

Town of Shaftsbury Special Selectboard Meeting Minutes June 17, 2013

Members Present: Craig Bruder, Karen Mellinger, Ken Harrington, Mitch Race, Carl Korman
Others Present: Margy Becker, Town Administrator; Terry Stacy, Road Foreman; Elected Officials: Bill Fisk, Treasurer; Larry Johnson, Lister; Visitors: Jeri Schoof, Carol Minke, Betsy Williamson, Barry Mayer.

1. Call to Order

Craig Bruder called the meeting to order at 6:30 pm.

2: Conflict of Interest Statement

There was no Conflict of Interest.

3: Approval of Minutes: June 3, 2013

Karen Mellinger wanted clarification on page 3 of the Minutes transcript and the Select Board determined that they had agreed in principle to move forward with an agreement with Cartographic Technologies.

Motion by Karen Mellinger to approve the Minutes of June 3, 2013. Ken Harrington seconded.

Ken Harrington asked if other companies had bid and was informed that three vendors in total had been involved with the process. Karen Mellinger noted on page 4 of the Minutes Report in reference to the Unlicensed Dog Ordinance. The Selectboard focused on the last sentence of the report and asked whether or not Animal Control enforcement procedures were debated or if there was an agreement in the previous meeting involving proper enforcement of the Ordinance. Karen Mellinger had believed it was determined that Animal Control would take the lead in most cases and Craig Bruder concurred that it was in fact correct. **Motion carried unanimously (4-0-1 as Selectboard member Carl Korman abstains).**

4: Approval of Warrants

Motion to approve Retirement Warrant PR49R in the amount of \$132.40. Mellinger motions/Korman 2nd . Motion carries unanimously (5-0-0).

Motion to approve payroll Warrant #50 in the amount of \$6,578. Mellinger motions/Harrington 2nd . Motion carries unanimously (5-0-0).

Motion to approve Payroll Warrant #49 in the amount of \$7,000. Mellinger motions/Korman 2nd . Motion carries unanimously (5-0-0).

Motion to approve Check Warrant #33 in the amount of \$73,004.94. Mellinger motions/Korman 2nd .

Items of interest exceeding \$1,000: 1) William Barney Construction, 2) Bennington Banner (bids,want ads) 3) John Ray and Sons invoices (3), 4) Mountain Air Assessor, 5) TAM 6) North Bennington Water Dept., 7) VRS Sales Limited (Fire Dept.), 8) Wells Communications (Fire Dept.) 9) Insurance (recreation accident insurance policy). **Motion carries unanimously (5-0-0)**

5: 6:40PM Announcements

Mitchell Race noted that the Bennington Museum & Shaftsbury Historical Society trip for June 22nd to Deerfield is available for ticket purchase and that availability is limited. The cost for the trip is \$30 and tickets are available at the Bennington Museum and the Chocolate Barn on Route 7A in Shaftsbury. 802-375-2776 for more information

Margy Becker reported that Transfer Station access permits would be available on 6/18/2013. The cost for the permit is \$20 which covers the access for up to two cars and that the color green will be used for this year's permit.

Resident Carol Minke spoke about the lack of enforcement of the dog ordinance in her area citing an absence of presence on the part of Animal Control Carol Minke had a complaint about continuous disturbance by dogs near her property and expressed concern as she has attempted to speak with the neighbors in question about the issue. Karen Mellinger and Margy Becker acknowledged that they were in correspondence with Carol Minke on the issue.

Resident Betsy Williamson expressed concern over the stone walls located on Granger Hollow Road as it was reported to her that the town wants to remove the walls for culverts and ditches to maintain the water runoff that has troubled the area. Betsy Williamson cited that stone walls were built over years and that it is a piece of the road's history. Craig Bruder noted that he and Road Foreman Terry Stacy will speak to each other about the concern and he assured Ms. Williamson that it widening Granger Hollow is not a project that is on the current schedule.

6:Financial Reports – Treasurer

Bill Fisk presented financial reports and projections of budget and cash balances for the end of the fiscal year June 30, 2013.

The Selectboard discussed the purchase of the government surplus loader. Parts of special importance to modify the machine had to be fabricated using a custom steel fabrication process. That cost has since brought expenditures over-budget by \$1,800. Craig Bruder informed the Selectboard that John Deere has since inquired about the

fabrication process, and has been fascinated by modification procedures.

Margy Becker announced payment on Truck #2 replacement and Backhoe in the amount of \$46,496. She noted that actual expenses caused the cost to be \$4,400 over the debt service payment that was budgeted for FY13.

Bill Fisk reported that the Town will have a \$320k cash balance at the end of the year. He noted that Accounts Receivable is slightly lower than last year and that there is a possibility to acquire more tax collections before the close of the fiscal year to add to the overall total.

