

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
June 28, 2016**

MEMBERS PRESENT: Gary von Stange (Chairman); Colleen Parker [via teleconference until 9:15 PM], Jerry Storey, Josh Dein. (John Kerr was absent.)

ADMINISTRATION: Joe Colangelo, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Jerry Ouimet, Fire Chief; John Goodrich, Assistant Fire Chief.

OTHERS PRESENT: Deborah Bergh, Joan Lenes, George Schiavone, Steve “Rocco” Antinozzi, Marc Gamble, Michael Regan, Bonnie Christie, Gail Albert, Mary Ann Hamilton, Doug Merrill, Judith Raven, Toni Supple, Bill Supple, Faith Rushford, Tim Burke, Percy Wohl, Kate Fournier, Kate Lalley, Sean MacFaden, Michael Abrams, Heather McKim (Shelburne News).

EXECUTIVE SESSION

Pursuant to 1VSA313(3), the Selectboard met in Executive Session at 6:45 PM to discuss appointment, employment, or evaluation of a public officer or employee.

1. CALL TO ORDER

Chairman Gary von Stange called the regular meeting to order at 7:10 PM.

2. APPROVAL OF AGENDA

MOTION by Jerry Storey, **SECOND** by Josh Dein, to approve the agenda as presented. **VOTING** by roll call: Gary von Stange – aye, Colleen Parker – aye, Jerry Storey – aye, Josh Dein – aye (unanimous); motion carried.

3. APPROVAL OF MINUTES

June 14, 2016

MOTION by Colleen Parker, **SECOND** by Jerry Storey, to approve the 6/14/16 minutes as written. **VOTING** by roll call: Gary von Stange – aye, Colleen Parker – aye, Jerry Storey – aye, Josh Dein – aye (unanimous); motion carried.

4. CITIZEN PARTICIPATION & PUBLIC COMMENT

None.

5. SELECTBOARD COMMENTS

- Jerry Storey commented positively on the demonstration by the Fire Department on a prototype of equipment to be purchased, noting fire trucks are a special order and the town must rely on the volunteer fire department to specify the equipment they need.

6. TOWN MANAGER’S REPORT

Joe Colangelo highlighted the following from the manager’s report posted online:

- The town received the 2015 Stormy Award for the best storm water idea. City of Boston Water Commission was the other recipient. It is precedent setting by South Burlington and Shelburne to have this innovative solution. Kudos to Chris Robinson and Tom DiPietro. [Gary von Stange noted Joe Colangelo brought the partnership with South Burlington to fruition.]
- The tree warden will remove three trees in town, one on the parade ground and two off of Falls Road by Rustic Roots. The trees are dying.
- A private wind turbine application has been resubmitted because the first application was lost. The previous selectboard wrote a letter. [Gary von Stange said the current selectboard will wait until a request for a letter is received.]

7. PUBLIC HEARING: Amendments to Shelburne Comprehensive Plan to replace the existing priority paths and sidewalk maps with new versions prepared by the Bike/Ped Paths Committee and add text/maps responding to statutory requirements governing designated village centers

The public hearing was opened at 7:09 PM.

PUBLIC COMMENTS

Michael Regan, Boulder Hill, stated none of the questions previously posed by residents of Boulder Hill regarding the Pierson Drive path have been addressed, and for the Paths Committee to resubmit the application as a broader application when no one received notice is surreptitious. There was extensive discussion related to a host of topics - environmental concerns, safety concerns - that were never addressed in any capacity. For an application to circumvent the comments and concerns is not appropriate. A copy of the map with the paths is requested. Mr. Regan also noted that if other paths on the map had been noticed there would have been the same response from neighborhoods. It may be that the Paths Committee was fine with removing the Pierson path from the list because the Longmeadow path runs right next to it in the same woods and the same location. Both paths go through Class 3 wetlands. Mr. Regan said he disapproves of the manner in which the path is being addressed.

Faith Rushford, Pierson Drive, said the concept of making Shelburne a bike friendly community is good, but the Pierson path will disrupt green space when there are existing bike paths to connect the neighborhoods. There is connectivity. This is redundancy at the cost of green space.

Toni Supple, Pierson Drive, asked the Selectboard to consider that the path through the woods is not needed. There will be connection to Webster Road when the Kwiniaska development goes through. The Selectboard is asked to consider the wildlife corridor that will be disrupted. There is concern about drug activity in the woods. People in the neighborhood do not want the path.

