



Town of Shelburne, Vermont

SELECTBOARD MEETING AGENDA
SHELBURNE TOWN OFFICES
5420 SHELBURNE ROAD
Tuesday, June 22, 2021

IN PERSON MEETING – ZOOM OPTION DETAILS BELOW

Join SELECTBOARD Zoom Meeting TUESDAY JUNE 22 7:00 P.M.

<https://us02web.zoom.us/j/89385461263?pwd=aXJMdU5lZW9wc21kdDBDVVdjYmRLQT09>

Meeting ID: 893 8546 1263

Passcode: JzrBd6

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 893 8546 1263

Passcode: 812641

Call to Order/Roll Call	7:00 P.M.
*Approve Agenda	7:00 P.M.
*Approve meeting minutes of June 8, 2021	7:00 P.M.
Public Comments	7:05 P.M.
Selectboard Comments	7:15 P.M.
Town Manager Report	7:20 P.M.
*Mask policy/use of Town facilities for meetings and events: update	7:25 P.M.
*Selectboard meetings going forward – in person; maintain Zoom; other?	7:35 P.M.
*Set due dates for property tax payments	7:45 P.M.
*Public Hearing: Towers/Telecommunications Ordinance	7:50 P.M.
*Update CBC appointment policy	8:00 P.M.

- | | |
|---|------------------|
| *Wastewater Department budget: review/adopt | 8:10 P.M. |
| *Appoint Authorized Representative re: Federal ARPA funds | 8:30 P.M. |
| *Executive Session: to discuss labor relations agreements with employees | 8:35 P.M. |
| *Adjourn | 9:00 P.M. |

Thank you.

*Decision item. Times noted are approximate, and depend upon how each topic's discussion flows.



Town of Shelburne, Vermont

SELECTBOARD MEETING AGENDA
SHELBURNE TOWN OFFICES
5420 SHELBURNE ROAD
Tuesday, June 22, 2021

IN PERSON MEETING – ZOOM OPTION CONTINUES; DETAILS BELOW

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Call to Order/Roll Call

7:00 P.M.

Please note at the outset: learning to manage these “hybrid” meetings will be a work in progress. We ask everyone to please be patient with us as we navigate this new terrain, blending Board, staff, and public participation both in person and remotely, and both technologically and procedurally.

***Approve Agenda**

7:00 P.M.

***Approve meeting minutes of June 8, 2021**

7:00 P.M.

Public Comments

7:05 P.M.

Selectboard Comments

7:15 P.M.

Town Manager Report

7:20 P.M.

***Mask policy/use of Town facilities for meetings and events: update**

7:25 P.M.

Please see below background update from VLCT. Short story: we can still require wearing a mask when entering Town buildings open to the public; that’s up to us. As you’ll recall, we recently amended our mask policy to require wearing a mask upon entering, and then left it to the persons meeting or working together to determine their own approach or comfort level with or without masks.

The question is whether to retain that initial requirement, or abandon it entirely, given the latest pronouncements. Of course, the latter does not preclude anyone from choosing to wear a mask for their own personal protection. Some municipalities may still require unvaccinated persons to wear masks; again, that's up to us.

However, any further mask mandate we might have adopted (which we did not – ours was only encouragement to other establishments) is now no longer in effect. Therefore, this second element is not anything we need to discuss.

Depending upon the Board's decision, a motion might be to keep the current mask policy in place; abandon the current mask policy (*attached*) in its entirety; or amend it some fashion (such as only requiring unvaccinated persons to wear masks when in Town buildings open to the public).

The other matter I thought appropriate to clarify with the Board is the official reopening of Town facilities for CBC meetings and other groups and events. While the Governor's recent rescission of the emergency order now allows events and gatherings as "normal", and prohibits CBCs from holding fully remote meetings any longer, it's time to clarify for the community our intent regarding use of Town facilities. It seems to me that under current circumstances, we should now be "open for business" in all respects for CBC meetings, gatherings, and events. See also the next agenda item.

Can we still require people to wear a mask when they enter the municipal office?

Yes. Under the municipal manager form of government, the manager has "charge and supervision of all public municipality buildings . . . unless otherwise provided for by the selectboard." 24 V.S.A. § 1236(4). Therefore, the municipal manager may make this decision unless the selectboard has made other arrangements. Alternatively, the selectboard could make this decision in those towns without the town manager form of government. Additionally, a selectboard or local public health officer may also issue a health order or emergency health order, respectively, to limit access to a municipality building in order to prevent, remove, or destroy any public health hazard or to mitigate a significant public health risk. 18 V.S.A. §§ 126(a), 127(a). In such an event, although we believe that municipalities could decline service to individuals who are not wearing a mask just businesses may, they would still have to provide an alternate way for those not wearing a mask to access their services, programs, and activities such as by offering on-line or curbside services, remote access, or other innovative solutions.

What happens to the public mask mandate we instituted?

It is repealed. The Governor's Executive Order authorized municipalities to "enact more strict local requirements regarding mask use than those set forth herein." Pursuant to Title 20, Section 16 selectboards have the authority to adopt, amend, and rescind such rules, orders, and regulations (e.g. ordinances, bylaws, etc.) as may be necessary for emergency management purposes, but only so long as they are consistent with those of the Governor or any state agency. 20 V.S.A. § 16. Without the State of Emergency in place, municipalities have no standalone authority to impose a mask mandate. Consequently, any local mask mandate that was in effect was effectively rescinded by operation of law once the Governor lifted the State of Emergency.

***Selectboard meetings going forward**

7:35 P.M.

Related to that last item, but more specifically for our Selectboard meetings, the essential questions are whether we will now meet fully in person as per prior 'normal' practice; and whether as requested by one resident, we will also continue to offer the Zoom option for remote participation. As has always been possible pre-pandemic, we are permitted to host remote meetings if they also include an in person public location option, with at least one board member or staff person present at that public location. Of course, previously, the best we could offer was a conference phone, which you may recall was a frustrating and unreliable approach. Tonight, we'll be testing a computer-based teleconferencing type device via Zoom that has been found elsewhere to provide a clear audio link on both ends. We'll see how it works here for us.

