

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
October 9, 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, Linda Riell, Lee Suskin, Tom DiPietro, David and Susan McLellan, Elke Bowman, Berenice Sarafzade, Mike Schramm, Chip Stulen, Chris Davis, Tom Denenberg, Tom Nold, Loren Barr, Joanna Watts, Bob Glover, Jessica Brumsted, Lauren Giannullo, John Day, Bob Owens, Mike Donoghue (Shelburne News).

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**1. CALL TO ORDER**

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

**2. APPROVE AGENDA**

*September 11, 2018*

**MOTION by Jaime Heins, SECOND by Colleen Parker, to approve the agenda with the amendments to postpone approval of the 9/11/18 minutes and add discussion of the Vermont Railway litigation in Executive Session. VOTING: unanimous (4-0) [Mary Kehoe not present for vote]; motion carried.**

**3. APPROVE MINUTES**

*September 25, 2018*

**MOTION by Jaime Heins, SECOND by Colleen Parker, to approve the minutes of 9/25/18 with the following correction(s)/clarification(s):**

- **Item #2, Minutes – correct deferral date for action on the 9/11/18 minutes to October 9, 2018.**
- **Item #8, Storm Water Fee, paragraph beginning “Chris Robinson...”, 4<sup>th</sup> sentence – insert “single family residential” before “fee”, and add a sentence reading: “Non-single family residential (NSFR) property owners can apply for a credit.”**
- **Item #11, Municipal Planning Grant – insert “Rural District” before “PUD typology”.**

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

**4. CITIZEN PARTICIPATION & PUBLIC COMMENT**

Linda Riell, Falls Road, requested a comparison of the speeding tickets issued on Falls Road before and after the speed limit change, and an update on the railroad litigation.

Lee Krohn gave a brief update on the library construction project (concrete to be poured).

**5. SELECTBOARD COMMENTS**

- Jerry Storey commented on his reaction to the Saturday Night Live skit that mentioned Vermont by saying racism is not funny or a joke.
- The Fire Department's annual pancake breakfast is at the community school.

**6. TOWN MANAGER REPORT**

Lee Krohn reported:

- The State of Vermont DEC did a sanitation survey of Shelburne's waste water system and found no deficiencies. Chris Robinson and staff are commended.

**7. SHELBURNE DOG PARK UPDATE**

The Dog Park Committee was not successful in finding a new location for the dog park in town and would like to work with the DEC to remain in the current location.

**8. ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION**

John Goodrich, Shelburne Fire, briefly explained the \$510,000 grant application for communications equipment and infrastructure upgrades to benefit Shelburne Fire and EMS. There is a 5% local match to the grant.

**MOTION by Colleen Parker, SECOND by Jaime Heins, to authorize the application for an Assistance to Firefighters Grant with a 5% match of \$25,500. VOTING: unanimous (5-0); motion carried.**

**9. APPOINTMENTS TO DRB**

The Selectboard interviewed John Day and Lauren Giannullo for positions on the Development Review Board.

**MOTION by Jaime Heins, SECOND by Colleen Parker, to appoint John Day to the DRB for a term beginning immediately and ending April 1, 2020, and to appoint Lauren Giannullo to the DRB for a term beginning immediately and ending April 1, 2019. VOTING: unanimous (5-0); motion carried.**

**10. CONTINUED PUBLIC HEARING: Storm Water Ordinance and Fee Structure**

Tom DiPietro reviewed the credits per the ordinance for non-single family residential properties (i.e. commercial, educational, agricultural properties). The credit cannot exceed 70%.

**COMMENTS**

Representatives from Shelburne Farms, Shelburne Museum, and Meach Cove Farms requested the Selectboard consider having a separate grouping for non-profit organizations, especially organizations that do not impact the town's storm water system. [Chris Robinson noted the storm water fee is to incentivize properties to do storm water mitigation.]

Loren Barr, representing his homeowners association, asked if the development's retention pond is eligible for a credit. [Tom DiPietro said the pond must meet state standards to receive a credit.]

