

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
March 10, 2020**

**MEMBERS PRESENT:** Jerry Storey, Mike Ashooh, Mary Kehoe, Jaime Heins, Kate Lalley.

**ADMINISTRATION:** Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Nina Anger, Executive Assistant to Town Manager.

**OTHERS PRESENT:** Tom and Sara Tompkins, Susan and David McLellan, Linda Riell, Tracy Stolese, Anthony Seidita, Gerry Devan, Amanda Hancock, Lisa Merrill.

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**1. CALL TO ORDER**

Town Manager, Lee Krohn, opened the meeting at 7 PM and facilitated the adoption of the agenda and election of the Selectboard Chair.

**2. APPROVE AGENDA**

**MOTION by Jaime Heins, SECOND by Mike Ashooh, to approve the agenda as presented. VOTING: unanimous (5-0); motion carried.**

**3. ORGANIZATIONAL MEETING**

*Chair*

**MOTION by Jaime Heins, SECOND by Mary Kehoe, to nominate Jerry Storey to serve as Selectboard Chair beginning 3/10/20 and ending after the 2021 Town Meeting. VOTING: 4 ayes, one abstention (Jerry Storey); motion carried.**

Jerry Storey is Selectboard Chair and assumed facilitation of the meeting.

*Vice Chair*

**MOTION by Jerry Storey, SECOND by Mary Kehoe, to nominate Jaime Heins as Selectboard Vice Chair. VOTING: 4 ayes, one abstention (Jaime Heins); motion carried.**

*Meeting Schedule*

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to confirm the schedule of the Selectboard meeting on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month at the Town Offices beginning at 7 PM or at such time as the Selectboard shall require. VOTING: unanimous (5-0); motion carried.**

*Accounts Payables and Payroll Warrants*

Peter Frankenburg will draft a schedule of review for the Selectboard.

*Newspaper of Record*

**MOTION by Jaime Heins, SECOND by Mary Kehoe, to designate *Shelburne News* for the purpose of publishing Shelburne Selectboard notices. VOTING: unanimous (5-0); motion carried.**

*Selectboard Rules of Procedure*

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to adopt the Shelburne Selectboard Rules of Procedure as presented last year. VOTING: unanimous (5-0); motion carried.**

*Tree Warden*

**MOTION by Jaime Heins, SECOND by Kate Lalley, to re/appoint David Hall as Shelburne Tree Warden effective 3/10/20. VOTING: unanimous (5-0); motion carried.**

**4. MINUTES**

*February 25, 2020*

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the minutes of 2/25/20 as presented. VOTING: 3 ayes, 2 abstentions (Jaime Heins, Kate Lalley); motion carried.**

**5. PUBLIC COMMENT**

Anthony Seidita, Shelburne resident, submitted comments on the Article 22 amendments to the form-based code overlay relative to the prospective redevelopment on the former bowling alley property at 2630 Shelburne Road and alleged misconduct by the Planning Director and Planning Commission.

The Selectboard will review the materials.

**6. SELECTBOARD COMMENTS**

- Positive comment was made on town meeting and the elections. Newly elected Selectboard member, Kate Lalley, was welcomed to the board.
- Mike Ashooh announced “Philosophy Week” is March 26 – April 4. Mike Ashooh is sponsoring a forum at Shelburne Vineyard on April 4, 2020 called “Conservation Ethics for Small Towns”.

**7. TOWN MANAGER REPORT**

Lee Krohn briefed the assemblage on the recent municipal managers meeting and the mutual aid packet for essential services during the coronavirus pandemic that has been compiled. Municipalities continue to monitor the situation with the virus and will keep the public informed. More information on the virus is posted on the Vermont Department of Health website and VT Alert. Shelburne has an emergency management plan in place.

**8. WELCOME TO NEW BUSINESSES**

Shelburne Gift Company, a custom gifts and stationary business, and Vermont Wedding Studio for people in the wedding industry were welcomed to town.

**9. UPDATE PERSONNEL POLICY: Vacation Time Earned**

Lee Krohn explained the discrepancy in vacation time earned between Union and non-Union Town employees and recommended the non-Union employees' earned vacation time match that in the collective bargaining contract at 15 hours/month for employees with 10 or more years of service, to become effective on April 1, 2020.

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to amend the Personnel Policy to allow employees with 10 or more years of service to earn 15 hours of vacation time per month effective April 1, 2020.**

**DISCUSSION:**

- **It was acknowledged additional changes to the Personnel Policy are anticipated and will be compiled.**

**VOTING: unanimous (5-0); motion carried.**

**10. UPDATE SELECTBOARD POLICY: Waiver of Penalty for Late Payment of Taxes**

Lee Krohn noted the proposed language clarifies the seven-day window before the matter must go to the Board of Abatement for consideration.