While we will soon have upgraded audio/visual technology in the main meeting room for benefit of all who are present in person, that doesn't address the "remote" option. The Zoom option relates to sorting out technical matters to facilitate remote participation, as we will test out at this meeting. While Zoom may indeed be helpful for Selectboard and DRB meetings/hearings, it's not yet clear whether it will be needed for remote participation at the wide array of other CBC meetings.

***Set due dates for property tax payments**

7:45 P.M.

Although frustratingly, we cannot get a clear, straight answer from the State regarding prebates, which affect calculation of property tax bills for a number of property owners, it appears that we will be able to set our due dates as usual, and may not need to delay the August installment as we had anticipated. Thus, we recommend setting the due dates for our three property tax installments per the proposed motion below. Note that August 17 is a bit unusual, but the normal due date of the 15th is on Sunday, and Monday the 16th is Bennington Battle Day, a State holiday.

MOTION: I move to set the due dates for property tax installments for fiscal year 2022 as follows – August 17, 2021, November 15, 2021, and March 15, 2022

Alternatively, if we learn differently from the State in the next few days, and if we then need to delay the first installment, then the following motion would be needed:

MOTION: I move to set the due dates for property tax installments for fiscal year 2022 as follows – September 15, 2021, November 15, 2021, and March 15, 2022

MOTION: I move to open the public hearing to consider amending the Town's Towers and Telecommunications Facilities Ordinance

Background: this hearing was warned for the sole purpose of transferring jurisdictional authority from the Planning Commission to the Development Review Board. Doing so requires just one change in Article IIIA on page 5, changing the name "Planning Commission" to "Development Review Board". Both the PC and DRB support this change, which makes sense, in that the DRB has already been long vested with the authority for all other development review in Shelburne.

If there is public comment that the entire Ordinance itself needs updating, as suggested previously, the answer is that we know this is needed, but that is a longer-term project for which we have already sought legal review. The change warned for tonight is a simple and sensible start.

MOTION: I move to close the public hearing.

MOTION: I move to adopt the amendment as presented, shifting jurisdictional authority from the Planning Commission to the Development Review Board in the Town's Towers and Telecommunications Ordinance.

***Update CBC appointment policy**

8:00 P.M.

Based on recent discussion, please see proposed language below from Chair Mike Ashooh to consider adding into the Selectboard's CBC Guidelines related to formation of new CBCs. The complete guideline document is attached, with this same draft language included at the end as Section IV so that it can all be reviewed in total context. Credit to Mike for drafting this; I think it offers a simple, clear approach to how a new CBC would be proposed and formed if found appropriate.

IV. Formation of a new standing CBC.

The following shall be the process for the formation of a new standing CBC:

1. On the occasion that the Selectboard, a resident, group of residents, or other legitimate town constituent wishes to form a new CBC for some purpose, such individuals shall first propose to the Selectboard, either in-person or in writing, such a CBC, together with a rationale and explanation for its need.
2. If the Selectboard supports the formation of the proposed CBC, the individuals proposing it shall craft, perhaps in consultation with the Selectboard, a remit or charter, which should address the goals, purpose and function of the new CBC, its membership, scope of duties and processes for meeting, and any other relevant information relevant to its goals and function.
3. Additionally, any need or request for staff support from the town should primarily be kept to a minimum, but if essential, explained and justified in the remit or charter.

4. The Selectboard shall then consider whether to approve the formation of the proposed committee and its remit or charter.
5. Subsequent to the formation of the committee, the Selectboard, those individuals sponsoring the proposal, or any members of the community with relevant interests, shall solicit membership on the newly formed CBC.
6. Membership on the newly formed CBC will then be vetted and considered as is standard for all CBCs; with an application to the new CBC, together with any relevant supporting material, which shall be reviewed and considered for appointment by Selectboard vote.

***Wastewater Department budget: review/adopt**

8:10 P.M.

Attached please find a brief background memo and draft budget for your review and consideration. Finance Director Peter Frankenburg and Water Quality Superintendent Chris Robinson will present and explain this proposed budget, which I think you will find straightforward.

***Appoint Authorized Representative re: Federal ARPA funds**

8:30 P.M.

As we get close to the time when we can request the first half of the federal funds flowing from the American Rescue Plan Act (ARPA), the Selectboard must appoint an 'authorized representative' to be the point person for the Town. Typically, this would be either Finance Director Peter Frankenburg or me; and if there is opportunity for an alternate, one of us would be the backup for the other. The authorized representative is for the process of procuring the funds and any other required reporting; it is not a person who would be making decisions for how these funds will be spent. We recommend that you appoint Finance Director Peter Frankenburg as the Town's authorized representative, with me as alternate if that option exists.

MOTION: I move to appoint Finance Director Peter Frankenburg as the Town's authorized representative in matters related to federal ARPA funds, with Town Manager Lee Krohn as alternate as may be appropriate or necessary.

***Executive Session: to discuss labor relations agreements with employees**

8:35 P.M.

MOTIONS

Motion 1: Pursuant to 1 VSA 313, I move to find that premature general public knowledge of labor relations agreements with employees would clearly place the Town at a substantial disadvantage.

Motion 2: Pursuant to 1 VSA 313, I move to enter executive session to consider labor relations agreements with employees, and to invite the Town Manager to participate.

***Adjourn**

9:00 P.M.

Thank you.

*Decision item. Times noted are approximate, and depend upon how each topic's discussion flows.

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
June 8, 2021**

***Meeting held via teleconference.**

MEMBERS PRESENT: Mike Ashooh (Chair), Kate Lalley, Jerry Storey, Luce Hillman, Cate Cross.

