

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
June 23, 2020**

***Meeting held via teleconference.**

MEMBERS PRESENT: Jerry Storey (Chair); Mike Ashooh, Mary Kehoe, Jaime Heins, Kate Lalley.
ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Chris Robinson, Water Quality Superintendent; Aaron Noble, Police Chief; Mike Thomas, Police Lieutenant.
OTHERS PRESENT: Members of the public participating in the meeting included Rep. Jessica Brumsted, Sally and David Conrad, Jim Proutt, Sally Andrews, Allyson Myers, Clare Schafford, Deanna Ryerson, Eileen Warner, Diane Riley, Anthony Seidita, Jane Rowell, Bob Lake, Neil Curtis, Jason Grignon.

1. CALL TO ORDER

Chair Jerry Storey called the teleconference meeting to order at 7 PM, explained the procedure to be followed, and held a roll call.

2. APPROVE AGENDA

MOTION by Jaime Heins, SECOND by Mike Ashooh, to approve the agenda as presented. VOTING by roll call (Kate Lalley not present for vote): unanimous (4-0); motion carried.

3. MINUTES

June 16, 2020

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the minutes of 6/16/20 as presented. VOTING by roll call (Kate Lalley not present for vote): unanimous (4-0); motion carried.

4. PUBLIC COMMENT

Rep. Jessica Brumsted announced this is the last week the House will be in session until the end of August and then will be working on the budget. There are COVID funds available and the legislature is working on disbursement.

Chris Robinson gave an update on the stormwater project on the South Burlington line which has been in the works since 2015. The town received a \$680,000 grant from the state for the project beginning July 15th to remove sediment and phosphorus from going into the lake.

Anthony Seidita, resident, asked when in-person meetings will resume. Jerry Storey said there is no plan to do in-person meetings in the near future.

5. SELECTBOARD COMMENTS

- Mike Ashooh spoke positively on the BLM march in Shelburne.
- Kate Lalley mentioned attending the BLM flag raising at the school.
- Jerry Storey mentioned the BLM event and celebration of Juneteenth and thanked the Farms for making property available for use.
- Jerry Storey said the Selectboard needs to outline a plan of action for regulatory reform.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- The Museum solar array is moving forward.
- Thanks were received from the Jehovah Witnesses for the Town's efforts to help the community through the pandemic.

7. POLICE DEPARTMENT POLICIES AND PROCEDURES

Police Chief, Aaron Noble, Police Lt. Mike Thomas, and Emergency Management Director, Bob Lake, reported on how the Police Department is addressing mental health issues and use of force on calls.

Deanna Ryerson, Howard Mental Health Director of Crisis, explained the community outreach program and partnering with area police departments. Seven towns are participating thus far. There are four specialists and one team lead for counselors. The program has been successful and the partnership is good. Much has been learned by both sides. Funding for the program is from the communities, UVM Medical Center, and the state Department of Health.

Mary Kehoe asked how mental health counselors are involved and if arrests and use of force have declined due to the program. Police Chief Noble said counselors are called in on mental health calls. Mental health calls do not usually result in arrests. The goal is to provide the individual with the services they need. Use of force has not been affected. There are few calls where use of force is needed.

Lt. Mike Thomas reviewed the policies in place for the police including no choke/neck holds, participation in de-escalation training, exhausting all options first and warning before shooting, banning shooting at a moving vehicle unless in a deadly force situation. A policy on duty to intervene is being drafted. All incidents are reported. Vehicles have cameras. Officers have worn body cameras for the past eight years. All videos are reviewed with use of force incidents and events are always evaluated and re-evaluated. The public is always invited to look at police policies. Comments and feedback from the community is encouraged.

There was a question about a community committee on policing and collecting data on the racial make up of traffic stops. Chief Noble said input and comment from the community is always welcome and the department does collect data on traffic stops. Shelburne Police is focused on diversity and equity. The department also keeps statistics

on calls and when social workers are involved. Officers will help the person in crisis if a social worker is not available. Deanna Ryerson said the social workers do proactive work and acute crisis intervention. It is hoped the proactive effort will avoid an acute situation.