7:Highway Matters:

a. Surplus Loader – status

Terry Stacy updated the Selectboard on the cost of Surplus Loader that had been purchased. The cost to purchase the loader came in at \$16k. It was noted that another machine was needed to load trucks properly during construction work. Terry Stacy reported that the loader was purchased through the Government Surplus website in the amount of \$11k for purchase and delivery.

b. Highway Truck Body Bids – Award

Terry Stacy reported that he had sent multiple faxes to different vendors, and that an advertisement in The Bennington Banner had been published. Terry Stacy reported Goss Dodge took information provided only from the newspaper advertisement and had since submitted a bid that was deemed incomplete.

Margy Becker and Terry Stacy reported a problem with the purchase through Foster Motors for the highway truck cab and chassis. Foster Motors informed Margy Becker of a shortfall in the manufacture of transmissions for the model year 2013. Foster Motors then informed Margy Becker of 2014 models becoming available after July 1, 2013. Foster Motors has the Town offered a 2014 model at same cost for a 2013 model. The Selectboard was informed that they anticipate transmissions to be available for the 2014 model and that a September or October delivery date could be achieved.

Margy Becker noted that postponement of acceptance of a truck body bid would delay financing the excavator and truck purchases. It was understood that the excavator and the truck were to be financed in a packaged deal. Margy Becker informed the Selectboard that financing needs to be in place for the July delivery of the excavator. The Selectboard agreed to have Terry Stacy contact Foster Motors and formally authorize them to supply a black truck model that was currently available for purchase at the price they had quoted for a 2013 model. Terry Stacy informed the Selectboard of the possibility that such a vehicle may be available and delivered in July as originally anticipated.

Bids were received from Lucky's in the amount of \$24,042. Arrowhead provided a bid in the amount of \$24,998 and Viking provided a bid in the amount of \$30,100. Terry Stacy determined Lucky's is the best option moving forward.

The combined purchase of cab and chassis, plus lower bidder on body, plow and lights was determined to be in the amount of \$68,919. The warranty inclusions were to be determined.

8:New Town Garage Status

a. Tree Removal at Landfill Site

Karen Mellinger started the discussion and had announced that it was another good Garage Committee meeting, with many Selectboard members in attendance. Jim Secor, P.E. had given a presentation to the Committee, as the Committee had felt it was important to have him there to answer the many questions about the project cost estimates he had formulated for Town Meeting. Karen Mellinger reported that Jim Secor answered a lot of the inquiries to the delight of the Committee.

Ken Harrington wanted to clarify as to why the town was not partaking in the project. Terry Stacy responded to Harrington by mentioning that it is a job better suited for a Private entity experienced with clear cutting procedures, and noted that the towns resources would become strained if they were to take part in the project. Terry Stacy believed there are over one hundred trees in the area proposed for clear cutting. Terry Stacy reported that Dailey Construction offered to take care of the stumps that would remain from the clear cutting project. Terry Stacy concluded that the job done privately seems the most effective way of handling the project. The proposed offer to complete the job would come in at a cost no greater than \$3,000 overall. Craig Bruder suggested that the scope of the job is too big for the town resources to handle and that having the job done privately is the most viable option going forward.

Karen Mellinger noted that the focus of the Garage Committee has been to request a revised cost-estimate for a "bare bones" garage. Karen Mellinger reported the new building estimate will be based on a revised floor plan and a pre-engineered building. Jim Secor has informed the Garage Committee that his work to produce revised cost estimates will not exceed \$1,000. The goal is to decide how to effectively cut costs yet maintain quality in the project.

Craig Bruder stated that once this estimate was obtained it would allow the Committee to address issues and make comparisons. Criteria being weighed included efficiencies in heating and insulation.

Karen Mellinger reported the Garage Committee has reviewed and agreed upon a new approach to salt shed construction which will yield an estimated 30% cost savings.

Karen Mellinger further reported the Garage Committee has requested the Selectboard consider authorizing clearing of the landfill site by a local logger for an amount that is under the \$3,000 threshold for formal bidding. The Road Foreman has already requested 3 estimates. Craig Bruder asked for Selectboard to move forward and Mitch Race motioned for a vendor for tree removal.

Motion to approve Ed Legacy Jr. to remove trees and burn brush at landfill site by 9/30/13 for town garage for price not to exceed \$2,995 and to be completed by no later than 9/30/2013. Race motions/Mellinger 2nd . Motion carried (4-1-0). Ken Harrington votes against.

b. Garage Building Re-Design

Motion to accept offer from MSK Engineering for a garage building re-design in a cost of time/materials not to exceed \$1,000. Korman motions/Mellinger 2nd . Motion carries (4-1- 0). Ken Harrington opposes.

Karen Mellinger cited that MSK Engineering had met the obligations of the Selectboard in terms of the offer that was presented. Ken Harrington was concerned about the lack of a plan for a septic system. Karen Mellinger cited a cost estimate and that it was not a final design.