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Chris Robinson, Water Quality Superintendent; Diana Vachon, Town Clerk.

OTHERS PRESENT: Members of the public participating in the meeting included Scott (Media Factory), Susan McLellan, Don Porter, Gail Albert, Jane and Tom Zenaty, Tom Tompkins, Patricia Fontaine, Bill Deming, Christine Haines, Joyce George, Nicci Micco, Maura O'Neill, Mike Donahue, Tom Karlhuber, Ken Scott, Yasamin Gordon, Jeanne Kaczka-Vailliere.

1. CALL TO ORDER

Chair Mike Ashooh called the teleconference meeting to order at 7 PM.

2. APPROVE AGENDA

MOTION by Cate Cross, **SECOND** by Kate Lalley, to approve the agenda as presented. **VOTING** by rollcall: unanimous (5-0); motion carried.

3. MINUTES

May 25, 2021

MOTION by Cate Cross, **SECOND** by Kate Lalley, to approve the minutes of 5/25/21 with the attachment of the statement read by Cate Cross under "Selectboard Comments" at the 5/11/21 meeting. **VOTING** by rollcall: unanimous (5-0); motion carried.

4. PUBLIC COMMENT

None.

5. SELECTBOARD COMMENTS

- Jerry Storey thanked Ernie Goodrich and crew for the care of the cemetery, and thanked the Veterans Memorial Committee for the Memorial Day Celebration at the Veterans Memorial, and thanked all who commented on the service by Jerry Storey on the Selectboard and as Selectboard Chair.
- Kate Lalley mentioned Shelburne has an 81% vaccination rate to date.
- Cate Cross spoke in support of the law on mail-in ballots for the General Election and the report from the Secretary of State on mail-in ballots for municipal elections.
- Mike Ashooh mentioned the Memorial Day Celebration and honoring of Sam Feitelberg. Mike Ashooh also mentioned Selectboard meeting protocol and suggested

the Selectboard test out collectively agreeing or voting to extend the time set for each agenda item before amending the Selectboard Rules of Procedure.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- Gratitude is extended to the Veterans Memorial Committee for the Memorial Day Celebration.
- Pierson Library received another “Public Places Award”.
- Expanding mail-in voting opportunity is good, but does create a significant workload and expense for municipalities.
- Healthy Living option on the purchase of Lots 6 & 6A has been extended to November 2021. Upgrade of the sewer line on Route 7 will begin in June.

7. EQUITY/DIVERSITY UPDATE

MOTION by Cate Cross, SECOND by Kate Lalley, to adopt the EDTF draft proposal response, dated May 24, 2021. VOTING by rollcall: unanimous (5-0); motion carried.

MOTION by Cate Cross, SECOND by Kate Lalley, to approve the appointment of Jennie Hoenigsberg, Sue Furry-Irish, and Erika Lea to the EDC for one-year terms beginning immediately and ending April 1, 2022. VOTING by rollcall: unanimous (5-0); motion carried.

MOTION by Cate Cross, SECOND by Kate Lalley, to approve the appointment of Joshua Flore, Patricia Fontaine, and Marcela Pino to the EDC for two-year terms beginning immediately and ending April 1, 2023. VOTING by rollcall: unanimous (5-0); motion carried.

There was discussion of the proposed application form for the EDC. Mike Ashooh said his understanding is the form is to be presented to the Selectboard by applicants for consideration of appointment to the committee. At some point the EDC may want to rewrite the CBC application form to reflect more diversity and equity. The Selectboard agreed the EDC can print and distribute the form which was offered to be funded by an anonymous donor. Jerry Storey expressed concern about a donation to a Town committee by an outside source, and suggested any funding for the committee should be Town money or the anonymous donor should be identified. Staff will further research this matter.

8. CURRENT EVENTS UPDATE

Farmers Market

Jeanne Valliere, Shelburne Farmers Market Manager, reported two markets have been held to date at the Palmer property and both were successful. There was discussion and support expressed by the Selectboard and members of the public to return the Farmers Market back to the center of Town. The Palmers were acknowledged for their generosity.

No Mow May

Mike Ashooh reported both positive and negative feedback was received on the mowing endeavor. Many residents were not able to postpone mowing for an entire month, given the extreme growth that occurred this year. There are other ideas that could be considered instead of having lawn, such as pollinator gardens, for example.

9. CBC APPOINTMENT(S)*Shelburne Natural Resources Committee*

The Selectboard interviewed Christine Haines for a position on the Shelburne Natural Resources Committee. Ms. Haines explained her interest in getting involved in the town and applying her background in Environmental Chemistry (focus on water quality).

MOTION by Kate Lalley, SECOND by Jerry Storey, to appoint Christine Haines to the Shelburne Natural Resources Committee to fill the position held by Peg Rosenau beginning immediately and ending April 1, 2023. VOTING: unanimous (5-0); motion carried.

10. STORMWATER UTILITY IMPLEMENTATION UPDATE

Water Quality Superintendent, Chris Robinson, gave an overview of stormwater management in Town and the establishment of the stormwater utility and user fees. The utility and ordinance go into effect July 1, 2021 and billing will begin in the fall.

Gail Albert, Shelburne Natural Resources Committee, urged conserving forest lands which greatly mitigate stormwater runoff.

Don Porter, Shelburne Finance Committee, noted capital costs for stormwater management are out ten years and user fees may cover the capital costs.

Luce Hillman pointed out the budget will need to be adjusted for legal costs associated with easements.

11. PROPERTY TAX DUE DATES; LATE PAYMENT RATES

Lee Krohn reported clarification from the state is needed on property tax “prebates” so staff suggested that the due dates be postponed to the next meeting. Penalty and interest for late payment is suggested at 5% (per Charter) and interest accrual at 1.5% per month (the maximum per Charter). The penalty for late filing of the Homestead Declaration is suggested at 3% of the school tax, as allowed per statute.