Gail Albert, Pierson Drive, stated she would not bike on Spear Street. There is an existing primitive path in the corridor that is used for walking and skiing so a bike path would not be disruptive.

George Schiavone, Pierson Drive, mentioned the letter from Michael Regan and that nothing in the letter has been addressed.

Tim Burke, Pierson Drive, stated there is a long history of wanting to preserve the greenbelt. Many of the residents do not want connectivity. Also, the notice for the public hearing was just received and the paths map could not be found on the town website. There is concern that if the paths map becomes part of the comprehensive plan then it is part of the official map and may have regulatory authority. Gary von Stange agreed there should be more discussion on the path, but the intent of the committee was not to hide anything. Dean Pierce explained updating the map does not have a regulatory effect. The map is for purposes of grants, but people may construe the map in the comprehensive plan as some sort of consensus.

Percy Wohl, Logan Court, showed a letter from 13 years ago to the Paths Committee from three of the four residents on Logan Court against the path connecting the development (Path #10). There are only a few remaining green corridors in town. People live on a cul-de-sac for a reason and do not necessarily want connectivity. They have an expectation of privacy. The town plan is an aspiration and within that is where there is more specific information. To put specific places in an aspirational document is confusing with regard to legality. There must be some weight if an item is in the town plan and used to apply for grants.

Kate Fournier, Collimer Court, stated very short notice of the meeting was given. Residents have fought to protect the woods with DRB applications and now the issue is back. The forest is mapped by the state as a wildlife habitat tract. There is a private path and turning that into a bike path would have some impacts in addition to losing some privacy. Lots of wildlife use the woods. There are many bicyclists in Shelburne so the path would likely be used. The path is short and it will not take long for a biker to zip through the woods, but there would be significant impact.

Joan Lenes, resident, asked why the Pierson Drive path is being discussed when it is not on the list of paths. Gary von Stange explained the warning for the public hearing included the path, but the Paths Committee agreed to remove the path to avoid the entire map being rejected due to one neighborhood path that is controversial.

Bill Supple, Pierson Drive, stated the residents of Pierson Drive are voicing their comments about the path because only Pierson Drive residents know about the path. Also, if the document is procedural and does not mean anything then get rid of it.

Kate Lalley, Planning Commission, stated the Planning Commission worked hard to bring the paths map forward. There have been publicly warned meetings in several venues so people have had the opportunity to speak. It has been made clear that the path is not wanted by the Pierson neighborhood, but it is not fair to speak for the remainder of the town. The Paths Committee worked diligently and for several years on the paths map which has been before the Planning Commission many times. The process has been very transparent.

Rocco Antinozzi, Paths Committee, said the path to Longmeadow has been under discussion for the past 20 years. The paths map has been under development for two years. The Planning Commission held warned meetings and the Paths Committee meets every month. All the meetings are open to the public.

The Selectboard made the following comments:

- Gary von Stange stated the Paths Committee voted to remove the Pierson Drive path from consideration so the list with 18 paths can go forward. The Town Attorney advised that removing one path will not require a new public hearing process. Chairman von Stange said he is looking at how the path is supported by the town plan, if there is public support, and if the path is environmentally conscious. Mr. von Stange spoke in support of the work of the Paths Committee.
- Josh Dein said the explanation of the process provided by staff is appreciated. The paths seem to be ideas and it appears there will be opportunity to discuss each path. Acting on a recommendation on visionary items does not discount the cogent comments people have made.
- Jerry Storey expressed concern people may want to comment on other paths on the list and did not realize now is the opportunity. Representation does not have a timeline. It is bothersome that not everyone has had the opportunity to come to a meeting on activity that will affect them. The amendment is singular and seems to be arbitrary. Language such as “good”, “can”, “will” is different than “should” and “shall”.
- Colleen Parker spoke against removing one path and felt the plan as presented should be supported. Removing items piecemeal out of the town plan that was supported by the townspeople is setting a precedent. Eventually there will not be a town plan. The Paths Committee was charged with doing the paths map which was done.

There was discussion of the numerous hearings and the meetings held as part of the public process. Mike Regan said he did not understand what was being proposed despite being involved on town committees and being at the town center on a regular basis. Dean Pierce explained what the Paths Committee is proposing for the Pierson path is not definitively a paved path. The path below Pierson Drive was subject to extensive discussion and study. The Selectboard accepted the path which was incorporated into the town plan for at least two cycles. To clarify, a study was done in 2004 that preceded the incorporation of an alignment in the town plan and that town plan has since been amended. Gary von Stange added approving the amendment to the comprehensive town plan to include the paths submitted for consideration does not mean approval to go forward with building the paths. Mike Regan pointed out 10 years from now people will rely on the decision for authority. The Selectboard is urged to table the decision on the paths to give people time to comment on paths that will affect them.

