn the Brownell public hearing for Nov 5.

b) Facilities Committee Update

The Selectboard will attempt to have all the information in order before end of the year, such that public can be informed by February.

Motion: To close Cleveland Ave on Hallowe'en from 4 p.m. to 8 p.m. by Fire Police. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 4-0-1 (Obenauer abstaining).

c) Cider Mill Rd update: Aim is to fix this road before winter, a process that is anticipated by Terry Stacy to take two days.

20. Minutes – Sept. 24, Oct. 1st

Motion: To approve minutes of Sept 24 as corrected. Moved by Craig Bruder; seconded by Billy Obenauer. Carried, 4-0-1 (Korman abstaining).

Motion. To approve minutes of Oct 1, 2012, as corrected. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 4-0-1 (Obenauer abstaining).

Rep. Alice Miller spoke about the potential relocation of the State Police Barracks and encouraged people to attend a meeting on Wed, Oct 17, at 6 p.m. at the Arlington Fire House.

21. Warrants

Motion. To approve PRW # 13 in the amount of \$6510.37. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 5-0-0.

Motion. To approve Paryroll Retirement Warrant # 15 in the amount of \$131.39. Moved by Karen Mellinger; seconded by Craig Bruder. Carried 5-0-0.

Motion. To approve PRW # 15 in the amount of \$8220.79. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 5-0-0.

Movtion. To approve PRW # 14 in the amount of \$8776.29. Moved by Craig Bruder/; seconded by Carl Korman. Carried 5-0-0.

Motion. To approve Check Warrant # 10 in the amount of \$37,560.59. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 5-0-0.

22. Adjournment

Motion. To adjourn the meeting. Moved by Karen Mellinger; seconded by Carl Korman. Carried unanimously.

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Sandra Mangsen
(Recording Clerk)