MOTION by Jerry Storey, SECOND by Kate Lalley, to set the late payment of property taxes at 5% and the interest rate to accrue on unpaid taxes at 1.5% per month, and further, to set the penalty for late filing of the Homestead Declaration at 3% of the school tax. VOTING by rollcall: unanimous (5-0); motion carried.

12. SELECTBOARD GUIDELINES FOR ESTABLISHING A NEW CBC

Mike Ashooh suggested a three-step process to create a new CBC and then following established protocol once a committee is formed. Consideration of any impact on Town staff must be included (i.e. staff support of a committee once it is formed). Clarification is needed on whether subcommittees go through the CBC process. Mike Ashooh will draft language for consideration at the next meeting.

13. EXECUTIVE SESSION: Labor Relations

MOTION by Jerry Storey, SECOND by Luce Hillman, pursuant to 1 VSA 313 to find that premature public knowledge of labor relation agreements with employees would clearly place the town at a substantial disadvantage. VOTING: unanimous (5-0); motion carried.

MOTION by Jerry Storey, SECOND by Kate Lalley, pursuant to 1 VSA 313 to enter Executive Session to consider labor relations agreements with employees and invite the Town Manager to attend. VOTING: unanimous (5-0); motion carried.

Executive Session was convened at 8:51 PM and adjourned at 9:17 PM.

14. ADJOURNMENT

With no further business and without objection the meeting was adjourned at 9:18 PM.

RScty by tape: MERiordan

For the Selectboard

Date

NEW MASK POLICY
ADOPTED BY THE SHELBURNE SELECTBOARD
MAY 25, 2021

Town staff and members of the public shall wear masks/face coverings upon entering Town buildings or facilities that are open to the public. Upon confirmation of vaccination status and/or mutual levels of comfort, then upon mutual agreement, masks may be removed when working in close proximity. If mutual agreement is not reached, then both parties should continue to remain masked. Staff need not continue to wear masks when working alone.

State and CDC guidelines may be followed for outdoor gatherings or events.

Private business establishments may set their own policies and guidelines as they see fit.

Individuals may take whatever precautions they feel are appropriate for their personal circumstances.

TOWN OF SHELBURNE COMMISSION, BOARD AND COMMITTEE APPOINTMENT PROCEDURES

I. Purpose:

The purpose of this policy is to standardize procedures and qualifications for application to, and appointment of, individuals by the Selectboard to Town Commissions, Boards and Committees (CBCs).

II. Procedures:

A. Standing Commissions, Boards and Committees (CBCs) and subcommittees thereof

These procedures for appointment shall apply standing Town Commissions, Boards and Standing Committees (CBCs), including subcommittees thereof, established by the Selectboard and to which the Selectboard is authorized to appoint members per statute or Charter.

B. Ad Hoc, Pro Tempore, other impermanent and advisory bodies to the Selectboard, and external agencies

These procedures shall apply to Ad Hoc, Pro Tempore, other impermanent and advisory bodies the Selectboard may establish and appoint membership, and to appointments to external agencies as practicable.

C. Categories of appointment

1. Regular, 3-year term, voting
2. Ex Officio, indefinite term, non-voting, restricted to Selectboard members, the Town Clerk and Treasurer, Town staff, and contractors
3. Emeritus, indefinite term, non-voting in recognition of prior service on the same CBC.
4. Emeritus pro tempore, temporary, non-voting, by special Selectboard assignment
5. Pro tempore, temporary, voting in the circumstances of a CBC unable to conduct regular business

D. Eligibility for Appointment

1. Adult (Non-Student) Applicants for appointment to CBCs shall be either:
 - i. A resident of Shelburne;
 - ii. An owner of a Shelburne-based business;
 - iii. A landowner in Shelburne;
 - iv. An authorized representative of a business or landowner in Shelburne; or
 - v. A person with specific expertise in the subject matter over which the CBC has jurisdiction whether or not such applicant meets any of the above three criteria,

2. Student Applicants:

- i. High School students may apply for seats on CBCs. These seats shall be non-voting;
- ii. Students of families residing in Shelburne shall be given preference.
- iii. Student-members must comply with § III of this Rule.

D. Reappointment of CBC Members

1. Current CBC members who wish to be reappointed, are recommended for reappointment by the relevant chairperson, and who are judged by the Selectboard to be members in good standing may be reappointed by the Selectboard for an additional term in the following manner:

- i. The Selectboard shall seek feedback from the CBC chairperson, other CBC members, and relevant Town staff in determining whether a serving member is in good standing;
- ii. In the case of a chairperson seeking re-appointment, the Selectboard shall seek feedback from the CBC vice-chair, other CBC members and relevant Town staff; and
- iii. "Good standing" shall mean the serving member contributes to CBC goals and effective operation; maintains an annual attendance level of at least 75% at meetings (unless otherwise excused for personal or professional reasons); and conducts her- or himself throughout CBC activity in a respectful, collaborative manner.

E. Vacancies

1. A person appointed by the Selectboard to a CBC vacancy that occurs prior to expiration of the incumbent's term shall serve for the remainder of that term and shall be eligible for reappointment.

2. The process for Selectboard appointment of a person to a CBC vacancy shall be the same as appointment as described in § II(F)(2) of these Procedures.

F. Appointment Process

1. Current CBC Members

- i. Prior to advertising an open CBC position, the Town Manager shall contact all CBC members whose terms are expiring within nine months regarding their intention to seek reappointment.

ii. Current CBC members seeking reappointment will notify the Town Manager no later than September 1.

iii. Upon receiving an application, the Town Manager will forward it to the appropriate CBC Chair or Vice-Chair, as the case may be, for review pursuant to § II(D)(1) above.

iv. The Selectboard will review reappointments during the month of October and consider such reappointments based on the criteria referenced in § II(D)(1) above.

