

**MINUTES OF THE SHAFTSBURY SELECT BOARD
MAY 1, 2006
COLE HALL
SHAFTSBURY, VERMONT**

Board Present: Wynn Metcalfe, Chairman, Karen Mellinger, Jim Mead, Bill Pennebaker, Cinda Morse
Others Present: Michael Bidy, Matt Tuthill (Bennington Banner), Aaron Chrostowsky, Susan Swasta

1. Call Meeting to Order:

Chairman Wynn Metcalfe called the meeting to order at 7:05 PM.

A moment of silence was observed in memory of Margaret Pennebaker.

Karen Mellinger gave some details on Green-Up Day, to be held this Saturday, rain or shine. Shaftsbury School students are helping to sponsor the event, and the school will be open from 8:30 to 3:00. Anyone who finds a lady bug may bring it to the school for a prize. Trash bags will be available at the school, Cole Hall, the Shaftsbury Country Store, Paulin's, Clear Brook Farm, and Whitman's. Notices have been posted listing drop-off points for full bags. Ms. Mellinger noted that there does not seem to be as much trash this year as in past years.

Jim Mead reported that Hazardous Waste Day was a success and was relatively quiet.

Chairman Metcalfe asked if any Board member needed to recuse himself or herself from discussion of any agenda topic scheduled for tonight. None did.

2. Minutes:

April 24, 2006 Minutes:

Cinda Morse made motion to approve minutes. Mr. Mead seconded. Motion to approve minutes passed 5-0-0.

3. Warrants:

The following warrants were presented for approval:

Transfer Warrant	\$ 69,754.24	(Homeland Security grant reimbursement)
Water Warrant	\$ 6,079.35	
PR#42	\$ 10,640.86	Payroll Warrant
AP#46	\$ 3,814.07	General Warrant (crushed gravel)

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

4. Public Comments:

There were no public comments.

5. Curb Cut Application:

Chairman Metcalfe presented a curb cut application from Byford and Paula Hoffman, to add another driveway to their Murphy Hill Road property. Highway Foreman Ran Daniels and Zoning Administrator Tony Zazzaro have both commented on the application.

Ms. Morse asked Mr. Mead if the curb cut has already been done, and he confirmed that it has. Chairman Metcalfe stated that it is a good idea to notify the Zoning Administrator in advance if planning a driveway, because the Development Review Board (DRB) can require it to be removed if it is not in the right place, and the Select Board can deny a curb cut.

Ms. Morse noted that Mr. Daniels had commented that the sight distance for the curb cut could be improved. She stated her preference to grant the application with the qualification that Mr. Daniels recommendations be carried out. Chairman Metcalfe confirmed that it could be granted with conditions.

Ms. Mellinger made motion to approve the Hoffman curb cut application conditional to changes required to improve the sight distance as recommended by Ron Daniels. Mr. Mead seconded. Motion carried 5-0-0.

Mr. Mead reported that Mr. Daniels had told him that several driveways have been paved with the paving extending out into the road and ditch. This will cause rainwater to pool and flow back onto the road. In addition, the grader will tear up the edge of the blacktop. Mr. Daniels believes it would be a good idea to require town approval before paving driveways so this doesn't happen.

Ms. Morse asked if the Planning Commission would be responsible for drafting such an approval, and Chairman Metcalfe said that it would, with the Select Board then doing an ordinance. Ms. Morse stated that it seems odd that the Select Board approves these sorts of projects when the DRB has the technical know-how. Chairman Metcalfe replied that the responsibility had shifted to the Select Board because some Board members wanted it changed.

Ms. Morse asked if responsibility for approving curb cuts and any interfaces with rights of way could go back to the DRB. Chairman Metcalfe said this could be done. Aaron Chrostowsky observed that many communities have driveway permits.

Ms. Morse moved to refer the curb cut process to the Planning Commission to draft bylaw language so decisions for curb cuts are part of the DRB process rather than the Select Board process. Ms. Mellinger seconded. Motion carried 5-0-0.

Ms. Morse brought up the matter of the curb cut which has been recently approved at the corner of Elm and Grant Streets. At the time of approval, she had been concerned that there was not enough distance from the intersection, and on examining it she does not think it meets requirements. She asked what should be done if a mistake has been made in granting the curb cut.

Mr. Chrostowsky stated that he had asked Mr. Daniels to check on the distance, but that he has not yet heard from him. Chairman Metcalfe asked Mr. Chrostowsky to check with him again. The Board agreed that if Mr. Daniels finds that the curb cut is too close to the intersection; Mr. Chrostowsky will send a letter to the applicant telling him to hold off on the work while the curb cut is reviewed. Ms. Mellinger stated that the applicant should be given a definite time frame in case of a review, and Chairman Metcalfe stated that a review would take place at the next Board meeting.

