



Town of Shelburne, Vermont

CHARTERED 1763

P.O. BOX 88 5420 SHELBURNE ROAD SHELBURNE, VT 05482

Clerk/Treasurer
(802) 985-5116

Town Manager
(802) 985-5111

Zoning & Planning
(802) 985-5118

Assessor
(802) 985-5115

Recreation
(802) 985-5110

FAX Number
(802) 985-9550

SELECTBOARD MEETING AGENDA SHELBURNE TOWN OFFICES, 5420 SHELBURNE ROAD JULY 25, 2023

Join the Select Board Meeting via Zoom

<https://us06web.zoom.us/j/89627028868?pwd=Z0dnTkVCWVRpRG1NVklFd1hkaWw0Zz09>

Meeting ID: 896 2702 8868; Passcode: 1763

Dial by your location 929.205.6099 (New York) 301.715.8592 (Washington DC)

- | | |
|---|-----------|
| 1. Call to Order/Roll Call | 7:00 P.M. |
| 2. Approve Agenda | |
| 3. Disclosure of conflict of interest for items on the agenda | |
| 4. Approve meeting minutes of July 11, 2023 | |
| 5. Public Comments re: items not on the agenda | 7:05 P.M. |
| 6. Selectboard Comments | 7:15 P.M. |
| 7. Town Manager Report | 7:25 P.M. |
| 8. Committee, Board, and Commission matters | |
| 9. Wastewater and Stormwater Budgets | 7:30 P.M. |
| 10. Wastewater vehicle purchase authorization | 7:45 P.M. |
| 11. Water Ordinance Amendment | 7:50 P.M. |
| 12. Briefing on Rescue service | 7:55 P.M. |
| 13. Briefing on Downtown designation | 8:15 P.M. |
| 14. Adjourn to next meeting, August 8 | 8:30 P.M. |

Shelburne Vermont

1



Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

Shelburne Vermont

SELECTBOARD MEETING AGENDA
SHELBURNE TOWN OFFICES, 5420 SHELBURNE ROAD
JULY 25, 2023

Join the Select Board Meeting via Zoom

<https://us06web.zoom.us/j/89627028868?pwd=Z0dnTkVCWVRpRG1NVklFd1hkaWw0Zz09>

Meeting ID: 896 2702 8868; Passcode: 1763

Dial by your location 929.205.6099 (New York) 301.715.8592 (Washington DC)

1. **Call to Order/Roll Call** **7:00 P.M.**
2. **Approve Agenda**
3. **Disclosure of conflict of interest for items on the agenda**
4. **Approve meeting minutes of June 13, 2023**
5. **Public Comments re: items not on the agenda** **7:05 P.M.**
6. **Selectboard Comments** **7:15 P.M.**
7. **Town Manager Report** **7:25 P.M.**
8. **Committee, Board, and Commission Matters:**

There are no new applications. There are notable vacancies on the Bike & Pedestrian Path Committee, Natural Resources & Conservation Committee, Tree Committee, and Dog Park Committee. All Town residents are welcome to be involved in public service and volunteerism together.

9. **Wastewater and Stormwater Budgets** **7:30 P.M.**

This item has been warned for public hearing on July 25th. The Selectboard may adopt the two budgets, with any revisions, after the public hearing.

The Wastewater and Stormwater budgets are two separate enterprise funds, each approved and managed independently from the Town's general fund. For Fiscal Year 2023-2024, the Town staff propose the following budgets for public review and Selectboard adoption. The Stormwater budget is balanced at \$899,073. Revenues come primarily from user fees, and the rate increase is 52%, from \$3.43 to \$5.20 per month per Equivalent Residential Unit (3,801 square feet). This increase finishes the planned, gradual phasing in of the new rate program. The majority of stormwater expenses are capital construction, and there is also a new coordinator position in the budget.

Possible Motion after public hearing: I move to adopt the fiscal year 2024 budget and rate structures as presented, for the Town of Shelburne Stormwater Fund.