Karen Mellinger reminded the Selectboard that the committee will meet every 2nd and 4th week of Wednesday. Karen Mellinger announced that additional meetings may come up if vendor is available to speak and the next meeting has been tentatively scheduled for June 26th at 6:30p.m.

9:Parcel Mapping - Review and Execution of Contract (Cartographic Technologies)

The Selectboard discussed the previous meeting on June 1st, 2013 which introduced Franco Rossi from Cartographic Technologies. The Selectboard sought a motion to execute and finalize a contract with Cartographic Technologies. Margy Becker reported that the project would take place over a three year period.

Motion to approve a three year contract which each year's total at a cost of \$5900 per year and a total overall cost of \$17,700 for the tenure. Mellinger motions/ Race 2nd . Motion was withdrawn.

Craig Bruder asked to have the motion rescinded, and that it would be tabled until the next meeting on July 1st, 2013. The Selectboard moved to inform Franco Rossi that an agreement is pending on amendments to language within the contract. Mitch Race cited to add the provision that once data is determined for the town that there would be the ability to block information from public domain. Craig Bruder cited it is included.

The Selectboard noted that emergency changes including additions and/or subtractions to the software would be available for a fee, yet annual changes would come at no cost to the Town. Carl Korman wanted clarification as to who had the power to formally authorize the changes if needed. The Selectboard noted the Listers have proper authority to execute any changes or alterations to the program.

10: Parking Ordinance: 1st Reading of Amendment to limit parking on Dunham Avenue

Ken Harrington asked to have future readings of the amendment discussed earlier in the Selectboard meeting. Margy Becker replied that there will be three readings of amendments and three subsequent meetings for residents to attend. Karen Mellinger noted that at the beginning of a Board meeting, any Selectboard member can ask for a vote to re-order the agenda.

Carl Korman sought clarification in terms of penalties levied for violations of the Parking Ordinance. Carl Korman believed the language was ineffective in informing residents that paying a waiver would avoid having to pay the \$35 if the violation was taken to a further legal degree.

Karen Mellinger noted that those who do not contest the fee pays \$25, yet if the violation were contested a fee of \$35 would have to be paid if the defendant were found to be in violation of the Parking Ordinance. Carl Korman believed the language should be revised to clarify Karen Mellinger's explanation.

Craig Bruder believed section #8 of the Parking Ordinance needed to be looked at for revision to clarify the definitions in detail between a full penalty and a waiver penalty. Karen Mellinger requested the language be more specific. Margy Becker stated that the language needed to be consistent with Judicial Bureau in charge of handling the violations.

The Selectboard agreed the no parking areas will amend Section B of the Parking Ordinance. The Selectboard cited that it was already unlawful to park motor vehicle twenty feet from hydrants. The Selectboard formally announced the intent of the amendment is to establish no parking on Buck Hill Road and Dunham Avenue along the south side. Karen Mellinger noted the south side of Church Street should also be added as a no parking area. There are already signs in front of the church saying 'no parking.'

11: Selectboard Goals and Meeting Schedule - FY2014 – tabled to July 1

12: Town Administrator's Report

Margy Becker announced Tim Scoggins and Larry Johnson are heading to Montpelier for the VTRANS Traffic Committee to argue for a reduced speed limit along 7A in Shaftsbury Village. Margy Becker announced that the drainage issue along Twitchell Hill

Road is still on her agenda, yet will be dealt with at a later time. Margy Becker also noted that Selectboard needed to take action on signing off for a sidewalk grant project.

13:Other Business

Motion to accept and sign the VTRANS Class 2 Paving grant agreement. Mellinger motions/Korman 2nd . Motion carries unanimous (5-0-0)

Karen Mellinger noted that Ken Harrington and herself along with the new constable went up to Montpelier to attend a conference with the VLCT involving **dog control** ordinances in the state. Karen Mellinger reported of a very positive turnout for the event and noted that it was one of highest attended meetings to-date.

The Selectboard expressed an interest in investigating the barking disturbance claim brought forth to the Selectboard by resident Carol Minke. The Selectboard made it known that the issue is trending in more towns within the state than per usual and that a discussion was needed to find possible solutions.

Karen Mellinger noted how the Town will put in an application for a Bicycle and Pedestrian grant that would benefit the town in terms of signage updates and requests for safety signs per schools in the town. It was determined that July 26th, 2013 is the deadline to have an application submitted.

Ken Harrington submitted a petition to the Selectboard signed by residents to appoint him as liaison of the Highway Department. Craig Bruder noted that a review of the petition is needed, and that it is a Board decision. Craig Bruder requested the Selectboard to consider a review of the petition at next meeting.

14:Adjournment

Motion to adjourn at 9:15p.m. by Karen Mellinger/ Race 2nd . Motion carried unanimous (5-0-0).

Prepared By:
Shawn M. Sterling