

MINUTES OF THE SHAFTSBURY SELECT BOARD  
JUNE 15, 2009  
COLE HALL  
SHAFTSBURY, VERMONT

**Board Present:** Lon McClintock (Chairman), Wynn Metcalfe, Bill Pennebaker, Karen Mellinger, Cinda Morse

**Others Present:** Ben Benedict (Facilities Committee), Peter Olney (Fac. Comm.), Angie Abbatello (Fac. Comm.), Joe Herrmann (Water Superintendent), Joe Vadakin (Fire Chief), Mike Taylor (Fire Dept.), Henri Billow (Treasurer), Brent Peacock, Margaret Becker (Town Administrator), Susan Swasta (Recording Secretary)

**1. Call Meeting to Order:**

Chairman Lon McClintock called the meeting to order at 7:00 PM.

**2. Announcements:**

Chairman McClintock introduced and welcomed the new Town Administrator, Margaret Becker. He thanked Treasurer Henri Billow and Town Clerk Judy Stratton for their extra work during the time when there was no Town Administrator, and thanked other Board members for their help with the search process.

Chairman McClintock announced that the Town has received an unexpected \$106,000 state transportation grant for a culvert on Airport Road.

Karen Mellinger announced that tomorrow at 10:15 members of the Youth Conservation Corps will be at Howard Park to prepare for work on the trail. She thanked Brent Peacock for his help in building a storage shed at the park.

**3. Conflict of Interest Statement:**

Chairman McClintock asked if any Board member has a conflict of interest with any topic on tonight's agenda. None did.

**4. Public Comments:**

Brent Peacock said that he is concerned about the amount of winter sand still on sidewalks and roadsides. He asked if streets will be swept this year. Ms. Mellinger replied that Road Foreman Ron Daniels has been in contact with Bennington about using their street sweeper.

Angie Abbatello noted that it is Henri and John Billow's anniversary, and everyone wished them a happy anniversary.

**5. Treasurer's Report – Cash Flow Report**

Treasurer Henri Billow came to the table. She reported a cash balance of \$46,073. \$14,617 is due to the General Fund, and \$26,250 is expected from delinquent taxes,

Pay-As-You-Throw, and miscellaneous income, for a total of \$86,940. Less expenses of \$60,969, this leaves an estimated cash balance of \$25,971. Ms. Morse asked whether some of the money due to the General Fund is Howard Park money that will not be paid. Ms. Billow confirmed that \$6,000 in recreation funds will not be paid. Chairman McClintock noted that the \$4,617 in federal PILOT money coming to the Town is almost twice as much as budgeted, which is good news. The Board thanked Ms. Billow.

**6. Tax Reimbursements – Shaftsbury, North Bennington Village & Mount Anthony Union:**

Chairman McClintock asked that this agenda item be taken up next, out of sequence, and all agreed. He reported that Ms. Billow had been informed by the schools treasurer that North Bennington was underpaid in tax reimbursements, while Shaftsbury and Bennington were overpaid. Shaftsbury owes \$3,138.35. This needs to be cleared up by June 21. The schools treasurer believes that this amount will be offset by money owed to Shaftsbury by Mount Anthony Union and Bennington graded schools. She is waiting for the final statement from the state.

**Mr. Pennebaker made motion to pay \$3,138.35 to North Bennington. Ms. Morse seconded. Motion carried 5-0-0.**

**7. Town Clerk's Report Re: Untagged Pets:**

Chairman McClintock reported that Town Clerk Judy Stratton will provide an updated list of untagged pets based on today's payments. Town constables will begin calling people still on the list. Ms. Morse asked if fines are used to reimburse payments made to constables for the calls. Wynn Metcalfe said that fines are not used for reimbursement, and noted that constables did not charge for calls in the past. Chairman McClintock said that fines go to the General Fund from which constables are paid, so it does balance out. Ms. Morse asked how the list compares to the past, and Mr. Metcalfe replied that there are more names this year.

**Ms. Mellinger made motion to authorize constables to make calls to owners of untagged pets. Mr. Metcalfe seconded. Motion carried 5-0-0.**

**8. Water Improvement Project – Approval of Bond Application:**

Ms. Mellinger reported that the application is ready and will be sent to the bond bank tomorrow. She said that Joe Herrmann and Henri Billow have been invaluable in the bond preparation, which also involved a bond coach and bond attorney. This is a 20-year reimbursable bond for up to \$425,000; the Town will only borrow what is needed for the project. Ms. Mellinger noted that the project may be eligible for federal stimulus money if other towns ahead of Shaftsbury are not ready to begin their projects. Chairman McClintock pointed out that this is a Town bond, but water users will pay for the loan.