The Wastewater budget is balanced at \$2,478,308. Total expenses increase 8.7% over the previous year, mainly related to engineering and future construction costs of the new consolidated treatment plant. Revenues come primarily from user fees, and the rate increase is 9.1%, from \$14.91 to \$16.27 per 1,000 gallons used. In a survey of 74 utility systems in Vermont, Shelburne is mid-tier for user costs and sends a strong conservation signal. To pay for a modern treatment plant in the future, the system will need more customers and/or higher rates: "Rate Stabilization" in the proposed budget shows preparations.

Possible Motion after public hearing: I move to adopt the fiscal year 2024 budget and rate structures as presented, for the Town of Shelburne Wastewater Fund.

10. Wastewater vehicle purchase authorization

7:45 P.M.

Staff request clarification on this part of the budget. The Wastewater team has a 2012 pickup truck which is due for replacement. The Town's normal vehicle financing is such that the purchase does not show clearly in the budget details above in item #9. In the interest of transparency and absent a detailed capital plan for the Wastewater fund, a specific vote is in order. Next year's budget process will include specific one-year, five-year, and long-range capital details, so such clarifying votes will not be necessary.

Possible Motion: I move to specifically authorize the replacement of a pickup truck for Wastewater operations, at cost not to exceed \$60,000, with future debt service to be paid from the Wastewater Fund.

11. Water Ordinance amendment

7:50 P.M.

Second reading, public hearing, and action. The Water Commission recommended this change at their June meeting, but ordinance changes require Selectboard action. Mirroring Champlain Water District language, this amendment empowers staff to shut off water service if customers violate or ignore certain system regulations.

Possible Motion after public hearing: I move to amend the Water Ordinance as presented.

12. Rescue Service Briefing

7:50 P.M.

Chief Jacob Leopold will present a briefing on status and trends of the department. No Board action is needed at this time, but the information will be helpful as the Town moves toward the annual budget cycle.

13. Briefing on Downtown designation

8:15 P.M.

As requested by the Board, staff prepared additional details on the state's programs for village centers and designated downtowns. Main Street vitality programs are common nationally, and a Main Street America network shares best practices. Like many other states, Vermont combines state-level funding with federal Housing & Urban Development funds to support healthy, functional downtowns. Applying for downtown designation may be helpful to advance the community's vision. No Board action is needed at this time, but the Board may provide further guidance for staff work.

14. Adjourn to next meeting, August 8

8:30 P.M

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
July 11, 2023**

***Hybrid meeting**

MEMBERS PRESENT: Mike Ashooh (Chair); Cate Cross, Matt Wormser, Andrew Everett. (Luce Hillman was absent.)

ADMINISTRATION: Matt Lawless, Town Manager; Peter Frankenburg, Finance Manager; Chris Robinson, Water Quality Superintendent.

OTHERS PRESENT: Members of the public participating in the meeting included Shelburne Town Host, Tracey Beaudin, Don Porter, Linda Riell, Rowland Davis, Susan McLellan, Sally Wadhams, Tom Zenaty, Jane Zenaty, Media Factory.

1. CALL TO ORDER

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

2. APPROVE AGENDA

MOTION by Cate Cross, **SECOND** by Andrew Everett, to approve the agenda as presented. **VOTING: unanimous (4-0); motion carried.**

3. CONFLICTS OF INTEREST

None.

4. MINUTES

June 27, 2023

MOTION by Cate Cross, **SECOND** by Andrew Everett, to approve the minutes of 6/27/23 as presented. **VOTING: unanimous (4-0); motion carried.**

5. PUBLIC COMMENT

Rowland Davis, resident, mentioned the resiliency of people with the recent flooding and the Climate & Energy Committee that was created. Mr. Davis requested information be collected on the wastewater treatment plant remaining capacity, current usage, expected usage, and number of housing units that can be supported.

Linda Riell, resident, asked for an update on the parade ground issue and suggested the funding could be used for other town items such as the cemetery shop. Mike Ashooh stated renderings are being done to collect feedback from the public and the project will continue through the DRB review process.

6. SELECTBOARD COMMENTS

- Concern was expressed for those people affected by the flooding.
- Shelburne Little League baseball teams are doing well in the state tournament.
- A draft strategic plan of paths in Shelburne will be presented on 7/12/23 at the Pierson Library.