Gary von Stange spoke in support of connectivity, but not support of the Pierson path going forward at this time because the path was the subject of great debate. To present the Pierson path as one of the 19 paths is not fair. Discussions by the Paths Committee

and Planning Commission are recognized, but the public hearing(s) before the Selectboard did not announce what exacting was being considered. Everyone in town should have the opportunity to be heard.

Colleen Parker said unless there is a grant application pending that requires the town plan amendment to be approved the matter should be tabled until the paths map can be approved in its entirety.

Josh Dein agreed the matter should be tabled to allow opportunity for additional comment or the map should be dealt with in its entirety, not piecemeal.

MOTION by Jerry Storey, SECOND by Josh Dein, to close the hearing.

DISCUSSION: Tim Burke, Pierson Drive, stated the Pierson Drive residents have always been active and provided comment, but it is not possible to attend all committee meetings. It is reasonable to pull out the Pierson Drive path from the list of paths. Toni Supple asked if a hearing will be held to build the path. Joe Colangelo said the Selectboard endorses the grant application and that would be done at a public meeting, not necessarily a public hearing. Josh Dein suggested an amendment to say that none of the paths will be created without a duly warned public meeting. There were no further comments.

VOTING by roll call: Gary von Stange – aye, Colleen Parker – nay, Jerry Storey – aye, Josh Dein – aye (3-1); motion carried.

The public hearing was closed at 8:12 PM.

MOTION by Colleen Parker, SECOND by Josh Dein, to approve an amendment to the Shelburne Comprehensive Plan to replace the existing priority path and sidewalk map prepared by the Bike/Ped Paths Committee as originally presented and add text/maps responding to statutory requirements governing designated village centers.

AMENDMENT by Josh Dein, SECOND by Jerry Storey, to add that no path in the plan shall be approved or constructed without a duly warned public hearing.

DISCUSSION ON AMENDMENT: Joe Colangelo said the amendment may not be enforceable. The town charter says grant applications need Selectboard approval. Gary von Stange questioned approving the paths and having the amendment at the same time. Jerry Storey said there is something prescriptive with having a path in the comprehensive plan. The amendment may not be doable or appropriate. Josh Dein agreed with being consistent, but wanted to let the people know they have been heard and nothing will go forward. Doug Merrill stated the path has been in the works for a long time. There was interest in building the path several years ago and the town warned a hearing so the amendment may not be necessary. There were no further comments.

VOTING ON AMENDMENT by roll call: Gary von Stange – nay, Colleen Parker – nay, Jerry Storey – aye, Josh Dein – aye (2-2); motion does not carry.

DISCUSSION ON ORIGINAL MOTION: Gary von Stange reiterated his support of the work of the Paths Committee and the Planning Commission and said he will vote in support if the Shelburne Heights path (Pierson Drive) is not included. Colleen Parker expressed belief in the process and acknowledged the comments that were made, but said there will be more input before anything happens. There were no further comments.

VOTING by roll call: Gary von Stange – nay, Colleen Parker – aye, Jerry Storey – nay, Josh Dein – aye (2-2); motion does not carry.

Chairman von Stange called for a motion to approve amendment to the Shelburne Comprehensive Plan to replace the existing priority paths and sidewalk maps with new versions prepared by the Bike/Ped Paths Committee and add text and maps responding to statutory requirements governing designated village centers as presented to the Selectboard with the elimination of the Boulder Hill path in the Bicycle & Pedestrian Infrastructure Development Plan Map with the understanding that the referral is to the Shelburne Heights connector. A motion was not made. Colleen Parker proposed tabling the matter for 60 days and warning another meeting. Dean Pierce urged approving the amendments that do not deal with the paths map.

MOTION by Jerry Storey, SECOND by Josh Dein, to approve amendments to the Shelburne Comprehensive Plan to add text and maps responding to statutory requirements governing designated village centers. VOTING by roll call: Gary von Stange – aye, Colleen Parker – aye, Jerry Storey – aye, Josh Dein – aye (unanimous); motion carried.

