

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
September 4, 2018**

MEMBERS PRESENT: Jerry Storey (Chair); Colleen Parker, Mary Kehoe, Jaime Heins, Josh Dein.

ADMINISTRATION: Lee Krohn, Interim Town Manager; Peter Frankenburg, Finance Director; Ann Janda, Director of Administration; Chris Robinson, Water Quality Superintendent

OTHERS PRESENT: Tom and Sara Tompkins, Rosalyn Graham, Dr. Steve Bruce Metz, Robert Owens, Susan and Dave McLellan, Linda Riell, Lou Bergquist, Tom Zenaty, Thomas Murphy, Bruce Nunsiaata, Catherine Collette, Chris Davis, Mike Schramm, Joan Lenes, Jessica Brumsted, Tom DiPietro, Mike Donoghue (Shelburne News).

1. CALL TO ORDER

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

2. APPROVE AGENDA

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

3. APPROVE MINUTES

August 14, 2018

MOTION by Jaime Heins, SECOND by Josh Dein, to approve the minutes of 8/14/18 with the following correction(s)/clarification(s):

- **Liquor License Application, paragraph beginning “Jaime Heins...” – change “...completed application has been included” to “completed application with individual names for any corporate owner applicants had been included...”**

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

4. SELECTBOARD COMMENTS

- There was discussion of absences from Selectboard meetings and explanation that the Chair of the Selectboard was informed by Colleen Parker of anticipated absences. These absences were due to an unusual run of events. Ms. Parker stated that she anticipated greater consistency in her participation going forward.
- The Selectboard recognized the exceptional work that was done by all resulting in another successful Shelburne Day.
- The Selectboard publicly recognized the commitment by the volunteers in town serving on boards and committees while holding down full time jobs.
- The public was assured the Selectboard is focused on the issue of traffic incidents involving cars and bicyclists.

5. CITIZEN PARTICIPATION & PUBLIC COMMENT

Dr. Metz urge the town to contact John Welsh, retired police officer and crafter of the original bike ordinance in town, as a knowledgeable source of information about specific traffic problems and dangerous areas for bikes in Shelburne.

Tom Zenaty asked for an update on the analysis of the various town traffic studies. Lee Krohn said staff has not yet started the analysis, but will do so as soon as possible.

6. TOWN MANAGER REPORT

Lee Krohn reported:

- Community volunteers were thanked for the Shelburne Day celebration of community. Hopefully the Town will continue to go forward with the same spirit of community.
- The new library/town center project has begun and the site is active. The public is urged to avoid cutting through the area and to use the sidewalks instead for safety purposes.

7. CBC APPOINTMENTS

Dog Park Committee

MOTION by Mary Kehoe, SECOND by Josh Dein, to appoint Roz Graham to fill an unexpired term on the Dog Park Committee. VOTING: unanimous (5-0); motion carried.

Roz Graham spoke of her past involvement and continued interest in the dog park. It was mentioned the appointment is the first under the newly adopted CBC Appointment Policy.

8. STORM WATER ADVISORY COMMITTEE (SWAC) REQUEST FOR PUBLIC HEARING ON PROPOSED STORM WATER ORDINANCE AND FEE STRUCTURE

Ann Janda explained the reason and purpose of forming a storm water utility and drafting an ordinance. The town must meet mandates from the state to manage storm water and the state must meet mandates from the EPA. Chris Davis added the work of the SWAC has been going on for a while. In developing the storm water ordinance the committee looked at what other MS-4 towns have done and borrowed what would work in Shelburne.

The Selectboard wanted more information on administrative and tax impacts with the ordinance before the public hearing. Comments and questions on the proposed ordinance should be forwarded to Ann Janda. The Selectboard will discuss the information at the next meeting.

MOTION by Colleen Parker, SECOND by Jaime Heins, to warn a public hearing on September 25, 2018 on the proposed storm water ordinance and fee structure. VOTING: unanimous (5-0); motion carried.

Colleen Parker commented the burden of storm water is on towns bordering Lake Champlain when the burden should really be statewide. Rep. Jessica Brumsted said the state legislature and committees do talk about the burden of storm water on the state and towns. There are grant funds available so the state has a commitment and understands the difficulty for towns to meet the EPA requirements.

9. END OF FISCAL YEAR REVIEW, AUDIT RECOMMENDATIONS, AND REVIEW OF CONTRACT SERVICES

Finance Director, Peter Frankenburg, said the end of fiscal year budget numbers are still being finalized, but revenues are over expenses though there are still some anticipated adjustments. Mr. Frankenburg reviewed significant variances and offsets. Staff continues to work on implementing the recommendations in the audit.