2. Vacancies

i. Vacancies remaining after the reappointment process shall be advertised by November 1. Vacancies will be advertised to the community via print media, social media, and the Town website.

ii. Persons interested in a CBC vacancy must submit a written application on a form for that purpose available from the Town Manager. Applications will be due to the Town Manager by December 1 of each year.

iii. Upon receiving an application, the Town Manager shall forward same to the appropriate CBC chair. The Chair is encouraged to contact the applicant to discuss the work of the CBC and to learn more about the applicant. The Town Manager will seek feedback from the Chair prior to routing the applicant's application to the Selectboard.

iv. The Town Manager will route all applications to the Selectboard, together with CBC feedback on or before January 1 each year.

v. The Selectboard will interview all CBC applicants in the months of January and February. CBC appointments must be completed by the last day of February of each year.

3. Interviews

All interviews for, and deliberations related to, those interviews will be conducted in open session. The Selectboard may enter executive session only per authority granted by statute.

4. Prior Applicants

In seeking to fill CBC vacancies and appointments, the Town Manager is authorized to contact prior applicants who were not previously appointed to alert them of the vacancy or opening.

H. Terms:

The term of appointment for each CBC position shall be three years.

III. Expectations for CBC Member Service

A. Expectations for performance of CBC duties:

It is expected that members, including student members, shall:

1. attend at least 75% of all meetings meetings (unless otherwise excused for personal or professional reasons);
2. make demonstrable contributions to the stated mission of the CBC;
3. respect fellow members; and
4. conduct themselves at meetings and public appearances of the CBC in a fair and courteous manner.

B. Removal:

With the exception of Planning Commissioners, who may only be removed prior to expiration of their term by unanimous vote of the Selectboard pursuant to 24 V.S.A. § 4323a, CBC appointees serve at the pleasure of the Selectboard, which may remove them by majority vote for reasons which include, but are not limited to, the following:

1. Excessive absence from CBC regularly scheduled meetings, specifically absence from more than 25% of such meetings in any 12-month period meetings (unless otherwise excused for personal or professional reasons).
2. Non-performance or other misconduct, including violation of the Town's Conflict of Interest Ordinance.

C. Duty to Acknowledge Ethics Ordinance:

CBC appointees shall acknowledge receiving and reading the Town's Ethics Ordinance, to which their service is subject, at the time of appointment and shall commit to such aspirational standards of behavior as may be adopted for Town volunteers as a matter of Town policy.

IV. Formation of a new standing CBC.

The following shall be the process for the formation of a new standing CBC:

1. On the occasion that the Selectboard, a resident, group of residents, or other legitimate town constituent wishes to form a new CBC for some purpose, such individuals shall first propose to the Selectboard, either in-person or in writing, such a CBC, together with a rationale and explanation for its need.
2. If the Selectboard supports the formation of the proposed CBC, the individuals proposing it shall craft, perhaps in consultation with the Selectboard, a remit or charter, which should address the goals, purpose and function of the new CBC, its membership, scope of duties and processes for meeting, and any other relevant information relevant to its goals and function.
3. Additionally, any need or request for staff support from the town should primarily be kept to a minimum, but if essential, explained and justified in the remit or charter.
4. The Selectboard shall then consider whether to approve the formation of the proposed committee and its remit or charter.
5. Subsequent to the formation of the committee, the Selectboard, those individuals sponsoring the proposal, or any members of the community with relevant interests, shall solicit membership on the newly formed CBC.
6. Membership on the newly formed CBC will then be vetted and considered as is standard for all CBCs; with an application to the new CBC, together with any relevant supporting material, which shall be reviewed and considered for appointment by Selectboard vote.

As approved by the Shelburne Selectboard on August 14, 2018
Amended/updated by the Shelburne Selectboard on March 23, 2021

To: Selectboard

From: Lee Krohn, Chris Robinson, Peter Frankenburg

Date: 18-Jun-21

Re: Proposed FY 2021-22 Wastewater Budget

We have attached the proposed FY 2021-22 Wastewater (Sewer) budget to be considered for approval at the June 22nd Selectboard meeting. This budget includes the period from July 1, 2021 to June 30 2022. New user fees will take effect with the August 2021 quarterly billing.

The proposed budget of \$2,169,603 is a 3% increase and requires a user fee increase of \$0.18/000 gallons or 1.3%. This would result in an increase of \$13/year (from \$976/yr to \$989/yr) for a customer using 70,000 gallons per year and an increase of \$3.60/year (from \$279/yr to \$282/yr) for a customer using 20,000 gallons per year.

Items in the budget:

- The department charges \$0.09/gallon to septage haulers who transport septage from properties with septic tanks to the Shelburne treatment plant for disposal. This is budgeted to bring in \$95,000 in FY 2021-22.
- The budget includes \$10,000 in grant funding for the Plant consolidation project, which includes design work associated with the planned consolidation of the two treatment plants into one location at some time in the future.
- The department is staffed by 5 full time employees. Salaries and benefits are budgeted to increase by \$22,200 or 4.4% in the new fiscal year.
- Sludge disposal costs, paid to Chittenden Solid Waste District are increasing by 4.4%
- Debt payments increased by \$4,950 or 0.8%
- The Route 7 sewer line improvement project approved by voters last year will take place in the new budget year. The cost of this project was intended to be paid from the Town Budget and Sewer budget. However we will determine whether this project can be funded from the anticipated COVID Stimulus grant funds.
- A portion Chris Robinson's wages will be paid from the Storm water fund as a result of his duties as both the Wastewater Superintendent and Storm Water Superintendent.

