

Town of Shaftsbury

Minutes of Regular Selectboard Meeting

Cole Hall - 61 Buck Hill Road
Monday, November 5, 2012
6:00PM

Members Present: Lon McClintock (Chair), Craig Bruder, Carl Korman, Karen Mellinger, Billy Obenauer (arrived at 6:55)

Members absent: none

Others Present: Margy Becker (Town Administrator), Sandra Mangsen (Recording Clerk, Michael Bidy, Megan Donckers, Michael Foley, Robert Geneslaw, Kathleen Geneslaw, Tom Huncharek, Jay T. Palmer, Chris Ponessi, Mitchell and JoAnn Race, Jeri Schoof, Stephen Washburn, Sr., Rick Kobick, Ben Benedict (Facilities Committee), Andrew Schoerke, Michael Bidy, Tim Scoggins, Barry Mayer

1. Call to Order

Vice Chair Karen Mellinger called the meeting to order at 6:04PM in the absence of Chairman Lon McClintock.

2. Announcements

Carl Korman reported on the visit of the the former mayor of the town of Shaftesbury, U.K., and read letters from that town's current mayor and from Lord Shaftesbury. He thanked Mitchell Race and the Shaftsbury Historical Society for their efforts in regard to the celebration and visit.

Craig Bruder reported he had spent most of a day working with the town's Road crew; he encouraged other Board members to visit with the crew in the field.

Karen Mellinger reported on a drive to collect materials to aid recovery from hurricane Sandy, organized by the Better Bennington Corporation.

Margy Becker reminded those in attendance that the village parking ban begins December 1 and will be advertised appropriately.

Chairman Lon McClintock joined the meeting at 6:10PM and assumed position as meeting chair.

3. Public Comments

Concern was expressed about the lack of listings for meetings in the Bennington Banner.

4. Conflict of Interest Statement

There were no conflicts of interest expressed.

5. 6:14PM Public Hearing & Deliberation – Approval of Location of Brownell’s Salvage Yard

Lon McClintock opened public hearing at 6:14 p.m. and asked for comments. There were none.

Motion: To close the public hearing on the Brownell Salvage yard location. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 4-0-0 (Billy Obenauer was absent for this vote.)

Lon McClintock read aloud the approval of location decision with conditions and invited suggestions from the Selectboard with respect to parking limits, and any other concerns. He will revise the draft decision and present it for approval at the next meeting.

6. Rte. 7A / Buck Hill Road / Church Street Intersection

Tim Scoggins reported on safety concerns at the intersection and presented several ideas for addressing the problem, such as lowering the speed limit in the immediate area.

7. Facilities Committee Presentation – Site Plan for New Town Garage

Lon McClintock named members of Facilities Committee and introduced Rick Kobick, who was in attendance. He then gave an update on the Committee’s activities and distributed copies of a proposed town garage site plan (adjacent to transfer station). Concerns pertaining to site security and whether soils were sufficiently stable for construction access routes were raised. The garage is intended to accommodate storage and repair of trucks, the pole barn to protect heavy equipment, and a shed is required for storage of sand and salt. The town is in the process of applying for a wastewater and water supply permit.

At its next meeting, the Selectboard plans to discuss the financial implications of this project, with a view to moving toward a bond vote.

8. Law Enforcement Services & Recent Burglaries

Margy Becker had provided copies of State Police incident reports from 2009-2012 to the Selectboard. Carl Korman summarized some of those statistics for those in attendance, especially with regard to incidents involving burglary, larceny and reports of suspicious persons.

Karen Mellinger recommended the Board consult the State Police, with respect to similar incidents in Dorset and the subsequent establishment of a Neighborhood Watch program. Billy Obenauer agreed that both education and Neighborhood Watch are in order.

Lon McClintock suggested a short-term increase of 25% in Sheriff services, with a request that the increase be focused on more patrols in certain neighborhoods. He recommended that people call the state police as soon as possible when suspicious people or cars are observed at

442-5421. The Selectboard expects to ask the state police to come in for training of public with regard to establishing Neighborhood Watch.

Motion. To increase the funding for 5 additional hours/week at \$25.50/hr of Sheriff's time, until Jan 3, 2013. This funding is for the purpose of providing additional patrols. Moved by Craig Bruder; seconded by Carl Korman. Carried, 4-0-1 (Mellinger abstaining).

9. State of Vermont Emergency Access Gate Agreement – Rte. 7

Margy Becker reported on the renewal of the town's agreement with the Vermont Agency of Transportation for maintenance and use of the emergency access gate to Rte 7.

Motion. To approve the Emergency Access Gate Agreement with the Vermont Agency of Transportation. Moved by Billy Obenauer; seconded by Carl Korman. Carried, 5-0-0.

10. Acceptance of DRB Resignations

Gary Burgess: term ending 2014; Fritz Ludwig: term ending 2014

Motion. To accept the resignations of Gary Burgess and Fritz Ludwig (terms ending 2014) from the Development Review Board. Moved by Billy Obenauer; seconded by Carl Korman. Carried, 5-0-0.

Members recommended that the Selectboard send letters of appreciation to Gary Burgess and Fritz Ludwig for their service on the Development Review Board.

11. Organization of DRB

Megan Donckers, Chris Ponessi and Tom Huncharek attended the Selectboard meeting and responded to questions.

Lon McClintock reminded those in attendance that the current composition of the Development Review Board is seven members, although at present only four members and one alternate are serving due to 3 resignations. This deficiency in numbers means achieving a quorum to conduct business a challenge. The options are to return to a five-member board or to try to fill the vacant positions. There is also the question of how long to keep trying to recruit members.

Chris Ponessi said that the Development Review Board will discuss DRB structure at its next meeting (Nov 7).

