

**MINUTES OF THE SHAFTSBURY SELECT BOARD
JUNE 19, 2006
COLE HALL
SHAFTSBURY, VERMONT**

Board Present: Wynn Metcalfe, Chairman, Karen Mellinger, Cinda Morse, Bill Pennebaker, Jim Mead

Others Present: Lillian McNichol, Mae Fox, Kathy Cardiff, Charles Horvath, Tyler Resch, Nancy Merritt, Trevor Mance, Oliver Durand, Matt Tuthill (Bennington Banner), Aaron Chrostowsky, Susan Swasta

1. Call Meeting to Order:

Chairman Wynn Metcalfe called the meeting to order at 7:03 PM. He asked those present to observe a moment of silence in remembrance of wonderful friend and community-spirited citizen Charles Yoder.

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:

June 12, 2006 Minutes:

Cinda Morse made motion to approve June 12, 2006 minutes. Bill Pennebaker seconded.

Ms. Morse requested one correction to the minutes: *on page 5, paragraph one, "Wilmington" is changed to "Woolmington."*

Motion to approve June 12, 2006 minutes carried 4-0-0. (Karen Mellinger arrived just after approval of the minutes, at 7:05.)

3. Warrants:

The following warrant was presented for approval:

- PR#49 – \$ 6,713.74 Payroll Warrant

Ms. Morse made motion to pay the warrant. Jim Mead seconded. Motion carried unanimously.

4. Public Comments:

There were no public comments.

5. Health Fund Committee

Town Service Officer Kathy Cardiff reported on the activities of the Health Committee. In a recent meeting the seven committee members discussed ideas for getting the Health Fund more involved in community-wide efforts, and decided to present four workshops this October at a local venue.

The October 12 workshop on nutrition will feature Diane Lamb, the October 19 workshop on drug interactions and medicine management will be presented by a pharmacist, and moderators will be found for two other workshops on depression and diabetes and heart disease. Interest income from the Health Fund will offset costs of the presentations.

Ms. Morse made motion to approve the Health Fund Committee's proposed program and expenditures. Ms. Mellinger seconded. Motion carried 5-0-0.

6. Open Paving Bids:

Aaron Chrostowsky opened five bids for the paving of Buck Hill Road, Daniels Road, and Grandview Street. Pike Industries bid \$54.64 per ton, Gorman Brothers \$63.87 per ton, Wilk Paving \$57.48 per ton, Frank Whitcomb Construction \$59.75 per ton, and Beaudoin Paving \$54.00 per ton.

Mr. Chrostowsky will sit down with Road Foreman Ron Daniels tomorrow to make recommendations. Ms. Morse asked how long paving lasts on a road, and was told it lasts eight years. \$50,000 has been budgeted for paving this year; the town would have to spend \$200,000 per year to do the two miles of paving that would be required to keep up with all the paving needs.

Oliver Durand asked if repair work will be done before paving, and Chairman Metcalfe replied that Mr. Daniels is aware of needed pre-paving repairs. He asked Mr. Mead to mention repairs to Mr. Daniels.

7. Open Heating Oil Bids:

Mr. Chrostowsky opened three bids for heating oil for all town facilities. He noted that this year the bid specifications were only for fuel, not a service contract, and that the bid went out earlier than last year. The three bidders gave prices both for pre-buy and for budget plans.

Miles Fuel bid \$2.54 per gallon for pre-buy, \$2.58 for budget; Green Oil bid \$2.40 per gallon for pre-buy, \$2.45 for budget; and West Oil bid \$2.54 per gallon for pre-buy, \$2.59 for budget.

There was discussion of whether the town should choose pre-buy or budget plan. Chairman Metcalfe stated that pre-buy would be the best way to go but he is not sure the town will have the required cash because taxes will not be in before the bill is due. Mr. Chrostowsky noted that the amount needed could be included in the tax anticipation note, but Ms. Mellinger questioned whether the savings on pre-buy would be enough to offset interest costs. Mr. Chrostowsky will discuss this with the town treasurer.