6. Landfill Update:

Chairman Metcalfe reported that KAS has sent back all of the necessary information, and Buzz Surwilo has given the go-ahead in a phone conversation. The one glitch to be resolved before going ahead is the prospective cost of delivery of sand to the site. Mr. Mead will contact Ken Harrington to get the price.

Mr. Chrostowsky will put together an information packet to send to the three interested contractors; Markowski, Capital Earthmoving, and Rifenberg.

7. Discussion on Pay-AS-You-Throw (PAYT) Implementation:

Chairman Metcalfe stated that Mr. Chrostowsky has put together PAYT figures for the Board to review, and now the Board needs to make some decisions.

Mr. Mead reported on his conversation with the Pownal employee who monitors their PAYT facility. The Town of Pownal employee counts bags and takes payments, and stickers are not used. Mr. Mead thought this would simplify the process.

There was a discussion about using stickers, with the conclusion that it makes sense to use stickers because of better control of bookkeeping and keeping track of volume. The use of prepaid stickers would also free the employee of having to handle large sums of money and make change, which would make for longer, slower lines. Stickers could also be available on site.

The Board agreed to use numbered, 2-inch foil stickers. Board members reached consensus on the need for a part-time employee.

The Board discussed the issue of reduced fees for low income residents, and agreed that it would be better to have people request assistance rather than set up an automatic system. An application and a process that respects the privacy of applicants will be devised.

Mr. Pennebaker raised the issue of a \$9000 expense for monitoring wells that had been included by Mr. Chrostowsky in PAYT costs. He stated that this is not part of PAYT, but part of past landfill operations, and as such should be borne by all taxpayers.

Ms. Morse stated that perhaps the access sticker to the transfer station should not be free, because it costs the town to provide this facility for residents who use it for free recycling, but not for PAYT.

There was a discussion of increasing recycling and the tradeoffs involved with doing so. Single stream recycling, with more co-mingling and ease of use, means more waste will get into the recycling.

Board members agreed that they do not want the town to handle recycling, and that having the contractor keep recycling revenue should be used as leverage to lower management costs. The problem is in getting enough information on recycling revenues to make an informed decision on contractor bids.

Mr. Pennebaker said that this is difficult because of the unstable recycling market and variables such as fuel costs. Ms. Mellinger stated that it should be possible to use the town's tonnage numbers and apply them to the MRF (materials recycling facility) revenue figures and charges from Rutland. Mr. Pennebaker and Ms. Mellinger noted discrepancies between TAM tonnage figures and state tonnage figures.

It was decided that the bid should allow for recycling options, with contractors offering bids based on both MRF recycling and the current recycling system. Chairman Metcalfe asked who will help write the transfer station bid document. Mr. Chrostowsky said that he will have a draft for the Board on Wednesday, and members will review and comment. Ms. Mellinger will meet with him tomorrow to provide MRF information.

Chairman Metcalfe noted that the town transfer station must be certified by June 30. He and Mr. Chrostowsky have set a deadline of two weeks to prepare the bid. Ms. Morse agreed to help on bid documents.

9. Other Business:

Ms. Mellinger thanked the Economic Development Committee for a terrific presentation on the sewer feasibility study. She also thanked Bennington Banner reporter Matt Tuthill for his good article on this complicated issue.

Ms. Mellinger noted that after July 7, 2006 the state will be taking over oversight for septic systems. She advised residents to deal with any problems before then. Ms. Morse stated that the Economic Development Committee will be putting out complete information on this, and that people should not panic based on limited information.

Ms. Mellinger stated that the town used to belong to the Northeast Resource Recovery Association, and that she thinks it would be a good idea to join again. They offer services like electronics recycling that would be useful for residents. She will attend their June conference and come back to the Board with a proposal.

Mr. Mead reported that several residents had brought smoke detectors to Hazardous Waste Day, but that these could not be accepted because they contain a small amount of radioactive material. He suggests sending them back to manufacturers. The same should be done with fire extinguishers.

Board members agreed that they would not meet on Memorial Day. Chairman Metcalfe encouraged members to attend the Memorial Day parade.

Ms. Morse made motion to go into Executive Session (Personnel) at 8:30PM. Ms. Mellinger seconded. Motion carried unanimously.

Ms. Morse made a motion to appoint Dave Mance as Tree Warden. Mr. Mead seconded. Motion carried 3-2.

Meeting adjourned at 9:06 PM

Respectfully Submitted,

Susan M. Swasta