**SHELBURNE WASTEWATER BUDGET
DRAFT BUDGET FISCAL YEAR 2021-22**

**SUMMARY PAGE
JULY 2021 TO JUNE 2022**

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Actual	FY 2021 Budget	FY 2022 Budget	FY 2022 Incr (Decr)	% Change
1 REVENUES:								
2 User Fees	\$1,801,191	\$1,787,127	\$1,811,083	\$1,751,596	\$1,871,122	\$1,908,593	37,471	2.0%
3 Transfer from Sewer Capacity Fnd.	\$5,000	\$0	\$0	\$0	\$40,000	\$0	(40,000)	
4 Shelb. Hts. Assessmt	35,118	35,118	35,581	35,118	35,581	34,656	(925)	-2.6%
5 Applied Fund Balance							0	
6 Other	122,627	144,331	131,443	174,567	159,205	226,355	67,150	42.2%
7								
8 Total Revenues	<u>\$1,963,936</u>	<u>\$1,966,575</u>	<u>\$1,978,107</u>	<u>\$1,961,281</u>	<u>\$2,105,908</u>	<u>\$2,169,603</u>	<u>63,696</u>	<u>3.0%</u>
9								
10 EXPENSES:								
11 Chemicals	61,196	52,372	56,100	54,077	56,400	59,000	2,600	4.6%
12 Electricity	194,046	201,431	211,430	202,135	214,515	218,548	4,034	1.9%
13 Prop/Liab. Insurance	65,254	68,179	58,000	56,000	60,800	63,740	2,940	4.8%
14 Lab & Testing Expense	23,821	22,505	26,000	26,865	27,000	27,500	500	1.9%
15 Misc. Expense	2,694	2,942	3,000	2,972	3,000	2,500	(500)	-16.7%
16 Plant Maintenance	82,549	101,320	106,500	96,335	100,500	97,000	(3,500)	-3.5%
18 SCADA System Maint.	2,290	714	25,000	29,227	5,000	5,000	0	0.0%
19 System Maintenance	46,184	62,442	70,000	70,884	75,000	75,000	0	0.0%
20 Collection System Impr.	23,785	44,036	50,000	18,002	50,000	50,000	0	0.0%
21 Sludge Disposal	86,059	89,573	75,000	89,051	80,000	90,000	10,000	12.5%
22 Utilities (excl.-electric)	36,215	36,698	33,125	34,290	34,000	36,000	2,000	5.9%
23 Professional Svs.	80,233	20,713	48,900	150,338	53,000	66,000	13,000	24.5%
24 Debt Payments	582,922	580,749	582,799	579,531	702,916	707,866	4,950	0.7%
25 Safety Equipment	2,225	1,983	2,200	3,790	2,000	2,000	0	0.0%
26 Training/Travel	1,214	1,352	3,000	1,288	1,500	1,000	(500)	-33.3%
27 Truck Expense	5,709	6,895	10,000	6,402	8,500	7,900	(600)	-7.1%
28 Office/Computer Exp.	6,308	4,752	5,800	6,049	5,800	5,500	(300)	-5.2%
29 Admin. Expense	61,506	62,459	64,853	64,853	66,888	68,767	1,879	2.8%
30 Salaries & Overtime	333,359	352,873	353,807	351,384	362,165	372,811	10,646	2.9%
31 Employee Benefits	121,429	129,704	142,594	134,977	146,925	158,472	11,547	7.9%
32 Transfer to Cap Imp. Fund	50,000	50,000	50,000	50,000	50,000	55,000	5,000	10.0%
33								
34 Total Expenses	<u>\$1,868,999</u>	<u>\$1,893,693</u>	<u>\$1,978,107</u>	<u>\$2,028,447</u>	<u>\$2,105,908</u>	<u>\$2,169,603</u>	<u>63,695</u>	<u>3.0%</u>
35								
36 Revenue - Expenses	<u>\$94,937</u>	<u>\$72,883</u>	<u>\$0</u>	<u>(\$67,167)</u>	<u>\$0</u>	<u>\$0</u>		
37								
38 VOLUMES (000 Gallons)	134,386	136,000	136,000	134,000	136,000	135,000	(1,000)	-0.7%
39								
40 Rate (\$/000 gallons)		<u>\$13.15</u>	<u>\$13.29</u>	<u>\$13.29</u>	<u>\$13.94</u>	<u>\$14.12</u>	\$0.18	1.3%
% Rate Increase		0.0%	1.1%		4.9%	1.3%		
Outside Septage Rate (\$/Gal.)					\$ 0.090	\$ 0.090		

