

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
April 10, 2018**

MEMBERS PRESENT: Jerry Storey (Chair); Colleen Parker, Josh Dein, Jaime Heins, Mary Kehoe [via telephone].
ADMINISTRATION: Joe Colangelo, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Town Planner; Diana Vachon, Town Clerk.
OTHERS PRESENT: Sign-in sheet on file.

1. CALL TO ORDER

Chair Jerry Storey called the meeting to order at 7 PM.

2. APPROVE AGENDA

Jerry Storey suggested the contract with the interim town manager be discussed in Executive Session.

MOTION by Jaime Heins, SECOND by Colleen Parker, to approve the agenda with the amendment to discuss the contract with the interim town manager in Executive Session per 1VSA313(a). VOTING: 4 ayes, one abstention (Josh Dein); motion carried.

Josh Dein asked when the Selectboard Rules of Procedure will be revisited. Jerry Storey said the discussion will be added to the next meeting agenda or the meeting after that.

3. APPROVE MINUTES

March 27, 2018

MOTION by Jaime Heins, SECOND by Colleen Parker, to approve the minutes of 3/27/18 with correction to the vote on the 2/20/18 minutes to reflect Colleen Parker and Mary Kehoe abstaining, correction to the spelling of "Selin", and identification of the gentleman in the audience as "Mike Donoghue". VOTING: unanimous (5-0); motion carried.

April 3, 2018

Postponed.

4. CITIZEN PARTICIPATION & PUBLIC COMMENT

Dr. Metz, resident, requested the recusal of Josh Dein on matters involving the railroad be rescinded because his lack of participation as a full member of the board on this matter is depriving the Selectboard of intelligent comment and a viewpoint that perhaps would broaden the perspective of the board.

Linda Riehl, Falls Road, commented the process for nomination of an interim town manager could have been handled differently, and it is hoped the process to hire a new

Town Manager will be a thoughtful approach focusing on finding the best person for the job.

Christine Kraushaar, resident, spoke of the neighbor's house being a short term rental (Airbnb) with out-of-state owners and large groups of people (17-20 people) being there each weekend, parking on neighboring property, having dogs, and lots of noise. The people are transient strangers and not neighbors. An ordinance is needed to give clarity to people who are renting and surrounding residents. Joe Colangelo said most of the neighbors have filed complaints about the property being mentioned and a letter has been sent to the property owner. Dean Pierce said zoning enforcement of short term rentals is challenging due to the Supreme Court decision. A standalone ordinance will likely be the recommendation from the Planning & Zoning Office. Language can be developed. There have been complaints on other properties that have been resolved.

Sean Moran, resident, said there will be more problems due to the popularity of Airbnb so it is good that the town will have an ordinance.

Susan McClellan, Falls Road, spoke of the crosswalk on Falls Road not being effective.

5. SELECTBOARD COMMENTS

- Josh Dein noted he will be absent for the April 24, 2018 meeting.
- Colleen Parker reported on the fundraising charity event for the Children's Miracle Network organized by a local 15 year old running for Miss Teen Vermont. The character meet-and-greet event at town hall was phenomenal.
- Jaime Heins thanked the First Responders for their role in the recent school lockdown drill.
- Jerry Storey publicly thanked Vermont Teddy Bear for providing meeting space for the recent Selectboard retreat. Vermont Teddy Bear is a major employer with great dedication to Shelburne.

6. TOWN MANAGER REPORT

In addition to the report posted on the town website, Joe Colangelo noted the following:

- The town has hired two individuals to fill vacant staff positions in Highway and Planning & Zoning.

7. PUBLIC HEARING: Proposed Amendments to Zoning Bylaws

MOTION by Colleen Parker, SECOND by Jaime Heins, to open the public hearing on proposed amendments to the zoning bylaws. VOTING: unanimous (5-0); motion carried.

The public hearing was opened at 7:29 PM.

Dean Pierce reviewed the changes to the zoning regulations pertaining to a safety fence in the Lakeshore Overlay setback (Section 1720), changes to Kwiniaska Golf Course and expanding nonconforming structures in the Rural District, and minor edits and grammatical corrections.

Dave Marshall, CEA, said town staff is working with the owners of the golf course who want to put improvements in place as soon as the zoning amendments are adopted.

Jaime Heins asked about tree cutting if a fence is installed in the Lakeshore Overlay. Dean Pierce said any cutting must be consistent with the Vegetative Cutting Plan.

There were no further comments.

MOTION by Josh Dein, SECOND by Jaime Heins, to close the public hearing. VOTING: unanimous (5-0); motion carried.

The public hearing was closed at 7:50 PM.

MOTION by Colleen Parker, SECOND by Jaime Heins, to amend the zoning bylaws as presented. VOTING: unanimous (5-0); motion carried.

8. SHELBURNE DOG AND CAT OF THE YEAR

Diane Vachon thanked the sponsors for donated gifts and services to be given to the pet winners. Before announcing the winning pets, Dr. Metz, veterinarian, spoke in support of licensing cats and dogs, and urged anyone who gets bit by a cat to seek medical assistance as soon as possible to avoid infection.

Josh Dein suggested requiring animals be microchipped in order to get a license.

Shelburne Dog of the Year is Boomer owned by Roger Price. Shelburne Cat of the Year is Moshe owned by Josh Dein.

Sarah Thompkins said her husband spent two days in the hospital after being bit by a cat.

9. LIQUOR LICENSE RENEWALS

MOTION by Jaime Heins, SECOND by Colleen Parker, to call the Liquor License Commission to order. VOTING: unanimous (5-0); motion carried.

There were no announcements of conflict of interest.

MOTION by Colleen Parker, SECOND by Jaime Heins, to approve the 2nd Class Liquor License for Walgreens in Shelburne. VOTING: unanimous (5-0); motion carried.