8. Pay As You Throw (PAYT):

Mr. Mead, Mr. Chrostowsky, and Ms. Mellinger met at the landfill on Saturday to decide on the best location for the attendant's shed/office. Mr. Mead reported that they had decided it makes the most sense to locate both the office and the garbage truck behind the garage where one first drives in. Mr. Chrostowsky will talk to Mr. Daniels about putting a crushed stone base in the area. This location would allow tying in to the garage to supply propane for heat and electric for a light. Signage directing traffic will be required so that traffic flows in one direction.

Mr. Mead stated that a four-foot-by-eight-foot garden shed with window and double door, delivered and installed by Home Depot, would cost \$899. Ms. Mellinger asked if it will need to be attached to an existing building, and Mr. Mead replied that it could be attached to the garage.

Trevor Mance stated that he thought this arrangement could result in a lot of stacking up of cars on busy Saturdays. It might be necessary to locate the truck and attendant up above and have everyone do the whole loop on Saturdays. The attendant could share space in an existing building on Saturdays. There was discussion of locating the attendant at the entrance, but it was decided that there would be too much traffic back-up at the gate, since the attendant will be selling and checking stickers.

Board members discussed selling stickers for cash or for check only. Ms. Morse felt it is not good policy to use cash, but others pointed out that many people do not have checking accounts, so it will be necessary to accept cash. Because it will take some time for the PAYT process to become routine, volunteer Select Board and Solid Waste Committee members, and possibly some high school students will help out the first two or three Saturdays.

Tyler Resch stated that he has had problems in the past dumping unorthodox items. It seems to him that the pricing was arbitrary, and he was not given a receipt. Ms. Morse stated that there should be a clear posting of prices for both PAYT and construction waste so that pricing is standardized. Mr. Resch asked what order things will be dumped in, since he now does trash first, locating it at the back of his truck. Ms. Mellinger replied that this will be spelled out in the flyer that will go out this week.

She stated that stickers will be available at Cole Hall this Thursday and at other locations next week. Mr. Resch noted that no one on the west side of town is selling stickers, and Ms. Mellinger said that she would talk to Powers Market and North Bennington Variety.

Mr. Durand asked why some plastics are not recyclable, and Mr. Mance replied that wide-mouthed plastics melt off before other plastics, and that is as much as he knows about it. Mr. Mance said that he is allowed a 2% contamination rate for recycling, and that he has never had a bad load here. The town is doing good work on recycling.

Lillian McNichol asked if PAYT charges will be by size of bag, and Chairman Metcalfe answered that they will, and that bag sizes will be specified in the flyer and displayed at the landfill. Ms. Mellinger stated that there would be a higher fee for loose garbage.

Ms. Mellinger brought up the issue of Styrofoam, which is hard to break up and bag but does not weigh much. Mr. Mance recommended that Styrofoam be taken at no charge because it weighs so little, and to encourage people not to put it in recycling. Board members agreed.

Nancy Merritt expressed concern that the PAYT system is getting extremely involved, when right now disposal is so simple. Chairman Metcalfe stated that it won't be that complicated, and that most things will be in standard bags, and will not need to be weighed.

Ms. Morse made motion to approve the purchase of a garden shed for the PAYT attendant by Jim Mead. Mr. Mead seconded. Motion carried 5-0-0.

Ms. Mellinger expressed concern that the shed is tiny and will need to be affixed to the garage, and Chairman Metcalfe said that the Board should assume Mr. Mead will take care of it. All agreed.

Board members agreed that both cash and checks will be accepted for sticker purchase by the attendant. Ms. Mellinger stated that she hopes to have flyers ready to hand out at the landfill next week. The sandwich board will be put out with a reminder that PAYT begins July 1. Notices will also be put in the paper.

9. Transfer Station Agreement:

After an update from Mr. Chrostowsky, Chairman Metcalfe stated that the Transfer Station Agreement draft #3 has been approved by town attorney Rob Woolmington and TAM attorney Tom McGuire.

Ms. Morse made motion to sign the transfer station agreement. Mr. Mead seconded.

Ms. Morse asked about commingling of trash. Mr. Chrostowsky said that only commingling of recycling is now included, and that commingling of trash will still need to be resolved. Ms. Mellinger pointed out that there needs to be more detail on charges for specific types of solid waste like rugs and furniture. Mr. Chrostowsky and Mr. Mance will get together tomorrow to make the list more complete and specific. Much of that information is already included on the town Web site.