- “Shelburne Forward Together” forum will be held 7/27/23 to gather input from townspeople on the future direction of the town.

7. TOWN MANAGER REPORT/UPDATE

Town Manager, Matt Lawless, reported:

- Shelburne is in the federally declared disaster area for the flooding. FEMA is active. Town departments stand at the ready.
- Community and committee outreach continues.
- Davis Community Park held a dedication ceremony.
- The Assistant to the Town Manager position has been advertised.

8. INTERVIEWS/APPOINTMENTS

There were no CBC appointments.

9. ARPA COMMITTEE RECOGNITION & CONCLUSION

MOTION by Matt Wormser, SECOND by Cate Cross, to commend the membership and dissolve the ARPA Committee which has completed its assigned tasks in exemplary fashion effectively communicating with the public and wisely advising the Selectboard in responsible use of federal funds.

DISCUSSION:

- The Selectboard publicly thanked the committee.

VOTING: unanimous (4-0); motion carried.

10. WASTEWATER & STORMWATER BUDGETS: First Reading/Discussion

Water Quality Superintendent, Chris Robinson, highlighted the following budget information:

- Stormwater Budget
 - Stormwater rate is \$5.20 per ERU.
 - The budget shows a grant of \$200,000 that is anticipated to be received.
 - The budget shows transfer of funds to the capital fund for anticipated stormwater projects to meet state stormwater rules.
 - Salaries and Benefits line item in the budget reflect the Stormwater Coordinator position.
 - A grant application has been made for a MS-4 Stormwater Formula Grant.
MOTION by Cate Cross, SECOND by Andrew Everett, to approve the MS-4 Stormwater Formula Grant application. VOTING: unanimous (4-0); motion carried.
- Wastewater Budget
 - The \$2.5 million Wastewater Budget shows a 9.1% increase.
 - Sewer rate is \$16.27 per 1,000 gallons.
 - Septage rate increased to ten cents per gallon to cover associated costs of handling.
 - Plant Maintenance line item shows \$30,000 for the centrifuge.
 - Professional Services line item is for Aldrich + Elliott Engineering billing.
 - Training & Travel line item is to cover visits to equipment vendors by staff and the consultant to see available options for the town.

- The budget shows transfer of funds into the Rate Stabilization Fund.

MOTION by Andrew Everett, SECOND by Cate Cross, to warn and hold a public hearing during the 7/25/23 Selectboard meeting concerning the FY2024 budgets for the Wastewater Fund and Stormwater Fund.

DISCUSSION: There was mention of ensuring a quorum of Selectboard members is present on 7/25/23.

VOTING: unanimous (4-0); motion carried.

11. STOP SIGN ORDINANCE AMENDMENT

Staff reported the amendment is to make the intersection of Barstow Road and Spear Street a three-way stop and make a four-way stop at the intersection of Hillside Terrace and Meadow Lane. Following discussion, the Selectboard wanted data to support the amendment for stop signs (have Regional Planning do a study) and information on the process for adding stop signs.

There was public comment in support of adding a stop sign at Barstow Road/Spear Street, and question about the need for a stop sign at Hillside Terrace/Meadow Lane. There was mention of adding special signs such as "Children at Play", "Slow", "Yield".

12. SET PROPERTY TAX RATES

MOTION by Cate Cross, SECOND by Andrew Everett, to adopt and enact a property tax rate consistent with the adopted municipal town budget for FY2024, specifically \$2.1801 for homestead and \$2.2962 for non-homestead property, of which the municipal town tax portion is \$0.4945. VOTING: unanimous (4-0); motion carried.

13. GRANT APPLICATION: Champlain Housing Trust

MOTION by Andrew Everett, SECOND by Cate Cross, to warn and hold a public hearing at the 7/25/23 Selectboard meeting on a resolution of support for Champlain Housing Trust's grant application to the Vermont Community Development Program. VOTING: unanimous (4-0); motion carried.

14. APPOINTMENT: Assistant Administrative Officer

MOTION by Cate Cross, SECOND by Andrew Everett, to approve the appointment of Kit Luster as Assistant Administrative Officer under the Vermont Planning & Development Act with all appropriate powers and responsibilities pursuant to state law and the Town of Shelburne charter. VOTING: unanimous (4-0); motion carried.