8. WASTEWATER DEPARTMENT BUDGET

Water Quality Superintendent, Chris Robinson, said the budget shows the rate per gallon for septage increasing from 6.59 cents to 9 cents per gallon, and with some changes to the budget the sewer rate will increase 4.9% to \$13.94 per 1,000 gallons effective July 1st. The majority of the rate increase is due to payment on the 20-year loan for needed system upgrades.

There was discussion of the higher strength discharge from the Fiddlehead Brewery. The discharge costs more to process than residential discharge, and it is not fair for residents to pay the higher cost.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the Wastewater Budget as presented and note that the septage rate will increase from 6.5 cents to 9 cents per gallon. VOTING by roll call: unanimous (5-0); motion carried.

9. ROUTE 7 WASTEWATER COLLECTION SYSTEM UPGRADE

The Selectboard discussed the Town covering 25% of the cost for the additional capacity since the Town will benefit from the investment; in that scenario, system users would cover 75% of the cost. There was also discussion of the amount of the mitigation fee (\$3 or \$4) to be charged for any new connections within the mapped sewer district area in this part of Town (as shown in prior discussions).

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to authorize a wastewater collection system upgrade which is estimated to cost the town approximately \$314,000 and call for a \$4 per gallon per day mitigation fee for new users within the mapped sewer district area in this part of Town, and that this be a ballot item for a bond vote in November.

DISCUSSION:

- **A resident mentioned having a special assessment paid by users on top of the \$4 fee and the developer paying the connection fee until the bond is paid off and the town is paid back. Finance Director, Peter Frankenburg, said a mechanism is needed to keep the town whole in terms of paying its portion on the bond and the sewer fund paying its portion.**

VOTING by roll call: unanimous (5-0); motion carried.

10. TOWN MANAGER/SELECTBOARD GOALS & OBJECTIVES

Jaime Heins suggested the bike/ped safety objective should be included.

MOTION by Mary Kehoe, SECOND by Jaime Heins, to approve the Town Manager/Selectboard Goals & Objectives with the addition of the bike/ped safety objective as presented. VOTING by roll call: unanimous (5-0); motion carried.

11. INTEREST RATE FOR LATE PAYMENT OF FY21 PROPERTY TAXES
MOTION by Mary Kehoe, **SECOND** by Jaime Heins, to set the interest rate at 1% for late payment of FY21 property taxes.

DISCUSSION:

- Peter Frankenburg noted the town does not charge interest in the first month of delinquency, but does charge the 5% penalty per Charter.

VOTING by roll call: unanimous (5-0); motion carried.

12. PUBLIC HEARING: Proposed Zoning Amendments

MOTION by Mary Kehoe, **SECOND** by Kate Lalley, to resume the public hearing on proposed zoning amendments by the Planning Commission for adoption.

VOTING by roll call: unanimous (5-0); motion carried.

The public hearing was opened at 8:34 PM.

Lee Krohn summarized the proposal includes clarifying the definition of “subdivision”, changes to form-based zoning, and simplifying permits in the Design Review Overlay.

COMMENTS

Allyson Myers sought confirmation that the changes to form-based zoning would reduce building height and decrease density.

Residents of the Martindale neighborhood spoke on various issues, and asked that the vote on removal of the node at the Martindale intersection be delayed to allow time to gather more information from the neighborhood that will be impacted by the change and discuss alternatives.

MOTION by Mary Kehoe, **SECOND** by Kate Lalley, to continue the public hearing to the first Selectboard meeting in July (7/14/20), and to warn a separate public hearing on the “Martindale node/frontage zone” matter for 7/28/20.

DISCUSSION:

- Staff will prepare a motion to adopt the noncontroversial zoning changes.

VOTING by roll call: unanimous (5-0); motion carried.

13. ADJOURNMENT

MOTION by Jaime Heins, **SECOND** by Mary Kehoe, to adjourn the meeting.

VOTING by roll call: unanimous (5-0); motion carried.

The meeting was adjourned at 9:36 PM.

RScty by tape: MERiordan

For the Selectboard

Date