

MINUTES OF THE SHAFTSBURY SELECT BOARD
NOVEMBER 20, 2006
COLE HALL
SHAFTSBURY, VERMONT

Board Present: Wynn Metcalfe, Chairman, Cinda Morse, Bill Pennebaker, Karen Mellinger, Jim Mead
Others Present: Mike Gleason (Bennington Banner), Lt. Chad Schmidt (Sheriff Department), Lt. Dave Notte (State Police), Joe Vadakin (Fire Chief), Oliver Durand, Kathy Cardiff (Health Committee), Brent Peacock, Aaron Chrostowsky, (Town Administrator), Susan Swasta (Recording Secretary)

1. Call Meeting to Order:

Chairman Wynn Metcalfe called the meeting to order at 7:00 PM.

2. Conflict of Interest:

Chairman Metcalfe asked if any Board member had a conflict of interest with any of the issues on tonight's agenda. None did.

3. Announcements:

Chairman Metcalfe announced that warrants and minutes will be approved at the end of tonight's meeting in order to accommodate those here to give presentations.

He thanked the elementary school for the wonderful turkey luncheon.

Chairman Metcalfe announced that town Christmas tree lighting will take place on December 3 at 4:00 PM. He encouraged people to attend, saying that the Garden Club always does a really nice job.

He announced that the town transfer station will be closed on Thursday and that town offices will be closed Thursday and Friday.

4. Community Advisory Board (Lieutenant Dave Notte, State Police):

Chairman Metcalfe welcomed Lt. Dave Notte of the state police to speak on the Community Advisory Board (CAB). Lt. Notte explained that the CAB is made up of volunteers representing the towns served by the police, that it meets once a month, and that the purpose is to open lines of communication. CAB members are informed about the kinds and numbers of calls police have been responding to and any changes in the police force. The group works to come up with resolutions to problems.

Traditionally a member of the town's Select Board serves as CAB representative, but it need not be a Select Board member. Meetings are the last Tuesday of each month at 7:00 PM and have been held at the Shaftsbury office. Karen Mellinger asked if CAB is an established group, and Lt. Notte replied that it was begun in 1998 and has really taken off due to the efforts of Col. Baker. Chairman Metcalfe noted that former Board member Skip Fagerholm had been the last Shaftsbury CAB representative.

Lt. Notte said that seven people are signed up for CAB, but that only three or four have been attending, and they want to expand the group. Meetings usually last an hour. A town's representative is usually someone recommended by the Select Board if not a Board member.

Minutes are taken at meetings and these are put on the State Police web site.

Chairman Metcalfe said that the Board will discuss CAB and get back to Lt. Notte. Cinda Morse suggested that Aaron Chrostowsky download copies of the CAB minutes and distribute them. Lt. Notte stated that any questions may be directed to him.

5. Bennington County Sheriff Contract (Chad Schmidt):

Chairman Metcalfe introduced Lt. Chad Schmidt of the Bennington County Sheriff's Department to talk about the town's contract with the sheriff's department. Lt. Schmidt reported that the federally funded COPS grant will end in June, and as a result fees will increase from \$11 per hour to \$21 per hour plus mileage. Mileage may be handled as an additional per-hour fee rather than a charge for actual miles covered, which may make budgeting easier. The total including mileage will be \$24.50 per hour. Lt. Schmidt noted that this mileage fee reflects charging for only twelve miles per hour, and actual mileage is usually higher. Otherwise mileage will be charged at 42 cents a mile.

Ms. Morse asked how many hours of coverage have been provided, and Lt. Schmidt replied that it is currently fifteen hours per week, although it has been more than that lately because of the shooting incidents. Ms. Mellinger noted that at the increased cost the same amount of money would cover about seven hours a week.

Lt. Schmidt stated that there will be no more federal grant money because the funds are being put into Homeland Security. Ms. Morse asked how many violators have been being picked up, and what revenue has been coming to the town. Lt. Schmidt replied that he can only research the number of violations, not the amount the town receives, because court costs and nonpayers would need to be deducted. He noted that the officers are there to slow people down, and they try to distance themselves from any impression that they are there to raise money for the town.