12. ADJOURNMENT

MOTION by Cate Cross, SECOND by Andrew Everett, to adjourn the meeting. VOTING: unanimous (4-0); motion carried.

The meeting was adjourned at 8:25 PM.

For the Selectboard

Date

FY 24 Stormwater Budget Highlights

Revenues

- **77.9% overall Increase**
 - o **User Fees** increase of 96.1%. This is the final rate increase that was part of the 3-year phase-in of the full rate of \$5.20/Equivalent residential unit (ERU).
 - o **Transfer From General Fund** is now obsolete due to the 3-year phase-in reaching full rate. The Town is still subject to the stormwater fees and this is reflected in the User Fee line item.
 - o **Grant Revenue** increase of \$200K. We have applied for a MS4 Community Formula Grant for \$474,125. This money is linked to State ARPA funding and will need to be spent by September 2026. The plan is to spend this over a 2-year period.

Expenses

- **MS4 Compliance** decrease of 50%. Flow Restoration Plan update payments completed.
- **Professional/Outside Services** decrease of 67%. Decrease in program administration and engineering/consulting. Much of the decrease is due to available grant funding.
- **Transfer to Capital Improvement Fund** increases significantly to 532%. All excess revenue is being diverted to this fund to pay for the upcoming capital projects to meet the Flow Restoration Plan, Phosphorus Control Plan, and 3-Acre Permit requirements. There will be a minimum of 2 projects per year until 2032.
- **Misc. Expenses** decrease by 70%. This is mostly due to the decrease in Town Impervious Area expense. The Town General Fund is responsible for town-owned impervious and associated stormwater fees
- **Salaries & Benefits** increase by \$119,640. This is for a new position, Stormwater Coordinator. This position will assist the Water Quality Superintendent in meeting the town's stormwater requirements, including construction management

**TOWN OF SHELBURNE DRAFT STORMWATER BUDGET
DRAFT FISCAL YEAR 2023-24
JULY 2023 - JUNE 2024**

7/5/2023

ADOPTED -XX-JUL-2023

REVENUE		FY 2022-23	FY 2023-24	CHANGE	
1	Stormwater Fees	\$354,620	\$ 695,573		
2	Transfer From General Fnd	103,000			
3	Misc. Other	47,700	3,500		
4	Grants		200,000		
		-----	-----		
5	Total Revenues	\$505,320	\$899,073	\$393,753	Full rate
EXPENSES					
6	Permits and Stormwater Fees	15,700	13,623		
7	System Maintenance	83,000	73,000		
8	MS4 Compliance	19,000	9,500		
9	Professional/Outside Svs.	145,100	47,600		
10	Transfer to Sewer Fund	96,970	103,387		
11	Transfer to General Fund	10,250	10,250		
12	Transfer to Capital Project Fnd.	80,000	505,573		
13	Misc. Other	55,300	16,500		
14	Salaries & Benefits	0	119,640		
		-----	-----		
15	Total Expenses	\$ 505,320	\$ 899,073	\$ 393,753	
	Revenue - Expenses		\$ -		
16	* Rate : \$/ERU** / Month (1 ERU = 3801 square feet)	\$ 3.43	\$ 5.20		
17	Annual Cost: Property w/ 1 ERU	\$ 41.16	\$ 62.40		

REVENUES		FY 2022-23	FY 2023-24	CHANGE
250- 2000-00.00	1 Stormwater Fees	\$ 354,620	\$ 695,573	Includes GFND TRANSFER
250- 2051-00.00	2 Late Fees, Penalty & Interest	1,000	2,500	
250- 2101-00.00	3 Grants	45,700	200,000	
250- 2051-01.00	4 Interest Income	1,000	1,000	
250- 2201-10.00	5 Transfer From General Fund	103,000		
		-----	-----	
6	TOTAL REVENUES	\$ 505,320	\$ 899,073	\$ 393,753.00
EXPENDITURES		FY 2022-23	FY 2023-24	
Permits and Fees				
250- 3001-00.00	7 MS4 Permit	7,200	5,123	
250- 3002-00.00	8 STP Permit Fee	8,500	8,500	
250- 3003-00.00	9 Misc. Other	0		
		-----	-----	
10	Sub-Total, Permits & Fees	15,700	13,623	\$ (2,077.00)
System Maintenance				
250- 3101-00.00	11 Street Sweeping	18,000	15,000	