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Actual	FY 2021 Budget	FY 2022 Budget	FY 2022 Incr. (Decr)	% Change
1 REVENUE CATEGORIES:								
2 User Fees	1,801,191	1,787,127	1,811,083	1,751,596	1,871,122	1,908,593	37,471	2.0%
3 High Strength Influent				7,609	7,600	1,500	(6,100)	-80.3%
4 Interest/Penalties	16,047	17,401	18,000	21,623	19,500	19,500	0	0.0%
5 Outside Septage	85,467	87,068	70,000	94,701	87,500	95,000	7,500	8.6%
6 Grant Revenue						10,000	10,000	
7 Inspection Fees	475	150	700	1,200	1,250	1,200	(50)	-4.0%
8 Other Income	4,282	5,873	100	6,151			0	
9 Insurance Claims		11,155		638			0	
10 Trsf. From Sewer Capac.	5,000				40,000		(40,000)	
11 Trsf Fr. Stormwtr Fnd (Stormwtr. Supt.)	10,000	16,328	36,288	36,289	37,000	92,800	55,800	150.8%
12 Shelburne Hts. Spec. Assmt.	35,118	35,118	35,581	35,118	35,581	34,656	(925)	-2.6%
13 Bay Road Spec. Assmt.	6,355	6,355	6,355	6,355	6,355	6,355	0	0.0%
14 Vehicle/equipment sales								
15 Total Revenues	1,963,936	1,966,575	1,978,107	1,961,281	2,105,908	2,169,603	63,696	3.0%
16 EXPENSE CATEGORIES:								
17 Administrative Expense								
18 Admin. Expense	45,106	46,459	47,853	47,853	49,288	50,767	1,479	3.0%
19 Meter Reading Contr.	16,400	16,000	17,000	17,000	17,600	18,000	400	2.3%
20								
21 Sub-Total Admin. Expense	61,506	62,459	64,853	64,853	66,888	68,767	1,879	2.8%
22								
23 Chemicals								
24 Chlorine	1,969	2,772	2,600	3,096	2,900	3,000	100	3.4%
25 Alum	6,409	11,001	12,000	9,892	12,000	15,000	3,000	25.0%
26 PAC	21,398	14,976	15,000	15,802	15,000	11,000	(4,000)	-26.7%
27 Dechlorination	2,585	2,278	2,500	3,549	2,500	3,000	500	20.0%
28 Polymer	28,835	21,345	24,000	21,737	24,000	27,000	3,000	12.5%
29								
30 Sub-Total Chemicals	61,196	52,372	56,100	54,077	56,400	59,000	2,600	4.6%
31								
32 Electricity								
33 Plant 1 (Crown Rd)	63,831	66,285	69,200	70,173	71,274	75,871	4,597	6.4%
34 Plant 2 (Turtle Ln.)	97,245	104,167	108,600	81,288	108,600	87,888	(20,712)	-19.1%
35 Greenbacker Solar Array				15,512		16,772	16,772	
36 Bay Road PS	1,067	1,051	1,300	1,227	1,339	1,327	(12)	-0.9%
37 LongMeadow PS	2,617	2,419	2,400	2,438	2,472	2,636	164	6.6%
38 Shoreline PS	11,384	9,803	9,900	11,268	10,197	12,183	1,986	19.5%
39 Route 7 PS	4,760	4,349	5,000	5,840	5,150	6,314	1,164	22.6%
40 Falls Rd. Cem. PS	2,693	2,625	3,000	2,830	3,090	3,060	(30)	-1.0%
41 Falls Rd. Brdg PS	1,226	1,483	1,600	1,379	1,648	1,491	(157)	-9.5%
42 EJ Stn. Champlain Dr.	331	611	600	311	618	336	(282)	-45.6%
43 EJ Stn. Clearwater So	499	297	400	368	412	398	(14)	-3.4%
44 EJ Stn. Clearwater No	272	295	350	473	361	512	151	41.9%
45 EJ Stn. Windmill Bay	347	602	700	767	721	829	108	14.9%
46 EJ Stn. Pine Haven So.	449	262	300	275	309	298	(11)	-3.7%
47 EJ Stn. Pine Haven No.	799	642	700	762	721	824	103	14.3%
48 Bostwick Rd. PS	633	707	750	779	773	842	69	9.0%
49 Webster Rd. PS	1,295	1,131	1,300	1,247	1,339	1,348	9	0.7%
50 Spr St/Maeck Fm PS	1,319	1,263	1,400	1,222	1,442	1,321	(121)	-8.4%
51 Stonegate PS	521	487	550	623	567	673	107	18.8%

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Actual	FY 2021 Budget	FY 2022 Budget	FY 2022 Incr. (Decr)	% Change
1 Dept. 313 Plant Maintenance & Imp.								
2 Equipment Maint.	66,912	64,977	80,000	77,108	75,000	75,000	0	0.0%
3 UV bulbs & filters	0	11,715	12,000	7,860	12,000	8,000	(4,000)	-33.3%
4 General Upkeep	7,781	5,320	6,000	3,192	5,000	5,000	0	0.0%
5 Trash/Grit Removal	6,422	5,987	7,000	6,599	7,000	7,500	500	7.1%
6 Centrifuge Maint.	1,435	13,321	1,500	1,575	1,500	1,500	0	0.0%
7 Capital Improvements								
8 Sub-Total, Plant Maintenance	82,549	101,320	106,500	96,335	100,500	97,000	(3,500)	-3.5%
9								
10 Dept. 318 SCADA System								
11 Computer Replacement			0		0	0	0	
12 SCADA System Maint	2,290	714	25,000	29,227	5,000	5,000	0	0.0%
13 Sub-Total, SCADA System Maint.	2,290	714	25,000	29,227	5,000	5,000	0	0.0%
14								
15								
16 Dept. 325 System Maint/Improvements								
17 Collect. System Maint.	23,448	38,979	40,000	25,767	40,000	40,000	0	0.0%
18 Pump Station Maint.	22,736	23,463	30,000	45,117	35,000	35,000	0	0.0%
19 Capital Improvements	23,785	44,036	50,000	18,002	50,000	50,000	0	0.0%
20 Trsf. To Cap. Impr. Fund	50,000	50,000	50,000	50,000	50,000	55,000	5,000	10.0%
21 Infiltration/Inflow study							0	
22								
23 Sub-Total, Syst Maint/Improvements	119,969	156,478	170,000	138,886	175,000	180,000	5,000	4.0%
24								
25 Dept. 324 Sludge Disposal								
27 Sludge Transportation	2,640							
28 Sludge Disposal	83,419	89,573	75,000	89,051	80,000	90,000	10,000	12.5%
29								
30 Sub-Total Sludge Disp.	86,059	89,573	75,000	89,051	80,000	90,000	10,000	12.5%
31								
32								
33 Dept. Utilities excl. Electric								
34 Htg. Fuel Plant 1	12,681	12,786	10,500	10,840	10,000	12,000	2,000	20.0%
35 Htg. Fuel Plant 2	9,660	9,566	10,000	8,245	10,000	10,000	0	0.0%
36 Teleph/Telemetry lines	5,483	5,186	4,600	5,978	5,000	6,000	1,000	20.0%
37 Cell Phones	2,180	2,250	2,500	2,304	2,300	2,300	0	0.0%
38 Water Use Plant 1	1,960	1,669	1,325	3,185	1,700	1,700	0	0.0%
39 Water Use Plant 2	4,251	5,240	4,200	3,737	5,000	4,000	(1,000)	-20.0%
40 Sub-Total, Utilities excl. Electric	36,215	36,698	33,125	34,290	34,000	36,000	2,000	5.9%