Ms. Mellinger stated that the town had had a lot of speeding complaints, and that due to this coverage people think a safer environment has been created. Ms. Morse asked if this safer environment can be maintained with seven hours of coverage a week instead of fifteen. She noted that revenues are about half as much as last year, which seems to indicate success. Chairman Metcalfe said that he thinks the police presence was also related to shooting incidents stopping.

He stated that the Board will be wrestling with the budget over the next several weeks and will be considering this issue. Ms. Mellinger noted that the fifteen hours per week coverage will continue until June. so residents can contact the town if they are having problems in their area. Chairman Metcalfe thanked Lt. Schmidt for attending.

6. Health Committee:

Kathy Cardiff of the Health Committee distributed a report on the Committee's recent public presentations. She wishes attendance had been higher, but the last presentation had been fairly well attended. There was lots of publicity, and CAT-TV taped all of the sessions, so the programs benefited more people than those who had attended. The only costs were for printing because refreshments were donated.

Ms. Morse asked if the Committee anticipates having the programs next year, and Ms. Cardiff replied that it will be up to next year's Board of Trustees and Select Board. Chairman Metcalfe stated that he had heard some good comments on the programs. The Board thanked the Committee members for their work, and Ms. Mellinger noted that Charles Yoder would have been very proud of their efforts.

7. Public Comments:

Brent Peacock asked if Mr. Chrostowsky has a copy of landfill closure expenditures. Mr. Chrostowsky replied that this information is available and that he will give it to Mr. Peacock if he comes into the town office tomorrow. Mr. Peacock asked about the sewer feasibility study, stating that he might be interested in working on that. Ms. Morse said that she would relay that information to the Economic Development Committee, which is handling the sewer study.

Oliver Durand reported that a large tree branch extends too far out at the foot of Buck Hill Road. He is afraid the branch might go into a car sliding off of the road. Chairman Metcalfe thanked him for pointing this out and said that it will be checked out.

8. Fire Department:

Fire Chief Joe Vadakin reported that the fire department would like to put on-spot chains on the two new trucks and the rescue unit. Other department vehicles have had the chains for about fifteen years, and Chief Vadakin likes them because trucks don't get caught off guard. They offer the convenience of rapid change in the face of quick changes in the weather or icy driveways.

He stated that there were three bids for the chains, two from New York and one from Thompson in Shaftsbury. The Thompson bid of \$6850 is in the middle, with one New York bid at \$6300. He would like to go with Thompson because of the convenience and good service, and because any savings would be used up in driving the trucks to the New York location. Chief Vadakin noted that there is money in the budget for the chains, in the Equipment and Fire truck Maintenance Funds. If the Board does not want to do all three trucks, he would like to have chains for the fire trucks and do the rescue unit later.

Ms. Mellinger asked what the Department would do without in order to use Equipment Fund money for chains. Chief Vadakin replied that the Department has everything it needs and does not anticipate other major equipment needs. The Equipment Fund will still have \$4000 after this expense. Mr. Mead asked if they have manual chains, and he replied that they do not.

Chief Vadakin next brought up the upcoming Route 7 exit closure, which means that the Fire Department will use the access gate at the top of Buck Hill Road. He stated that the town needs to ensure that the state will keep its side of the fence clear, which it has not been doing. Chairman Metcalfe asked Mr. Mead to discuss this with Highway Foreman Ron Daniels. Ms. Morse also suggested contacting Nelson Blanchard.

Chief Vadakin reported that he has received a cheaper quote for changing over the fire alarm system and will bring the information to the budget meeting. He said that he is looking into four new pagers, at a cost of about \$450-\$460 apiece, but is willing to wait until spring on that. He reported that Station Two was recently vandalized and needs an electrician to replace a motion sensor unit and light. He noted that eventually money will have to be put into the station or water will start coming in. Ms. Mellinger asked about property insurance coverage, and he replied that the station is over twenty years old and probably has a \$500 deductible.