250	3102-00.00	12	Storm Drain cleanouts	10,000	13,000	
250	3103-00.00	13	Stormwater Materials	10,000	-	
250	3104-00.00	14	Outside Contractors	20,000	25,000	
250	3105-00.00	15	STP Insurance	10,000		
250	3106-00.00	16	STP Maintenance	15,000	20,000	
		17	Sub-total System Maintenance	83,000	73,000	\$ (10,000.00)
			MS4 Compliance			
250	3051 00.00	18	Flow Restoration Plan Maint.	8,000	-	
250	3052-00.00	19	Phosphorus Control Plan Maint.	500	-	
250	3053-00.00	20	System Mapping	3,000	3,000	
250	3054-00.00	21	Pet Waste Bags	500	500	
250	3055-00.00	22	Stream Flow monitoring		-	
250	3056-00.00	23	Water quality monitoring		-	
250	3057-00.00	24	Education & outreach	7,000	6,000	
		25	Sub-Total, MS4 Compliance	19,000	9,500	\$ (9,500.00)

PAGE 2

Expenses cont'

				FY 2022-23	FY 2023-24	CHANGE
			Professional Services			
250	3151-00.00	26	Program Administration	60,000	20,000	
250	3152-00.00	27	Engineering/Consulting	80,000	25,000	
250	3153-00.00	28	GIS/Asset Management Software			
250	3154-00.00	29	Audit Fees	100	100	
250	3155-00.00	30	Legal Expense	5,000	2,500	
		31	Sub-total, Professional Services	145,100	47,600	\$ (97,500.00)
			Transfer to Sewer Fund			
250	3201 00.00	32	Stormwater Supt Salary	52,500	56,135	
250	3202-00.00	33	Stormwater Supt Benefits		30,352	
250	3203-00.00	34	Vehicle Expense	5,000	6,000	
250	3204 00.00	35	Office & Utilities Expense	10,300	10,900	
		36	Sub-Total Reimbursement to Sewer Fund	67,800	103,387	\$ 35,587.00
			Town General Fund Services			
3251-00.00	37	Town Administrative Services	5,250	5,250		
3252 00.00	38	Highway Dept. Labor	5,000	5,000		
	39	Use of Town Vehicle				
	40	Sub-Total Town General Fund Services	10,250	10,250	\$	
			Capital Improvements			
3301 00.00	41	Transfer to Capital Project Fund	80,000	305,573		
	42	Construction Projects		200,000		
	43	Sub-Total, Capital Improvements	80,000	505,573	\$ 425,573.00	
			Misc. Expenses			
3351 00.00	44	Lewis Creek Association	3,000	3,000		
3352-00.00	45	Training & Travel	500	500		
3353 00.00	46	Misc. Expenses	3,000	4,000		
3354 00.00	47	Postage	2,000	4,000		
3355-00.00	48	Town Impver. Area billings	46,800	5,000		

49	Sub-Total Misc. Expenses	55,300	16,500	\$ (38,800.00)
----	---------------------------------	---------------	---------------	-----------------------

Salaries & Benefits

250	50	Stormwater Coordinator Salary	0	75,000	
250	51	Retirement	0	3,900	
250	52	FICA	0	7,000	
250	53	Health & Dental	0	29,500	
250	54	Life/LTD Insurance	0	1,000	
250	55	Health HRA Payments	0	2,000	
250	56	Clothing/Footwear	0	700	
250	57	Phone/Reimbursement	0	540	
			-----	-----	
	58	Sub-Total Salaries & Benefits	0	119,640	\$ 119,640.00

49	<u>TOTAL EXPENDITURES</u>	<u>\$ 476,150</u>	<u>\$ 899,073</u>	<u>\$ 303,283</u>
----	----------------------------------	--------------------------	--------------------------	--------------------------