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Actual	FY 2021 Budget	FY 2022 Budget	FY 2022 Incr. (Decr)	% Change -----
1 Dept. 314 Legal/Acctg/Engineering								
2 Legal Services	12,062	4,853	5,000	1,412	3,000	2,500	(500)	-16.7%
3 Accounting Svcs.	5,400	5,600	5,600	12,014	5,700	5,200	(500)	-8.8%
4 Project Engineering	58,342	1,161	35,000	26,182	35,000	30,000	(5,000)	-14.3%
5 Asset Management	1,229	5,800	0	3,465	2,000	5,000	3,000	150.0%
6 Plant Consolidation Study Expense				31,291		10,000	10,000	
7 Permit Fees	3,200	3,300	3,300	3,300	3,300	3,300	0	0.0%
8 Infiltration/Inflow Study				72,674	4,000	10,000	6,000	150.0%
9	-----	-----	-----	-----	-----	-----	-----	-----
10 Sub-Total Legal/Acctg./Eng.	80,233	20,713	48,900	150,338	53,000	66,000	13,000	24.5%
11								
12 Dept. 316 Debt: Principal								
13 Tank Truck (2026)	14,500	14,500	14,500	14,500	14,500	14,500	0	0.0%
14 SRF 040:Plant Constr.(2022)	355,265	355,266	355,266	355,266	355,266	355,266	(0)	0.0%
15 SRF 050: Shelb Hts.(2022)	50,648	50,648	50,648	50,648	50,648	50,648	0	0.0%
16 SRF 065: Coll. System(2024)	85,979	85,979	85,979	85,979	85,979	85,979	(0)	0.0%
17 SRF095:Rte 7 line(2027)	35,041	35,742	35,742	35,742	37,186	37,186	(0)	0.0%
18 SRF 122: Longmdw Stn.(2025)	13,252	13,252	13,252	12,243	13,788	14,064	276	2.0%
19 SRF 128: Bay Rd.Coll. Syst.(2029)	4,912	5,011	5,011	5,011	5,213	5,317	104	2.0%
20 SRF:AR062 Col. Syst. Impr.(2031)	6,963	7,102	7,102	7,244	7,389	7,537	148	2.0%
21 SRF: RF1-186 (Coll syst. Impr. (2039)					80,834	85,985	5,151	6.4%
22	-----	-----	-----	-----	-----	-----	-----	-----
23 Sub-Total Debt Prin.	566,560	567,499	567,499	566,633	650,803	656,481	5,679	0.9%
24								
25 Dept. 317 Debt: Interest								
26 Tank Truck	2,466	2,157	2,239	2,554	2,240	2,240	0	0.0%
27 Rte 7; 095 Admin fee	7,754	5,777	6,973	6,973	5,529	5,529	0	0.0%
28 SRF 122 Longmdw Admin. Fee	2,275	2,275	2,275	2,275	1,739	1,464	(275)	-15.8%
29 SRF 128 Bay Rd. Admin Fee	1,282	773	1,344	1,244	1,142	1,037	(105)	-9.2%
30 SRF:AR062 Col. Syst. Impr.	2,585	2,269	2,469	2,127	2,182	1,835	(347)	-15.9%
31 SRF: RF1-186 (Coll syst. Impr. (2039)					39,281	39,279	(2)	0.0%
32	-----	-----	-----	-----	-----	-----	-----	-----
33 Sub-Total Debt Interest	16,362	13,251	15,300	12,898	52,113	51,384	(729)	-1.4%
34								
35 Total Debt Payments	582,922	580,749	582,799	579,531	702,916	707,866	4,950	0.8%

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Actual	FY 2021 Budget	FY 2022 Budget	FY 2022 Incr. (Decr)	% Change -----
1 Dept. 323 Safety Equip. & Training								
2 Safety Training							0	
3 Safety Equipment	2,225	1,983	2,200	3,790	2,000	2,000	0	0.0%
4	-----	-----	-----	-----	-----	-----	-----	-----
5 Sub-Total Safety Equip.	2,225	1,983	2,200	3,790	2,000	2,000	0	0.0%
6								
7 Dept. 327 Training/Travel								
8 Training & Travel	1,214	1,352	3,000	1,288	1,500	1,000	(500)	-33.3%
9	-----	-----	-----	-----	-----	-----	-----	-----
10 Sub-Total Training/Travel	1,214	1,352	3,000	1,288	1,500	1,000	(500)	-33.3%
11								
12 Dept. 328 Truck Expense								
13 Truck Expense	637	1,055	2,000	479	1,500	1,700	200	13.3%
14 Vehicle Fuel	5,022	5,423	7,000	5,169	6,000	5,000	(1,000)	-16.7%
15 Mileage Reimb.							0	
16 Tanker Expense	50	417	1,000	754	1,000	1,200	200	20.0%
17 VAC Trk Expense			0		0	0	0	
18 Truck Replacement			0		0	0	0	
19	-----	-----	-----	-----	-----	-----	-----	-----
20 Sub-Total Truck Exp.	5,709	6,895	10,000	6,402	8,500	7,900	(600)	-7.1%
21								
22 Dept. 330 Office/Computer Expense								
23 Office Expense	6,096	4,752	4,800	5,123	4,800	4,500	(300)	-6.3%
24 Computer Expense	212		1,000	926	1,000	1,000	0	0.0%
25 Sub-Total Office Exp.	6,308	4,752	5,800	6,049	5,800	5,500	(300)	-5.2%
26								
27 Grand Total, Expenses	1,868,999	1,893,693	1,978,107	2,028,447	2,105,908	2,169,603	63,695	3.0%