Chief Vadakin stated that he plans to buy a thermal imaging camera, since the one they have is twelve or fifteen years old. It is used a lot, especially for chimney fires and ceiling fires. The newer cameras are cheaper and better and cost about \$6000-\$7000. He looks to

buy it next year with the Equipment Fund. The Department is also looking into changing cell phone service to Nextel.

Chief Vadakin reported on the proposed sale of Engine 64 to the White Creek Fire Department. He has written up a proposal that would allow them to afford it by making payments, with interest, until 2014. They would pay \$20,000 down in 2007, then \$5000 each year until 2014. The last payment will come in one year before Shaftsbury is due for a new truck.

He noted the benefits of creating a nice working relationship with the White Creek Department and the continued use of the truck to serve the local area. Ms. Mellinger asked if that price is on target with what the town needs to budget for a new truck, and Chief Vadakin replied that it is.

Ms. Morse made motion to approve the purchase of on-spot chains from Thompson for three Fire Department vehicles. Mr. Mead seconded. Motion carried 5-0-0.

Ms. Mellinger made motion to approve the sale of Engine 64 to the White Creek Fire Department on the terms proposed by Chief Vadakin. Mr. Mead seconded.

Ms. Morse asked how the interest rate will be set, and Chairman Metcalfe replied that it should be set up as a contract. Mr. Chrostowsky will contact the Town Attorney on this, and discuss the interest rate with Treasurer Henri Billow.

Motion for the Engine 64 carried 5-0-0.

9. Minutes:

November 6, 2006 Minutes:

Ms. Morse made motion to approve November 6 minutes. Ms. Mellinger seconded. Motion carried 5-0-0.

November 13, 2006 Select Board Minutes:

Ms. Mellinger made motion to approve November 13 minutes. Mr. Pennebaker seconded.

The following change to the November 13 minutes was requested:

Page 2, Section 6 (Other Business), in the fifth paragraph, second sentence "and" is changed to "an."

Motion to approve November 13 Select Board minutes as amended carried 3-0-0. (Ms. Morse and Mr. Mead abstained because they had not attended the meeting.)

November 13, 2006 Budget Committee Minutes:

Ms. Mellinger made motion to approve the November 13 Budget Committee minutes. Mr. Pennebaker seconded. Motion carried 3-0-0. (Ms. Morse and Mr. Mead abstained because they had not attended the meeting.)

Ms. Mellinger stated that she had some follow-ups to pursue based on the minutes. She

asked if the state has been contacted to discuss paving of Lake Shaftsbury Road. Mr. Chrostowsky said that he will follow up on this for next week.

Ms. Mellinger asked if Mr. Daniels has followed up with Grant Street resident Pat Smith, and Mr. Chrostowsky replied that Mr. Daniels was aware of the problem. He will ask him about it tomorrow when they meet.

Ms. Morse asked about landfill recertification status. Mr. Chrostowsky replied that the process is administratively complete. Recertification is being drafted by the state, which will put it out for public notice and then issue the recertification. He has been assured that it will be resolved, and that state officials do not anticipate problems with neighbors, so no public meeting has been scheduled. Ms. Morse asked if this means that the ball is entirely in the state's court, and Mr. Chrostowsky replied that it does.

Ms. Mellinger asked about electronics stored in the transfer station pole barn. She has heard that they are from Arlington's Electronics Day and that our contractor is storing them there. Ms. Mellinger stated that this ties into the issue of TAM bringing in construction and demolition waste (C and D) as private stuff on days that the transfer station is not open. This continues to concern her.

Chairman Metcalfe stated that he and Ms. Morse had met with Trevor Mance this morning, that he will be getting back to them with additional information, and that the issue will be taken up at next Monday's meeting or the one after that. Chairman Metcalfe said that the Arlington computer stuff was to be gone by this afternoon and was brought in by a TAM driver by mistake.

Ms. Mellinger asked if TAM continues to bring in C and D from their private route. Ms. Morse replied that they would prefer to report back to the Board on this instead of doing it piecemeal. Chairman Metcalfe added that they had just met that morning and want to prepare facts and figures. Ms. Mellinger asked if the waste continues to come in while it is being discussed. Chairman Metcalfe stated that is part of what they are talking with Mr. Mance about.