PAGE 3

60	Estimated Billable ERU's	11,037	11,037
61	Estimated ERU Rate/MO	\$ 3.43	5.20

Estimated Revenue reduction due to 35% credit to State & Town Roads

FY 24 Wastewater Budget Highlights

Revenues

- **8.7% overall Increase**
 - o **User Fee** increase of 9.5%
 - o Stormwater Fund increase of 6.5%. This is a transfer to cover the expenses incurred by the Wastewater Department for managing the stormwater utility. This includes a portion of the Water Quality Superintendent's salary/benefits, vehicle use, and office use/expenses. (see Stormwater Budget for details)
 - o **Increase septage rate** from \$0.09 to \$0.10 per gallon. Potential \$18,000 increase (1.8M gallons annually). I will track septage over next fiscal year to see if we experience a decrease in business due to rate increase. No increase in revenue planned for this FY.

Expenses

- **Chemical** increase of 23% due to increased cost
- **Centrifuge Maintenance** increase of 28% due to need to rebuild the centrifuge. This cost is estimated at \$30k. I will be gathering information on replacement vs repair to determine best financial option moving forward.
- **SCADA Maintenance** decrease due to 3-year computer replacement cycle. We replaced the computers last year so this additional expense will not occur again for 3-5 years.
- **Sludge Disposal** increase of 17% due to increased disposal costs. Shelburne contracts with Chittenden County Solid Waste District to dispose of our sludge via Grasslands Beneficial Use Facility or WasteUSA landfill. This cost is expected to see double to triple digit increases over the next decade due to PFAS.
- **Professional Services** (This is being investigated by Peter)
- **Debt Payments** decrease by \$355K due to 2000 Facility Upgrade debt service matured.
- **Travel & Training** increase by \$2,000 for travel to WEFTEC. This is a wastewater equipment manufacturer trade show. I will be attending with Wayne Elliott of A&E.
- **Salaries & Overtime** increase by 8.8% due to salary increases of bargaining unit employees and an increase to Water Quality Superintendent. Also includes salary increase to one employee due to obtaining wastewater license per bargaining unit agreement.

SHELBURNE WASTEWATER BUDGET
FISCAL YEAR 2023-24
SUMMARY PAGE
***** DRAFT *****

Line #	FY 2021-22 Budget	FY 2021-22 ACTUAL	FY 2022-23 Budget	FY 2023-24 Budget	FY 2023-24 Incr (Decr)	% Change
1	REVENUES:					
2	User Fees	\$1,908,593	\$2,021,874	\$2,015,176	\$2,198,953	181,778 9.5%
3	Transfer from Sewer Capacity Fnd	\$0		\$0	\$0	0 0.0%
4	Shelb Hts. Assessmt	34,656			0	0 0.0%
5	Applied Fund Balance				0	0 0.0%
6	Other	226,355	247,775	274,825	281,355	6,530 2.9%
7						
8	Total Revenues	\$2,169,603	\$2,269,650	\$2,290,000	\$2,478,308	188,308 8.7%
9						
10	EXPENSES:					
11	Chemicals	59,000	84,981	74,900	88,500	13,600 23.1%
12	Electricity	218,548	217,112	229,476	229,937	461 0.2%
13	Prop/Liab Insurance	63,740	61,740	66,827	70,000	3,173 5.0%
14	Lab & Testing Expense	27,500	33,046	31,500	32,600	1,100 4.0%
15	Misc. Expense	2,500	2,910	2,700	2,700	0 0.0%
17	Plant Maintenance	97,000	56,162	96,500	124,000	27,500 28.4%
18	SCADA System Maint	5,000	3,405	30,000	14,000	(16,000) -320.0%
19	System Maintenance	75,000	102,522	70,000	70,000	0 0.0%
20	Collection System Impr	50,000	101,553	70,000	70,000	0 0.0%
21	Sludge Disposal	90,000	103,855	95,000	110,000	15,000 16.7%
22	Utilities (excl.-electric)	36,000	37,598	38,600	39,600	1,000 2.8%
23	Professional Svs.	66,000	210,057	62,000	159,800	97,800 148.2%
24	Debt Payments	707,866	655,971	707,862	282,008	(425,854) -60.2%
25	Safety Equipment	2,000	2,537	500	1,000	500 25.0%
26	Training/Travel	1,000	441	5,000	7,000	2,000 200.0%
27	Truck Expense	7,900	16,817	13,300	10,500	(2,800) -35.4%
28	Office/Computer Exp	5,500	7,529	7,000	7,000	0 0.0%
29	Admin. Expense	68,767	69,782	70,500	72,818	2,318 3.4%
30	Salaries & Overtime	372,811	382,064	401,545	434,500	32,955 8.8%
31	Employee Benefits	158,472	141,072	161,791	147,346	(14,445) -9.1%
32	Transfer to Cap Imp Fund	55,000	117,167	55,000	55,000	0 0.0%
33	Rate Stabilization Fund				450,000	450,000
34						
35	Total Expenses	\$2,169,603	\$2,408,321	\$2,290,000	\$2,478,308	188,308 8.7%
36						
37	Revenue - Expenses	\$0	(\$138,672)	\$0	\$0	\$0
38						
39	VOLUMES (000 Gallons)	135,000	135,000	135,000	135,000	0 0.0%
40						
41	Rate (\$/000 gallons)	\$14.12	\$14.95	\$14.91	\$16.27	\$1.36 9.1%
	% Rate Increase	1.3%		5.6%	9.1%	
	Outside Septage Rate (\$/Gal.)	\$ 0.090		\$ 0.090	\$ 0.100	