COMMENTS

Dr. Metz commented on the legal fees incurred by the town being “murky” because it is not clear what is charged, what will be charged, and what has been charged. The legal team should do a plan for legal services so the town can understand what the charges will be and evaluate if the town is getting its money’s worth. Colleen Parker assured all bills are reviewed by staff and the designated Selectboard member before payment is made.

Thomas Murphy expressed concern about the number of litigations the town is involved in and the number of lawsuits that the town has lost.

There was discussion of managing and controlling legal expenses and other town contracted services. Mary Kehoe advised reviewing contracts with service providers and switching every five years is prudent and logical for the town. The Selectboard will be asking the new town manager about review of contracted services. The Selectboard discussed exploring other opportunities for legal services and discussing concerns with the current town attorney. Lee Krohn advised the town may want to revisit the town’s property/casualty/liability insurance coverage as well which is also a significant expense.

MOTION by Josh Dein, SECOND by Mary Kehoe, that the town begin evaluation of the provision of legal services and the mechanism by which legal services are solicited and the internal controls on soliciting legal advice which could potentially lead to a request for proposal for soliciting legal services, and include exploring the legal policy of other municipalities. VOTING: 3 ayes, 2 nays (Jaime Heins, Colleen Parker); motion carried.

MOTION by Mary Kehoe, SECOND by Jaime Heins, to review the current contractual relationship with VLCT PACIF and put them on notice that the town is reviewing and looking at possible other coverage. VOTING: unanimous (5-0); motion carried.

10. APPOINT AUTHORIZED REPRESENTATIVE FOR SHELBURNE 2018 BONDS FOR LIBRARY/TOWN CENTER PROJECT

MOTION by Jaime Heins, SECOND by Mary Kehoe, to appoint the Town Manager and Town Treasurer as the authorized representatives to submit requisitions to the Vermont Municipal Bond Bank for funds from the Town of Shelburne 2018 Series 2 bonds for the new library/town center project. VOTING: unanimous (5-0); motion carried.

11. CAPITAL EQUIPMENT NOTE – Highway Truck

MOTION by Jaime Heins, SECOND by Colleen Parker, to approve a one year capital equipment note in the amount of \$57,000 with Union Bank at a rate of 2.15% interest for financing a Highway Department truck purchased in 2016. VOTING: unanimous (5-0); motion carried.

12. PERSONNEL POLICY AND PURCHASING POLICY UPDATES

Ann Janda noted the following changes to the personnel policy:

- Add language pertaining to federal grants to the Conflict of Interest section
- Language was clarified in the Vacation and Sick Leave section
- Department Heads must submit vacation requests to the Town Manager.

The purchasing policy was amended to include the language pertaining to federal grants.

MOTION by Mary Kehoe, SECOND by Colleen Parker, to amend the personnel policy as presented (Sections 6.2, 8.3, 8.4). VOTING: unanimous (5-0); motion carried.

MOTION by Jaime Heins, SECOND by Colleen Parker, to amend the Town of Shelburne Purchasing Policy as presented (adding the same language as above pertaining to federal grants). VOTING: unanimous (5-0); motion carried.

13. VOTING DELEGATE FOR VLCT MUNICIPAL POLICY AT VLCT TOWN FAIR

MOTION by Jaime Heins, SECOND by Colleen Parker, to appoint Lee Krohn as the Shelburne voting delegate for VLCT municipal policy matters at the VLCT Town Fair. VOTING: unanimous (5-0); motion carried.

14. ROAD NAMES, DESAUTELS SUBDIVISION

MOTION by Colleen Parker, SECOND by Mary Kehoe, to approve the road names of “Finney Ridge” and “Scout Farm Road” for the roads in the Desautels subdivision off Pond Road. VOTING: unanimous (5-0); motion carried.

15. INFORMAL SELECTBOARD “LISTENING SESSIONS”

There was discussion of holding informal sessions with Selectboard members to hear concerns/comments from the public. Concern was expressed about the ramifications of formalizing the informal meetings. There is agreement the outreach is valuable. The Selectboard will discuss the issue further at a future meeting.

16. OTHER BUSINESS

The Selectboard will meet with the Planning Commission to discuss the town plan update on 9/25/18 at 6:00 PM.

17. ADJOURNMENT

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

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

The meeting was adjourned at 9:35 PM.

RecScty: MERiordan