Joe Colangelo made a plea to reconsider the paths map which reflects two years of work by the Paths Committee and the Planning Commission. Now the boards will have to go back to the start with no real direction from the Selectboard, said Mr. Colangelo. Gary von Stange said there was not clear notice and opportunity for people who wanted to comment.

MOTION by Gary von Stange, SECOND by Colleen Parker, to approve amendments to the Shelburne Comprehensive Plan to replace the existing priority paths and sidewalk maps with new versions prepared by the Bike/Ped Paths Committee with the elimination of the Pierson Drive to Boulder Hill path on the Bike/Ped Path Infrastructure Development Map.

DISCUSSION: Josh Dein agreed with recognizing all the work that has been done and being consistent in the process, but there is concern this is not doing that. Gary von Stange countered that it is consistent to approve the amendments without the Pierson path because the Selectboard held a meeting on the path and there was dynamic disagreement in town. It would be inconsistent to approve the map with all the paths included when only one

path was the subject of such disagreement. Jerry Storey observed if one neighborhood came by the knowledge of their neighborhood path by word of mouth then it is likely others have too and there should be the same opportunity to speak. Mr. Storey said he is confident in the work that has been done, but in rank order representation is tops. There were no further comments.

VOTING by roll call: Gary von Stange – aye, Colleen Parker – nay, Jerry Storey – nay, Josh Dein – aye (2-2); motion does not carry.

8. SECOND READING: Solar Electric Generation Facility Siting Standards Ordinance

MOTION by Jerry Storey, SECOND by Josh Dein, to read the ordinance by title.

VOTING by roll call: Gary von Stange – aye, Colleen Parker – aye, Jerry Storey – aye, Josh Dein – aye (unanimous); motion carried.

The hearing was opened at 8:33 PM. Joe Colangelo said the ordinance (3rd iteration) is a far cry from the original version, but if adopted will be enforceable according to the Town Attorney. The Planning Commission made minor edits to the document including deletion of the requirement the facilities must be in the growth center in town.

Jerry Storey stated the reviewing authority should be the Selectboard because the Planning Commission and DRB might be considered conflicted. The path of appeal is not Environmental Court so the Selectboard would not be compromised. The DRB and Planning Commission would be a resource. It appears local policy is out with the third version of the ordinance and reduced to screening and minor siting issues. It is hoped that the ordinance can be strengthened.

Kate Lalley, Planning Commission, said since the document is de facto more aspirational it makes sense for the Planning Commission to shepherd applications through. The Planning Commission creates the vision for the town and has a better handle on where the facilities would fit with the town plan to make recommendations. Gary von Stange pointed out if legal assistance is needed only the Selectboard has the authority to expend legal funds so the Planning Commission would have to come to the Selectboard.

Josh Dein confirmed the role of the review is to provide comment which goes to the Public Service Board. The Planning Commission agreed to move the ordinance forward, but was not happy with the version so there is concern about moving an ordinance forward that is not the best possible for the town. Potentially with more discussion the ordinance could be strengthened.

Colleen Parker noted there is turnover on the Selectboard and new members must try to understand the ordinance where on the Planning Commission the members are there for many years.

Gary von Stange agreed with the Selectboard being the reviewing body because there is the chance of seeking assistance from the Town Attorney and the Selectboard is elected

by the town to set policy. For example the previous Selectboard sent a letter on a solar installation drafted by the Town Attorney so legal assistance was needed. It is doubtful there will be objection to suggestions from the Planning Commission on applications.

Josh Dein asked if there is any advantage to having the ordinance in place with regard to state legislation. Dean Pierce said the proposal revised by the Town Attorney reflects the statutory authority given to municipalities last year. The new legislation comes into play with the town plan so the town needs to try to increase its position before the Public Service Board in the context of the town plan.

Josh Dein asked about rooftop solar panels being regulated as accessory structures. Dean Pierce explained the ordinance addresses rooftop panels in accordance with the zoning bylaws which say a permit is required. If the regulations require a permit, and they do, then there is no basis for denying because of requirement in state law that someone is entitled to the permit.

Gail Albert, Shelburne Natural Resources and Conservation Commission (SNRCC) said there is concern that many of the items removed from the ordinance dealt with natural resources and there is no oversight by SNRCC. The committee should review the draft document.

There were no further comments.

MOTION by Jerry Storey, SECOND by Colleen Parker, to close the second reading of the Solar Electric Generation Facility Siting Standards Ordinance.

