

Special Town Meeting Minutes
Monday, July 31, 2006
Shaftsbury Elementary School
150 Buck Hill Road, Shaftsbury, Vermont

Select Board Present: Chairman Wynn Metcalfe, Vice-Chairman Cinda Morse, Jim Mead, Karen Mellinger, and Bill Pennebaker

Moderator: Thomas Dailey

Others Present: Town Administrator Aaron Chrostowsky, Town Clerk Judy Stratton, Minutes Secretary Susan Swasta, and approximately 40 Shaftsbury residents

Moderator Dailey called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited. He introduced Select Board members, Town Administrator Aaron Chrostowsky, Town Clerk Judy Stratton, and Recording Secretary Susan Swasta.

Moderator Dailey read the warning for the special town meeting. He stated that there will be a presentation on the request to borrow funds as stated in Article I, then he will ask for a motion to borrow the funds, and then the floor will be open to debate.

Article I. Shall the Town of Shaftsbury borrow in an amount not to exceed one-hundred-fifty thousand dollars (\$150,000) plus interest to cap the Town's landfill?

It was duly moved and seconded to approve the borrowing by the Town of up to \$150,000 to cap the landfill.

Moderator Dailey turned the floor over to Select Board Chairman Wynn Metcalfe for a presentation on landfill closure. Using Power Point slides, Chairman Metcalfe discussed project details, expected costs, funding sources, the project balance sheet, the three options for landfill closure, the borrowing fact sheet, estimated debt service schedule, and tax impact.

The four-acre landfill is to be capped with a geo-synthetic cover by Rifenburg Construction of Troy, New York, at estimated costs of \$858,000. In breaking down individual costs Chairman Metcalfe stressed that the Board does not believe the total will be this high; there is a 12% contingency fund, and there may be some savings on the cost of earth materials. Funding sources include the Town Sinking Fund and recent grants from the state. Chairman Metcalfe thanked State Representative Alice Miller and Senator Dick Sears for their work in getting these grants.

The gap between revenues and estimated expenditures is \$150,000. The options are to borrow this sum, take it out of this year's general fund budget, or stop work on landfill closure. There is great pressure from the Agency of Natural Resources (ANR) to get the work done. A five-year \$150,000 loan from Chittenden Bank, at an interest rate of 5%, would cost a total of \$22,500 in interest. Debt service would add two cents to the tax rate, which would translate to an additional \$30 yearly in taxes on a \$150,000 property.

Barbara J. Miller asked if the Board can guarantee that taxes will go up by the figure cited by Chairman Metcalfe, or could they go higher? Chairman Metcalfe replied that the tax increase figures he had stated were the most that residents would be looking at.

Tyler Resch stated that he had read that the Town of Coventry's capped landfill is generating power from

methane. He asked if methane generation for power has been considered for Shaftsbury's landfill. Aaron Chrostowsky replied that Shaftsbury's landfill is too small for methane generation.

Fran Kinney stated that in 2002 or 2003 the town had checked into closing the landfill and at that time it was projected to cost \$320,000. He asked how we had gotten from \$320,000 to the \$858,000. Chairman Metcalfe explained that the original money had been given to Shaftsbury by the state, who had told the town how much closure would cost.

Last December it was put out to bid, with an expectation that the job would cost \$350,000. The bid was \$550,000 for a clay cap, but clay could not be found, so the town had to go with a geo-synthetic liner, which increased the price. The job was put out to bid three times, and Rifenburg's bid was the lowest. Chairman Metcalfe noted that the town communicates with the state about this frequently -- at least once a week -- and that the rules keep changing, leading to cost increases.

Chuck Bushey asked if the Town has made the required annual estimates for landfill closure costs to ANR. Mr. Chrostowsky answered that the estimate had been done once. Mr. Bushey asked why annual estimates have not been done, and if the Town has been caught off guard by the price because estimates were not being done each year. Chairman Metcalfe replied that the need for annual estimates has never been mentioned by anyone from the state.

Both Buzz Surwilo of the solid waste division and KAS, the engineering consultants, had told the town that the original \$550,000 bid was way out of line and that it should be re-bid. Mr. Bushey stated that if the town had been required to file a yearly estimate and had failed to do so, this would contribute to a lack of information available to townspeople. He noted that the Board has done well to come in below landfill closure costs of \$250,000 - \$300,000 per acre that were quoted to him. Chairman Metcalfe pointed out that Shaftsbury residents had voted not to close the landfill back when costs would have been lower. He speculated that ANR had been using outdated figures from this era when many landfills were being closed.

Rep. Alice Miller stated that she had had similar experiences to the Select Board in dealing with the state. The legislature has taken ANR to task, and has enacted a law requiring that when ANR recertifies unlined landfills it must tell the towns what it will really cost to close them. There are still two unlined landfills in the state, and Rep. Miller has informed the representatives of those towns about Shaftsbury's experiences and recommended to them that they not wait fifteen years to close their landfills. Her best advice is "Let's just get this job done -- it will just continue to go up."

Moderator Dailey asked for a floor vote on the motion to approve the borrowing of up to \$150,000 plus interest to close the landfill.

Motion carried unanimously by vote from the floor.

Chairman Metcalfe thanked the voters. He announced a 1950's-themed street dance to be held on August 26 on Church Street and Cleveland Avenue, and invited all to attend.

The meeting adjourned at 7:58 PM.

Respectfully submitted,

Susan M. Swasta
Minutes Secretary

