

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
September 11, 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 Tompkins, Linda Riell, Chris Davis, Mike Schramm, Susan Moegenburg, Patricia Fontaine, Caroline Weaver, Michael Bazylewicz, Sue Berg, Doris Sage, Kevin Boehme, Judy Frazier, Lee Suskin, Ruth Hagerman, Tom DiPietro, Mike Ashooh, Tom Little, Juliana Dixon, Dick Elkins, Judy Raven, Mike Donoghue (Shelburne News).

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**1. CALL TO ORDER**

Chair Jerry Storey called the meeting to order at 7 PM and held a moment of silence for the suffering and loss 17 years ago on September 11, 2001.

**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**

*September 4, 2018*

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to approve the minutes of 9/4/18 as written. VOTING: unanimous (5-0); motion carried.**

**4. CITIZEN PARTICIPATION & PUBLIC COMMENT**

Ruth Hagerman, Library Board of Trustees, stated the library building demolition will begin next week, fund raising has produced \$300,000 which will be matched, and photos will be taken of the progress of the project and posted online.

Judy Frazier, resident and historian, expressed concern about the name of the library being changed to "Community Center" and respecting the history of the town office building and the library. Ruth Hagerman assured the name of the library will remain as Pierson Library.

**5. SELECTBOARD COMMENTS**

- Josh Dein mentioned the public records request he received for his personal emails pertaining to Vermont Railway. The request was forwarded to the Town Attorney for a response. [It was noted no other Selectboard members received a similar request.]
- Jerry Storey read the list of demands on the time of the Selectboard and Town Manager, noting the slate is full and there is need to economize time and energy.

- Mary Kehoe suggested adding the traffic issues that have been under discussion to the list of items.

## 6. TOWN MANAGER REPORT

Lee Krohn reported:

- Staff is working hard to keep the Falls Road sewer line project on track.
- Demolition of the library building is imminent. Work inside the building has been ongoing.
- Appointments to the town CBCs will be for three year terms per the new policy.
- Staff will provide further information at a future meeting on a grant funded project for storm water management that will require a bond vote on the November ballot.

## 7. CBC APPOINTMENTS

*Social Services Committee*

**MOTION by Josh Dein, SECOND by Jaime Heins, to appoint Patricia Fontaine to the Social Services Committee for a term starting immediately and ending 4/1/21.**

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

*Bike/Ped Paths Committee*

**MOTION by Colleen Parker, SECOND by Jaime Heins, to appoint Caroline Weaver to the Bike/Ped Paths Committee for a term starting immediately and ending 4/1/21. VOTING: unanimous (5-0); motion carried.**

## 8. CONFLICT OF INTEREST POLICY – Final Draft

Lee Suskin reported the final draft is a clear, concise ordinance that defines expectations for the ethical conduct of the town's officials and creates a simple mechanism for resolving complaints of unethical conduct. Mr. Suskin summarized the contents of the ordinance.

Mary Kehoe asked for explanation of the definition of conflict of interest when two public officials are members of the same board. Lee Suskin said the course of action is to decide if there is a need to recuse. Recusal is not automatic just because two public officials are on the same board.

Jaime Heins said more specificity on funding and the Ethics Committee spending allotted funds is needed. Lee Suskin said the ordinance enables the Ethics Committee to have funding.

The Town Attorney will review the ordinance before adoption by the Selectboard.

## 9. DRAFT STORM WATER ORDINANCE AND FEE STRUCTURE

Ann Janda explained Shelburne does not have the in-house resources for a storm water utility and has joined with South Burlington and the expertise of Tom DiPietro. Changes can be made in the future if this arrangement does not work out. A storm water fee will be assessed to each property owner in Shelburne. The fee is to maintain storm water

management systems and permits in town. There will be a flat rate for each single family dwelling. The storm water fee will be added to water and sewer bills. Public outreach will be done to explain the fee to property owners. Towns with MS-4 permits, like Shelburne, bear the burden of storm water management in the state.

Juliana Dixon gave an overview of the Blue Program, a storm water mitigation program that talks to landowners about water quality and mitigating storm water runoff from their property.

The Selectboard made the following comments on the ordinance:

- The fee must be equitable.
- It is important to communicate clearly with the community and keep the focus on the funding oriented ordinance.
- There is concern about restructuring the ordinance now after all the work that has been done. Amendments can be made when necessary.
- There is no need to rush the adoption of the ordinance only to amend in the future.
- Equity is an important issue as is keeping Shelburne affordable across the board. There is concern about creating a regressive tax (fee) without looking at other possibilities. More discussion is needed.
- Information can be provided at the public hearing on 9/25/18 on what was considered as the ordinance was crafted. A two tiered system for the town is good to consider.
- The fee is more equitable than adding the charge to the tax rate.

#### *COMMENTS*

Linda Riell, Falls Road, said her small house and driveway should not be compared to the very large single family houses with long driveways in town.

Dick Elkins, Falls Road, suggested the ordinance be adopted and next year determine how to constitute the fee base.

Judy Raven, Harbor Road, urged people to participate in the Blue Program to better understand the storm water issue.

Tom Tompkins, Falls Road, suggested tax exempt properties should pay a fee based on the value of their property.

#### **10. DRAFT CAPITAL IMPROVEMENT PLAN AND BUDGET REVIEW**

Finance Director, Peter Frankenburg, noted the following:

- Capital Improvement Plan (CIP) is updated each year and covers a six year timeframe.
- Over 100 projects are on the list, but only projects in Year 1 are funded, other projects are just a plan.
- The purpose of the CIP is to prioritize projects, help maintain a steady tax rate, and enable the town to charge impact fees for projects.

- The six year total of the CIP is projected at \$28.2 million. Projects include building upgrades/renovations, equipment purchases, bridge work, paving, sidewalk/path construction, traffic safety improvements, streetscape, and the new beach house.
- The Selectboard and Planning Commission review the list of projects in the CIP, a public hearing is held, and the Selectboard adopts the CIP.

The Selectboard suggested additions to the list of projects:

- Solar panels on the new town center project.
- Road shoulders on Bay Road. (Lee Krohn cautioned widening the road shoulders can be complex and costly.)
- Temporary speed humps (removed during winter plowing months).
- 3-D crosswalks.
- AV improvements to allow broader public access to meetings remotely.

#### **11. INFORMAL SELECTBOARD “LISTENING SESSIONS”**

There was discussion of determining the level of formality for the informal sessions and not violating the Open Meeting law. There was agreement members of the Selectboard should stay available to the public. Jerry Storey suggested meeting informally with the school to discuss common issues, such as safety, and having informal budget discussions in the fall to provide updates and answer questions.

#### **12. ADJOURNMENT**

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

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

The meeting was adjourned at 9:29 PM.

*RecScty: MERiordan*