MOTION by Colleen Parker, SECOND by Jaime Heins, to resume the Selectboard meeting. VOTING: unanimous (5-0); motion carried.

10. SAFETY EQUIPMENT GRANT APPLICATION

Joe Colangelo explained the 50/50 safety equipment grant application. The funds will be used to purchase LED warning lights on the garage bay door of the fire station.

MOTION by Colleen Parker, SECOND by Jaime Heins, to approve the safety equipment grant application for LED lights on the garage bay door of the fire station. VOTING: unanimous (5-0); motion carried.

11. LOAN FOR NEW MOWER FOR FIELD MAINTENANCE WORK

MOTION by Colleen Parker, SECOND by Jaime Heins, to purchase a HD Super Z mower from Spear Street Mower Specialties in the amount of \$11,332.50 financed at 0% through Sheffield Financial until September 2018 and then through the FY2018-2019 budget. VOTING: unanimous (5-0); motion carried.

12. PRIORITY ITEMS IDENTIFIED AT SELECTBOARD RETREAT

Josh Dein presented the list of items discussed at the Selectboard retreat separated into “categories” and “urgency to do/available resources” to help the Selectboard prioritize the items. The public is urged to submit additional topics for consideration. The list will be posted on the town website. The Selectboard will review and discuss the list at the first meeting in May.

13. LOCAL MATCH MONEY FOR VILLAGE TRANSPORTATION STUDY

There was discussion of the study cost of \$45,000 with a 20% local match (\$9,000). Josh Dein suggested the match money be directed toward the recommended changes put forth by the Traffic Safety Committee rather than paying for another village transportation study which could be included in next year’s budget. Colleen Parker noted some of the recommendation from the Traffic Safety Committee have been implemented and there are some issues. A balance is needed between what residents want and what the professionals are recommending, but the momentum of the safety group should be maintained and extended to all part of town. Joe Colangelo said there is money in the budget to enhance crosswalks and paint fog lines on the road. There is \$7,500 in the budget to go toward the planning study. Jerry Storey pointed out the study will be a boost to enhance safety in the entire village. Jaime Heins questioned what the study will show that is not already known and supported doing projects already identified and tabling the study.

Sean Moran, resident, urged the Selectboard to support identified projects.

Chris Boyd, resident, said pedestrian safety is the issue. Excessive speed is the cause of the problem. The root of the problem needs to be addressed and new technology employed to help the police catch speeders.

Following further discussion the Selectboard agreed to postpone action until the next meeting and research adjusting the study cost to existing match funds.

14. TOWN MANAGER SEARCH COMMITTEE

Jerry Storey read the mission statement of the search committee and the nomination of committee members. There was discussion of the number of committee members, ex officio members, defining the roles, and the number of candidates.

The following individuals were nominated for the search committee: Bob Marrow, Mark Sammut, Linda Riehl, Tom Murphy, Christina Querro, Bruce Lisman, Jane Zinoty, Amy Berger, Roger Price, Tim Pudvar.

MOTION by Jerry Storey, SECOND by Mary Kehoe, to approve the 10 nominees submitted by the Selectboard and the mission statement as amended to state that at least two and not more than five candidates will be identified, and further to approve Kathy Brooks as a member of the core group of three people and Ann Janda as one of the two ex officio members. VOTING: unanimous (5-0); motion carried.

15. EXECUTIVE SESSION

Contract with Interim Town Manager

Mary Kehoe said she thought the course of action with the interim town manager was a loan of Lee Krohn from Regional Planning or a 1099 arrangement rather than negotiating a contract under a time pressure. Josh Dein added what was discussed at the retreat is different from what is now being discussed, and there has been no discussion of process. Jerry Storey pointed out he and Jaime Heins were directed by the Selectboard to work out an agreement with Lee Krohn which was done with the Town Attorney. There can be further discussion of the contract in Executive Session. Jaime Heins recognized the concern expressed by Josh Dein and Mary Kehoe, but pointed out the Selectboard is under a time constraint.

Joe Colangelo noted the town has contracted with CCRPC in the past with the DRB Administrator position.

Lee Krohn said legal counsel advised that he take temporary leave from CCRPC and contract for the interim town manager position.

MOTION by Jaime Heins, SECOND by Colleen Parker, to find that premature disclosure of contract negotiations between the Selectboard and the interim town manager would place the board at a substantial disadvantage. VOTING: 4 ayes, one abstention (Josh Dein); motion carried.

MOTION by Jaime Heins, SECOND by Colleen Parker, pursuant to 1VSA313(a) to go into Executive Session for the purposes of discussing contract negotiations between the Selectboard and the interim town manager, and to invite the Town Attorney to attend. VOTING: 4 ayes, 1 abstention (Josh Dein); motion carried.

Executive Session was convened at 9:32 PM.

MOTION by Colleen Parker, SECOND by Jerry Storey, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (4-0) [Mary Kehoe not present for vote]; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 10:20 PM.

16. ACTION FOLLOWING EXECUTIVE SESSION

MOTION by Jaime Heins, **SECOND** by Colleen Parker, to approve the Interim Town Manager Employment Agreement between Lee Krohn and the Town of Shelburne subject to further negotiation of administrative issues.

DISCUSSION:

- Josh Dein said his previous comments have not changed.

VOTING: 3 ayes, one nay (Josh Dein) [Mary Kehoe not present for vote]; motion carried.

17. ADJOURNMENT

MOTION by Colleen Parker, **SECOND** by Jaime Heins, to adjourn the meeting.

VOTING: unanimous (4-0) [Mary Kehoe not present for vote]; motion carried.

The meeting was adjourned at 10:24 PM.

RecScty: MERiordan