DISCUSSION: Josh Dein suggested a recommendation that an amended version of the ordinance be returned in three months. Gary von Stange confirmed the ordinance can be amended after adoption. There were no further comments.

VOTING by roll call: Gary von Stange – aye, Colleen Parker – aye, Jerry Storey – aye, Josh Dein – aye (unanimous); motion carried.

MOTION by Jerry Storey, SECOND by Josh Dein, to warn a public hearing on July 26, 2016 on the Solar Electric Generation Facility Siting Standards Ordinance.

VOTING by roll call: Gary von Stange – aye, Colleen Parker – aye, Jerry Storey – aye, Josh Dein – aye (unanimous); motion carried.

9. ANNUAL CBC REPORT WITH SHELBURNE NATURAL RESOURCES AND CONSERVATION COMMISSION

Gail Albert, SNRCC, reported the following:

- The mission and charge of SNRCC has not changed.
- The committee seeks diversity of opinion and thought from members.
- The appointment process needs to be defined to all committees and when comment on candidates can be made. All should go through the same process.

- There should be greater collaboration with other town boards in addition to the DRB and Planning Commission to better define policy and discuss issues such as storm water, forest protection, green technology, best management practices.
- Accomplishments by SNRCC include having a new student intern and two new members, seeking extra funding for conservation of the Barr Farm, completing the Open Space Plan, work on removal of invasive plants, and DRB application reviews.

Gail Albert said the committee would like to engage more regularly in dialogue with the Selectboard on issues. Funding is an ever present issue. The committee would like to increase the balance in the Open Space Fund for conserving lands. Knowledge and expertise from the committee can be offered on storm water issues. The committee meets once a month, but members are attending other meetings to keep up to date. The town should lobby the state to allow electronic conversations between committee members.

Jerry Storey stated the report from SNRCC was exemplary in breathe and detail. Points on the appointment process will be taken under advisement. There is agreement with the comment on communication outside regular meetings.

Gary von Stange stated the Selectboard tries to be very consistent in the appointment process and only goes forward at the request of the candidate if the individual cannot be present. Committees can always come before the Selectboard. Funding requests are acknowledged, but there are limited resources. Gail Albert pointed out it has been many years since SNRCC made an extraction from the Open Space Fund. On occasion there are more offers for land and the fund is used to avoid going to bond. The fund makes it possible for the town to have the treasures it does. The committee tries to make recommendations on projects sooner and would like the opportunity to do reviews in a timely manner so the committee's voice can be heard.

Joe Colangelo mentioned the upcoming storm water summit will include ideas mentioned by SNRCC.

10. PRESENTATION: Shelburne Fire Department request to purchase Quint Ladder Truck

Fire Chief Ouimet and Assistant Chief Goodrich gave a presentation on the purchase of a Quint ladder truck which would replace two aging vehicles (E2 and R4). Repairs are getting more costly and more frequent on the two vehicles. The Quint is a five function ISO rated ladder truck and will increase the efficiency and effectiveness of the department to fight fires. The town will gain an aerial device and more ground ladders with the truck. Assistant Chief Goodrich reviewed the 10 year plan for replacement and upgrade of equipment. Estimated cost of the plan is a high of \$2.2 million with half being the Quint truck purchase. Estimated cost of an alternate 10 year plan without the Quint truck purchase is \$2.6 million. The alternate plan is not recommended because it is not in the best interest of the town.

Gary von Stange mentioned the marine rescue boat used on Lake Champlain for fire and rescues and questioned if Shelburne should solely cover the cost of service. A breakdown of the cost of service to Shelburne versus service at large is requested.

Jerry Storey commented on the technological differences between the Quint and the pumper tanker. The cost of the Quint is not much more than the cost of the pumper tanker, but the loss in functionality between the two is over 85% (Quint offers more functionality). Parts and repair assistance is available for the Quint. The Fire Department has done a good job describing the equipment, what it does, and how it is most suitable to the department's needs.

Gary von Stange asked if a paid employee in the department will be needed in the future. Chief Ouimet said the all-volunteer department is fine now, but as older members leave it is getting harder to recruit new volunteers. Paid staff may be necessary. Gary von Stange asked if having the Quint will have an impact on development in the Mixed Use District. Jerry Storey said the truck is absolute reassurance of the capacity of the Fire Department. Assistant Chief Goodrich added the truck would be first in and makes it safer for firefighters to reach the building rooftop.