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to approve the update to the Selectboard Policy regarding penalty waiver for late payment of taxes. VOTING: unanimous (5-0); motion carried.**

**11. WAIVER OF LATE TAX PAYMENT PENALTY REQUEST: Charles and Anne Joseph**

**MOTION by Jaime Heins, SECOND by Mike Ashooh, to waive the late penalty payment fee in connection with the Anne and Charles Joseph application as presented pursuant to criterion 3 of Section 18-03 of the policy. VOTING: 4 ayes, one nay (Mary Kehoe); motion carried.**

**12. RE/APPOINT CBC MEMBERS**

**MOTION by Jaime Heins, SECOND by Mary Kehoe, to approve the following appointments for three-year terms:**

- **Water Commission: John Day, Pete Gadue**
- **Ethics Committee: Bill Deming**
- **DRB: Anne Bentley, Michael Major**
- **Dog Park: Bob Owens**
- **Bike/Ped Committee: Jeff Zweber, Joplin James**
- **Tree Committee: Tod Warner**
- **Shelburne Natural Resources Committee: Peggy Rosenau, Fred Morgan, Michael Schramm**
- **Shelburne Historic Preservation & Design Review Committee: Ann Milovsoroff and Eileen Warner (who has agreed to stay on until a replacement for her can be found)**
- **Veterans Committee: Paul Goodrich**

- Cemetery Commission; Stuart Morrow, Deborah Belcher, Jennifer Martin Brown
- Parks & Rec: Peggy Coutu, Susan McLellan

**VOTING: unanimous (5-0); motion carried.**

The Selectboard will fill vacancies including student members at the next meeting.

### **13. LIQUOR LICENSE RENEWALS**

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to convene the Liquor Control Commission. VOTING: unanimous (5-0); motion carried.**

The list of applicants for First, Second, and Third Class liquor licenses was read. There are no reported problems with any of the establishments on file with the Police Department.

**MOTION by Mike Ashooh, SECOND by Mary Kehoe, to approve the applications for First Class, Second Class, and Third Class liquor licenses as presented.**

**VOTING: unanimous (5-0); motion carried.**

**MOTION by Jaime Heins, SECOND by Mary Kehoe, to adjourn the Liquor Control Commission meeting and resume the regular Selectboard meeting.**

**VOTING: unanimous (5-0); motion carried.**

### **14. REVIEW OF SHORT-TERM RENTALS**

Krohn presented initial results of research on how other municipalities in the Northern New England region were handling these. There was discussion of short-term rentals (Airbnb) in Shelburne and the need to know the number and location of the rentals. The Planning Commission could be asked to develop an ordinance or zoning bylaw to manage short term rentals in town. Dean Pierce noted the Planning Commission does plan to address the matter. The Selectboard will discuss short term rentals at the annual retreat.

**MOTION by Mike Ashooh, SECOND by Mary Kehoe, be it resolved that the Selectboard requests that the Planning Commission begin to investigate the issue of short-term rentals and develop a resolution.**

#### **DISCUSSION:**

- Tom Tompkins, resident, observed an Airbnb is essentially a business so the town is allowing a small hotel next to the neighbors which is probably illegal.
- The situation with short term rentals in Burlington was mentioned.

**VOTING: unanimous (5-0); motion carried.**

### **15. ECONOMIC DEVELOPMENT FY2021 BUDGET**

Krohn presented suggested strategies and ideas for best use of the \$25,000 budgeted for economic development. Hiring a part-time liaison/facilitator or consultant to explore economic development ideas and opportunities was mentioned. Other ideas and

suggestions were discussed by the Board. Krohn will draft a proposed job description and scope of work.

**16. SELECTBOARD DISCRETIONARY FUND**

**MOTION** by Jaime Heins, **SECOND** by Mike Ashooh, to authorize the expenditure of \$630.80 (\$250 to the library, \$100 gift certificate, 280.80 plaque) from the Selectboard Discretionary Fund in recognition of Colleen Parker's service to the town. **VOTING: unanimous (5-0); motion carried.**

**17. EXECUTIVE SESSION/ADJOURNMENT**

*Executive Session: Police Union Contract Negotiations*

**MOTION** by Mary Kehoe, **SECOND** by Jaime Heins, pursuant to 1VSA313 to find that premature public knowledge of the Town's position on the pending labor relations agreement with employees would clearly place the Town at a substantial disadvantage. **VOTING: unanimous (5-0); motion carried.**

**MOTION** by Mary Kehoe, **SECOND** by Jaime Heins, pursuant to 1 VSA313 to enter into Executive Session to evaluate the Town's position on the pending labor relations agreement with employees and invite the Town Manager and Lt. Mike Thomas to attend. **VOTING: unanimous (5-0); motion carried.**

Executive Session was convened at 9:02 PM and adjourned at 9:55 PM.

**18. ADJOURNMENT**

With no further business and without objections the meeting was adjourned at 9:55 PM.

*RScty: MERiordan*

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For the Selectboard

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Date