There was some discussion of the options, including a Board of five members and four alternates (as suggested by Billy Obenauer) and of the need to avoid putting applicants at risk that their applications might be held up due to a lack of quorum (as noted by Tom

Huncharek). Craig Bruder encouraged the Development Review Board to report back to the Selectboard after discussing its preferences with respect to size and composition.

Michael Bidy asked where the vacancies have been advertised. Karen Mellinger encouraged members of the public to apply for positions on the Board.

12. Highway Access Ordinance – 2nd reading

The matter will be considered at the next meeting.

13. Transportation Enhancement Grant – Bid Award for Design Engineering Services

Motion. To award the bid to KAS, Inc., for Design Engineering Services at the intersection of Church Street and Rte. 7a, for a total cost of \$24,359. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 5-0-0.

14. Diesel Bid Opening and Award

After the town extended the deadline for submission of bids to provide diesel fuel, one further bid was received.

A) Haskins proposed a fluctuating price of 40¢/gal. over their cost; B) John Ray & Sons offered either a fixed price of \$3.442/gal or a fluctuating price of 18¢ above rack price at the Port of Albany.

Motion. To accept the bid from John Ray & Son of \$3.442/gal for diesel fuel, on the condition that \$3.442/gal is the fixed price. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 5-0-0.

15. Board of Listers – Request to Approve Correction of Errors and Omissions

Motion. To approve the correction of the Grand List with respect to the Michael Watson parcel, adjusting the value from \$228,900 to \$85,300. Moved by Karen Mellinger; seconded by Craig Bruder. Carried 5-0-0

Motion. To adjust the Grand List value of the Paul Watson property, reflecting the correction in its description, from \$28,500 to \$205,400. Moved by Craig Bruder; seconded by Billy Obenauer. Carried, 5-0-0.

Motion To adjust the Grand List value of the Howard Vaine property from \$192,900 to \$206,700. Moved by Craig Bruder; seconded by Billy Obenauer. Carried, 5-0-0.

Motion. To approve the change in the Grand List value of the Wilentz property from \$239,300 to \$215,900. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 5-0-0.

- Motion** To approve the change in the Grand List value of the Gramhofer property from \$168,100 (homestead value) to \$181,200 (homestead). Moved by Billy Obenauer; seconded by Carl Korman. Carried, 4-0-1 (McClintock abstaining)
- Motion** To adjust the Grand List value of the Greene property from \$261,100 to \$256,200. Moved by Billy Obenauer; seconded by Craig Bruder. Carried, 5-0-0.
- Motion.** To adjust the Grand List value of the Vermont Transco Utility from \$799,200 to \$777,900. Moved by Billy Obenauer; seconded by Craig Bruder. Carried, 5-0-0.

Consideration of two other corrections in the Grand List values (Mance and Serrao) was deferred.

16. Town Administrator's Report

Margy Becker reported on the paving of Twitchell Hill Road. Some property owners have expressed concern about the drop from the road to their driveways, which has in some cases increased since the road was leveled. The Road Foreman, Terry Stacy, will be asked to investigate.

There has been substantial interest in the road crew position for which the application deadline is Friday (Nov 9). The Road Foreman will be asked about any intention to limit plowing on particular roads. She noted that there is a need for the Selectboard to discuss the timeline for design of the new garage. She has had some discussion with regard to the website.

17. Other Business

Craig Bruder has received a complaint from a resident that the bus will not travel down his road (Holy Smoke Rd) to pick up children for school; the situation is probably due to narrowness of the road, and may require removal of a few trees. The Selectboard will need information from the bus company in order to address the problem.

Craig Bruder mentioned concern about winter maintenance and longer-term improvement of Potter Montgomery Rd.

18. Minutes

- Motion.** To approve minutes of Oct 15, 2012, as corrected. Moved by Karen Mellinger; seconded by Carl Korman. Carried, 5-0-0.

19. Warrants

- Motion.** To approve Check Warrant Report # 11 in the amount of \$8,605.81. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 5-0-0.
- Motion.** To approve Payroll Warrant # 16 in the amount of \$6126.48. Moved by Craig Bruder; seconded by Billy Obenauer. Carried, 5-0-0.
- Motion.** To approve Check Warrant Report # 17R in the amount of \$1,30.37. Moved by Karen Mellinger; seconded by Billy Obenauer. Carried, 5-0-0.
- Motion.** To approve Payroll Warrant # 17 in the amount of \$10,191.87. Moved by Craig Bruder; seconded by Karen Mellinger. Carried, 5-0-0.
- Motion.** To approve Payroll Warrant # 18 in the amount of \$5,892.14. Moved by Moved by Craig Bruder; seconded by Karen Mellinger. Carried, 5-0-0.
- Motion.** To approve Check Warrant Report # 12 in the amount of \$78,263.56. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 5-0-0.
- Motion.** To amend the total of Check Warrant Report # 12 to \$68,423.38, reducing it by \$9,840.18 – the amount of the Clean Harbors' invoice for the Fall HHW Collection. Moved by Karen Mellinger; seconded by Craig Bruder. Carried, 5-0-0.

20. Executive Session: Real Estate Negotiations – New Town Garage

- Motion.** To move to executive session at 9:25 p.m. for discussion of real estate negotiations re the new town garage. Moved by Karen Mellinger; seconded by Craig Bruder. Carried 5-0-0.

The Selectboard exited executive session at 10:05PM. No subsequent action was taken.

21. Adjournment

- Motion.** To adjourn the meeting. Moved by Carl Korman, seconded by Craig Bruder. Carried unanimously.

The meeting was adjourned at 10:05pm.

Respectfully submitted, Sandra Mangsen

Recording Clerk