**Ms. Morse made motion to approve the bond application. Mr. Pennebaker seconded. Motion carried 5-0-0.**

Ms. Mellinger said there will be 30-day bid period, and they hope to start work in August.

**9. Facilities Committee Recommendation Re: Architect Bids:**

Facilities Committee members Ben Benedict, Peter Olney, and Angie Abbatello came to the table. Chairman McClintock stated that the Committee will make a recommendation on architects' bids for work on a list of specified tasks, for the amount of \$12,000.

Mr. Olney reported that they had held second interviews with the two bidders, Centerline and Keefe & Wesner. The Committee recommends Keefe & Wesner because of their experience with historical buildings and their enthusiasm for working with the Town. Mr. Benedict noted that they have done work on Cole Hall in the past.

**Ms. Morse made motion to accept the Facilities Committee recommendation to accept the Keefe & Wesner bid for Cole Hall work. Ms. Mellinger seconded. Motion carried 5-0-0.**

**Ms. Morse made motion to authorize Chairman McClintock to sign the agreement with Keefe & Wesner on behalf of the Select Board. Ms. Mellinger seconded. Motion carried 5-0-0.**

The Board thanked the Committee for their work. Mr. Benedict thanked Centerline for their work in preparing a bid.

**10. Fire Department**

- a. Purchase of Extrication Equipment**
- b. Allocation of \$5,000 payment from White Creek Fire Dept.**
- c. Fire Grants – Firefighter Equipment**
- d. Fire Station Construction Grant**

a. Fire Chief Joe Vadakin came to the table. He explained that the current extrication tools cannot cut the kind of steel now being used in cars. Chief Vadakin proposed upgrading the tools piece by piece, beginning with a 7-inch cutter for \$4,175 and a pedal cutter for \$2,850. They will take \$525 from the extrication tools account, additional money from the Reimbursement Fund to amount to half of the cost, and the Fire Department will donate the other half.

**Ms. Morse made motion to approve the \$7,025 purchase of a 7-inch cutter and a pedal cutter, to be paid for as described by Chief Vadakin. Mr. Pennebaker seconded. Motion carried 5-0-0.**

b. It was decided that the \$5,000 payment from the White Creek Fire Department will go into the Fire Equipment Replacement Fund.

c and d. Chairman McClintock reported that federal stimulus grant applications are due July 1. Chief Vadakin said he is getting information on fire station construction work to include brick repointing, siding replacement, furnace boilers, and roof work. He would favor getting help from Chuck Putney on the grant.

**Ms. Morse made motion to authorize payment of up to \$1,000 to Chuck Putney to help Chief Vadakin write a grant. Mr. Pennebaker seconded. Motion carried 5-0-0.**

**11. Renewal of Insurance Policies:**

Chairman McClintock stated that he had heard from insurance agent Dave Newell. The policy amount is \$53,481. \$54,000 was budgeted.

**Ms. Morse made motion to accept the insurance policy renewal at \$53,481. Ms. Mellinger seconded.**

There was a brief discussion of workmen's compensation numbers. Ms. Mellinger said the amount should decrease because the salary total last year was incorrect.

**Ms. Morse amended her motion to accept the insurance policy renewal at \$53,481, to include the stipulation that the policy is to be without the terms in the rider. Ms. Mellinger seconded.**

**Motion as amended carried 5-0-0.**

**12. U.S. Forest Service Request to Purchase Land:**

Chairman McClintock reported on the Forest Service request for approval to buy the Agin property abutting the Green Mountain National Forest. He said that he had spoken with Mr. Agin, who lives in Florida, on the phone. The tax loss would amount to \$93-\$95 in Town taxes, three to four times that in school taxes.

**Ms. Morse made motion to approve the sale of the Agin tract to the U.S. Forest Service. Mr. Pennebaker seconded. Motion carried 5-0-0.**

**13. Sidewalk Project Update:**

Ms. Mellinger reported that there had been a pre-construction meeting with contractor McDonald-Secor today. Another meeting is scheduled for next Wednesday. The permit will be submitted to the state. Construction should begin in two weeks and should take two months. Sidewalk work will be coordinated with water project work.