Bob Glover, Acorn Lane, requested information on the revenue generated by single family homes versus non-single family residential properties. [Staff will provide the information.]

There were no further comments.

**MOTION by Jerry Storey, SECOND by Jaime Heins, to close the public hearing on the Storm Water Ordinance and Fee Structure. VOTING: unanimous (5-0); motion carried.**

The Selectboard discussed;

- Creating another quasi-judicial board for storm water and the composition of the membership.
- Appeals.
- Clearly specifying homeowner responsibilities and activities that require a storm water permit.
- Regressive flat fee.
- User fee credits.
- Clarifying the credit for institutions with educational programming.
- Timeframe for action.
- Storm water mitigation fees and opting out of mitigation.
- Staffing and administration of a storm water utility.
- Large non-profits incurring costs and impacts.
- Sending the ordinance back to the SWAC for further work and identifying July 1, 2020 as the adoption date for the ordinance.

## **11. CAPITAL IMPROVEMENT PLAN & BUDGET**

Finance Director, Peter Frankenburg, briefly reported on the six year Capital Improvement Plan (CIP) totaling \$30,182,349 with projects in the categories of General Fund, Storm Water, Water Fund, and Waste Water/Sewer. A project in the CIP is not guaranteed to be funded. Recent project additions include town computer server enhanced backup (\$6,000), Police/Dispatch building access and monitoring system (\$70,000), Rescue building improvements (\$170,000), paramedic equipment (\$55,000), emergency services facilities study, fire alarm panel \$15,000, concrete apron at the exit (\$25,000), radio communications upgrade (\$510,000 covered 95% by grant). Next steps are to review the prioritized list of projects, Planning Commission review of the CIP, public hearing and adoption by Selectboard on 11/14/18.

The Selectboard suggested reconfirming the list of storm water projects and traffic/safety improvements, adding a placeholder for unanticipated town hall items, broadening the facility study, and increasing funding for AV improvements in the meeting room.

**MOTION by Josh Dein, SECOND by Colleen Parker, to warn a public hearing on the Capital Improvement Plan and Budget for 11/14/18. VOTING: unanimous (5-0); motion carried.**

## **12. ORGANIZATIONAL IMPROVEMENT PLAN**

Ann Janda reviewed the town organizational chart and proposed staffing changes. Items for further discussion include:

- Efficient and economic staffing
- Management audits
- Outsourcing
- Succession planning
- Comparison to other like sized towns in Vermont

## **13. CONFLICT OF INTEREST ORDINANCE**

The Selectboard reviewed and discussed the changes to the ordinance proposed by Jaime Heins. Minor edits were made. The edits will be incorporated into the document for review at the next Selectboard meeting.

## **14. EXECUTIVE SESSION**

*Contract with AT&T*

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to find that premature public knowledge of contract negotiations with AT&T would place the town at a substantial disadvantage. VOTING: unanimous (5-0); motion carried.**

**MOTION by Mary Kehoe, SECOND by Jaime Heins, based on the finding of premature public knowledge of contract negotiations with AT&T placing the town at substantial disadvantage to go into Executive Session pursuant to 1VSA313.1.a (Contracts) to discuss a proposed lease amendment with AT&T for additional antennas on the south water tank, and to invite town staff and consultant(s) to attend. VOTING: unanimous (5-0); motion carried.**

Executive Session was convened at 11:02 PM.

**MOTION by Mary Kehoe, SECOND by Josh Dein, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (5-0); motion carried.**

Executive Session was adjourned and the regular meeting reconvened at 11:07 PM.

### *ACTION FOLLOWING EXECUTIVE SESSION*

**MOTION by Colleen Parker, SECOND by Josh Dein, to accept the lease amendment with AT&T to add three cell panels to the existing structure and accept the offer of \$700 per month increase in rent. VOTING: unanimous (5-0); motion carried.**

## **15. ADJOURNMENT**

**MOTION by Colleen Parker, SECOND by Josh Dein, to adjourn the meeting.  
VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 11:08 PM.

*RecScty: MERiordan*