Since there are still matters to be resolved, signing of the agreement was postponed.

10. Special Town Meeting Warning:

Chairman Metcalfe read the proposed warning for a special town meeting to be held at the elementary school at 7:30

PM on Monday July 31, 2006. There will be a floor vote on whether the town shall borrow an amount not to exceed \$150,000 to cap the town landfill.

Ms. Morse made motion to approve the special town meeting warning. Ms. Mellinger seconded. Motion carried unanimously.

11. Town Meeting Resolution:

Chairman Metcalfe stated that there had been an error in the 2006 town meeting warning. One ballot item was warned wrong, resulting in \$50 too little being approved for the Park-McCullough Library.

Ms. Mellinger made motion to pay the extra \$50 to the Park-McCullough Library. Ms. Morse seconded. Motion carried 5-0-0.

12. Townline Road:

In reference to an ongoing dispute with James Gulley over road conditions in front of his driveway on Townline Road, Chairman Metcalfe reported that Mr. Gulley has petitioned County judges to appoint a three-member commission to decide the matter. Judge Colvin has suggested that the Select Board discuss the issue tonight.

Chairman Metcalfe stated that Mr. Daniels has already lowered the road in front of Mr. Gulley's driveway by one-and-one-half to two inches. He plans to lower it another one-and-one-half to two inches, and feels that at this point the road level will be where it should be. The Board may choose to do as Mr. Daniels suggests, in which case Mr. Gulley may continue with his petition if he is still unhappy with the results. At that point, a three-person commission will decide if the town has adequately resolved the problem, and it finds that it has not, may require the town to pay to have the work done to the commission's satisfaction.

Mr. Mead made motion to support Mr. Daniels' decision to lower the road in front of Mr. Gulley's driveway another two inches, at which point it will be where it should be. Ms. Morse seconded. Motion carried 5-0-0.

Board members noted that the driveway is so steep that it does not seem possible to avoid having gravel from the unpaved road go into the driveway. Banking the road sharply to the north also does not seem to be a reasonable solution. Ms. Morse and Ms. Mellinger stated that they had found the sight distance from the driveway to be fine.

13. Other Business:

Ms. Mellinger stated that she would put information gathered from research on PAYT downstairs for anyone interested to read.

Ms. Morse suggested that the town consider buying and planting a tree in honor of Charles Yoder. Board members agreed that this is a good idea.

Ms. Morse asked if the Board has completed the steps necessary to transfer decisions on curb cuts from the Select Board to the Development Review Board (DRB). Mr. Chrostowsky said that this transfer is now in effect.

Ms. Morse reported on last week's Economic Development Committee meeting, which had been attended by Planning Commission members and Dan Rohbinski. A proposal emerged from that meeting to explore alternative waste systems, beginning by trying out such a system in the area of the Shaftsbury Country Store. The elementary school might be a partner in the project, which would involve putting in a larger leach field and would require digging extra test pits.

Mr. Mead commented that he had been told by Phil Harrington that the school does not have room to install its new septic design. Ms. Morse said that the Committee would chat with school officials, but won't commit to anything without coming back to the Board.

She reported that the Committee plans to use its last \$5000 in state funds to do a survey to gauge public opinion on sewers. Survey questions will vary according to where people live. The Committee and the Planning Commission are in sync on the idea that this is a way to encourage economic development and to concentrate development in the village center.

Chairman Metcalfe reported that Mr. Woolmington is dealing with the letter from the state on the weight violation at the town landfill. Mr. Woolmington thinks that this will involve a negotiation process with the state.

Chairman Metcalfe asked town residents who want to help put together a street dance for July or August to call Mr. Chrostowsky.

He announced that alternates for the DRB are still needed, and that anyone interested should contact Mr. Chrostowsky.

Ms. Morse made motion to adjourn at 8:45 PM. Ms. Mellinger seconded. Motion carried unanimously.

Meeting adjourned at 8:45 PM.

Respectfully Submitted,

Susan M. Swasta