Doug Merrill asked if the ISO certification will allow insurance rates to drop. Chief Ouimet noted Killington purchased a tower truck and the ISO rating saved them \$1 million. Doug Merrill asked about the amount of money spent on maintenance per year. Assistant Chief Goodrich said 90% of the maintenance work is done by the certified mechanic in-house. Maintenance costs will not be more than what is spent on the two trucks being replaced.

Josh Dein asked the return expected on the two vehicles to be replaced (E2 and R4). Assistant Chief Goodrich said \$22,000 was realized when Engine 1 was sold. It is estimated that between \$30,000 and \$50,000 will be made on E2 and \$20,000 to \$30,000 on R4.

11. AUTHORIZE GRANT APPLICATION FOR A PATH BETWEEN THE FISH & GAME PARKING LOT AND THE BAY PARK PARKING LOT

Marc Gamble reviewed the path location parallel to Bay Road that keeps pedestrians off the road and allows access to the overflow parking area. Children riding their bikes to school via the TiHaul Trail can use the new path for a safer approach to the TiHaul trailhead. Doug Merrill said the level gravel path along the side of the ditch on Bay Road has been discussed for the past five years and been in the Capital Improvement Plan for at least four years. People using the path will have a better view of traffic to cross Bay Road to the TiHaul Trail. VTrans is offering small scale construction grants that do not require a scoping study. The match is 50/50 and the grant does not cover administrative and design costs. There is \$12,500 in the CIP for the path. The town match would be about \$7,000.

Josh Dein asked if there is any objection to the path. Marc Gamble said no objections have been heard.

MOTION by Jerry Storey, SECOND by Josh Dein, to approve the grant application as recommended by the Bike/Ped Paths Committee for a VTrans small scale construction project to build a path between the Fish & Game parking lot and the Bay Park parking lot. VOTING: unanimous (3-0); motion carried.

12. YEAR-TO-DATE FINANCIALS

Peter Frankenburg reported on year-to-date financials, noting that legal expenses are the biggest concern and are presently over budget by \$240,000 due to the Vermont Railways case, form based code, on-the-record review, APC appeal, and Harbor Place appeal. The amount over budget could climb to \$300,000. Generally though budget revenues are offsetting expenses. It is not expected to end the year with a surplus. The fund balance is 547,000 which will be tapped. One area of significant savings is fuel to heat buildings and less overtime and salt use in the Highway Department due to the mild winter. Paul Goodrich will postpone a storm water project on Juniper Ridge and hold the salt budget to help offset over budget expenses in the town. Staff will provide an update on financials at the next meeting.

13. FY2017 PROPERTY TAX INTEREST CHARGE PURSUANT TO SECTION 147-9.2 OF THE TOWN CHARTER

MOTION by Jerry Storey, SECOND by Josh Dein, to set the first month of property tax delinquency at 0% and add 1.5% per month thereafter per Section 147-9.2 of the town charter. VOTING: unanimous (3-0); motion carried.

14. WAIVE LATE PROPERTY TAX PAYMENT PENALTY

Peter Frankenburg explained the homestead declaration was filed late by the property owners and a 3% penalty was assessed per state statute. The town keeps the penalty payment. The property owner had an accident out of state and was unable to get to Vermont on time to file the declaration. Past practice by the Selectboard has been to waive the late charge under these circumstances.

MOTION by Jerry Storey, SECOND by Josh Dein, to waive the penalty of \$203.70 charged to the Guillemette Trust. VOTING: unanimous (3-0); motion carried.

15. EXECUTIVE SESSION and/or ADJOURNMENT

MOTION by Josh Dein, SECOND by Jerry Storey, to find that premature general public knowledge of Shelburne's proposed three way agreement with the state, Vermont Railways, and the town to create a public crossing on Champlain Drive would place the Selectboard at a substantial disadvantage. VOTING: unanimous (3-0); motion carried.

MOTION by Josh Dein, SECOND by Jerry Storey, to go into Executive Session to discuss the three way agreement/contract relative to a crossing on Champlain Drive and invite the Town Manager to attend. VOTING: unanimous (3-0); motion carried.

MOTION by Jerry Storey, SECOND by Josh Dein, to go into Executive Session to discuss an employment evaluation of an employee and invite the Town Manager to attend. VOTING: unanimous (3-0); motion carried.

Executive Session was convened and the regular meeting adjourned at 10:14 PM.

RecScty: MERiordan