Chairman McClintock noted that Ms. Morse had asked that counsel approve the contract. He advised that this can't be done without undoing the bid because corrections were made. VTrans recommends that the Select Board be the appeal body. Chairman McClintock asked for everyone's agreement that attorney review is not applicable at this point. All agreed.

**Ms. Mellinger made motion to appoint the Town Administrator municipal project manager. Mr. Pennebaker seconded. Motion carried 5-0-0.**

Town Administrator Becker has signed the permit, and will sign the contract. Chairman McClintock asked about the second sidewalks grant. Ms. Mellinger replied that it deals with fencing and that she wants to get the Cemetery Committee involved.

**14. Open Bids for Roadside Mowing:**

Town Administrator Margaret Becker opened two bids; from M & M Excavating for \$9,100 and from David Hosely for \$8,400.

**Ms. Morse made motion to award the roadside mowing bid to David Hosely for \$8,400. Ms. Mellinger seconded. Motion carried 5-0-0.**

**15. Other Business:**

- a. Fairpoint Petition for work along Maple Hill Road**
- b. Historic Preservation Grant**

a. Mr. Pennebaker reported that he had spoken with Jeff Mast about the Maple Hill Road work, and will ask Nelson Blanchard of VTrans to look at the guardrails. Two residents of the road he spoke with want to keep the guard rails. The Town needs to look at costs to restore the posts. Mr. Pennebaker agreed to contact Fairpoint concerning how much they are willing to pay for guardrail expenses.

b. Chairman McClintock said he had received complaints that specifications were too vague for historic preservation bids. He asked if they should tell the two bidders, whose bids have not been opened, that the Town will offer a rebid based on new specifications. All agreed to do so. The Facilities Committee will help with this.

Chairman McClintock asked that Board's approval of his purchasing permission be rescinded, now that a Town Administrator has been hired.

**Ms. Mellinger made motion to rescind Chairman McClintock 's permission to make Town purchases. Mr. Pennebaker seconded. Motion carried 5-0-0.**

**Chairman McClintock made motion to authorize Margaret Becker to carry out duties of Town Administrator consistent with Town purchasing policies and other policies now in effect. Ms. Mellinger seconded. Motion carried 5-0-0.**

Mr. Metcalfe reported that Bennington Town Manager Stu Herd is very grateful for Shaftsbury's \$500 donation for fireworks.

Mr. Metcalfe asked if Myers Road work can be put back on the agenda soon. Chairman McClintock replied that it can. He has not heard from the school bus company on the safety issue, so they can go forward without waiting any longer.

Ms. Morse said that a variation in the Solid Waste Implementation Plan (SWIP) is coming up. She explained that Bennington County Regional Commission (BCRC) wants to do more of the work. The SWIP contractor wants to keep the work. Ms. Morse said that the contractor should come to a meeting of all the towns represented. She will keep them informed.

**16. Warrants:**

The following warrants were presented for approval:

Retirement Warrant #47R: \$206.10

**Ms. Morse made motion to pay Retirement Warrant #47R. Mr. Pennebaker seconded. Motion carried 5-0-0.**

Payroll Warrant #49: \$6,670.52

**Ms. Morse made motion to pay PR Warrant #49. Ms. Mellinger seconded. Motion carried 5-0-0.**

Payroll Warrant #50: \$5,706.02

**Ms. Morse made motion to pay PR Warrant #50. Ms. Mellinger seconded. Motion carried 5-0-0.**

AP Warrant #48: \$37,458.35 (health insurance, reappraisal, misc.)

**Ms. Morse made motion to pay AP Warrant #48. Ms. Mellinger seconded. Motion carried 5-0-0.**

**17. Minutes:**

May 18, 2009 minutes

**Ms. Mellinger made motion to approve May 18 minutes. Mr. Pennebaker seconded. Motion carried 4-0-0. (Ms. Morse abstained because she had not attended the meeting.)**

June 1, 2009 minutes

**Ms. Morse made motion to approve June 1 minutes. Ms. Mellinger seconded. Motion carried 3-0-0. (Mr. Metcalfe and Chairman McClintock abstained because they had not attended the meeting.)**

June 10, 2009 minutes

**Ms. Morse made motion to approve June 10 minutes. Ms. Mellinger seconded. Motion carried 3-0-0.**

**Ms. Mellinger made motion to go into Executive Session (Personnel). Ms. Morse seconded. Motion carried 5-0-0.**

**Board went into Executive Session at 9:00 PM.**

**The meeting adjourned at 9:38 PM.**

Respectfully Submitted,

Susan Swasta