Ms. Mellinger made motion to not allow TAM to continue to bring in C and D from private routes on days that the town transfer station is not open. Mr. Pennebaker seconded.

Mr. Pennebaker asked Mr. Chrostowsky what the state had had to say on this matter. Mr. Chrostowsky replied that Buzz Surwilo and Jeff Bourdeau had told him that TAM may use the transfer station as a regular customer when the station is open. He cannot bring material from private routes when the station is not open, and the waste must be from Shaftsbury. He must adhere to the Shaftsbury permit limits. He may operate and manage the station in off hours as per the contract with the town. Mr. Chrostowsky said that he had received this information on a voicemail, but will get it in writing.

Ms. Morse stated that they had come to the same conclusion in their conversation with Mr. Mance. She said that there is a tendency to do this based on hearsay, and that the information source is never publicly identified, while TAM is publicly identified. Ms. Mellinger stated that the attendant had told her about the electronics storage. Mr. Pennebaker stated that he raised the issue of off-hours C and D delivery because he saw it. Ms. Morse said that a lot of this can be handled in conversations that don't have to have a negative impact on TAM's business and reputation.

Ms. Mellinger noted that there had been impacts on the town because of the violation resulting from filling in the hole in the landfill. The Board's job is to make sure it is aware of

what goes on at the transfer station and that activities are authorized. The electronics was out-of-town material.

Mr. Pennebaker stated that the electronics delivery was probably an honest mistake, and that he is more concerned about off-hours activity. Mr. Mead asked about off-hours tub grinding, as an example. Mr. Pennebaker replied that this is allowable operational activity, and it is off-hours delivery that is of concern.

Ms. Morse reiterated that she would like to have all the facts on the table before making a decision rather than discussing things piecemeal. Ms. Mellinger stated that she had assumed that TAM had been asked to stop. Chairman Metcalfe said that he does not make arbitrary decisions for the Board.

Motion to not allow TAM to continue to bring in C and D from private routes on days that the town transfer station is not open carried 3-2-0. (Chairman Metcalfe stated that he had voted against the motion because the Board had asked for information and it is still being gathered.)

10. Warrants:

The following warrants were presented for approval:

- PR#20 - \$ 5,514.31 Payroll Warrant
- AP#24 - \$ 25,581.63 General Warrant

Ms. Morse made motion to pay warrants. Ms. Mellinger seconded. Motion to pay warrants carried 5-0-0.

11. Other Business:

Ms. Morse asked if landfill closure is complete. Mr. Pennebaker replied that all except methane remediation is done. He found one small error in the remediation plan that he wants to have checked out.

Chairman Metcalfe asked if a discussion of project ideas to substitute for the landfill fine could be put on next week's agenda. Mr. Pennebaker replied that he would like the Solid Waste Committee to make recommendations first. They will try to meet.

Mr. Chrostowsky referred to a letter in which the Trustees of Public Funds asked that new Trustees have permission to disperse funds. The Board agreed that this is OK. Mr. Chrostowsky asked if the town is interested in having the Trustees covered by liability insurance, at a cost of \$425 apiece. They are not currently covered.

Ms. Mellinger made motion to approve purchase of liability insurance for Trustees of Public Funds. Ms. Mellinger seconded. Motion carried 4-0-1. (Ms. Morse abstained.)

Mr. Chrostowsky reported that methane remediation construction bids will be in the newspaper soon. Bids are due back December 1. He reported that the sidewalk Request for Proposals will go out in a couple of weeks. The archeology consultants have been at work and have not found much. They would like to use the town backhoe for part of the day tomorrow. Mr. Chrostowsky asked if the Board wants to post the Wade Road bridge as travel

at your own risk. Board members agreed that they do want it posted.

Ms. Morse made motion to adjourn. Ms. Mellinger seconded. Motion carried 5-0-0.
The meeting adjourned at 8:38 PM.

Respectfully Submitted,

Susan M. Swasta