Approved by Selectboard 06/XX/23

WATER ORDINANCE AMENDMENT

As approved on June 27, 2023 to be warned for public hearing on July 25, 2023

The Selectboard of the Town of Shelburne hereby ordains:

The Water Ordinance of 2011 shall be amended, with the following addition to Article VI, Powers and Authority of Inspectors:

Section 5 – Violations

The Department shall have the power to withhold the water supply from any person failing or refusing to comply with any provision of these Rules and Regulations of this Article, or any orders, payment of service fees, or other requirements of the Department. The Department, after finding that a User of the water system's water is violating any provision or requirement of these Rules and Regulations, can cause the water to be shut off, and the remain off from the premises of such User, until such User of the water system's water shall have fully complied with such provisions, orders, requirements, and these Rules and Regulations.

ADOPTED BY THE SHELburne SELECTBOARD ON _____, 2023

ATTEST _____

FILED WITH THE TOWN CLERK ON _____, 2023

Considerations for Potential Downtown Designation

JULY 20

**Aaron DeNamur, Director
Shelburne Planning and Zoning**



Introduction

Per the request of the Selectboard I have drafted this report regarding the pursuit of downtown designation from the state. The report consists of comments on the pros and cons of the designation and other items that the Selectboard should take into consideration when deciding whether to seek it or not. Should you have further questions please feel free to reach out to me.

Background

The State's downtown designation program is established in 24 V.S.A. § 2793. The program is supported by the Agency of Commerce and Community Development and applications for designation go before the Vermont Downtown Development Board.

Currently, there are 24 designated downtowns in the state. Some examples are Brandon, Brattleboro, Bristol, Middlebury, Montpelier, Poultney, Stowe, Vergennes, and Wilmington. There are more municipalities on the list with smaller populations than Shelburne (some significantly smaller) than those with larger populations.

There are 154 municipalities in the state with designated village centers, many of them have multiple designated village centers within their borders. Population and geographic size ranges significantly. Some examples are, Williston, Woodstock, Waterbury, Berlin, Bethel, Charlotte, Dorset, Ferrisburgh, and Jericho.

The Town Plan specifically calls for maintaining the village center designation and calls attention to the benefits of the state's designation programs (p.14). The Plan also calls for creating a Neighborhood Development Area if the Town feels it is appropriate. The Plan does not specifically mention downtown designation. However, many of the recommended actions for the Village found

on pages 14 and 15 would be served well with downtown designation and the reference to the designation program could be interpreted broadly. Additionally, page 13 calls for an in-depth exploration of the possibility of reclassifying Rte 7 as a Class 1 Town Highway from the La Platte to Vermont Teddy Bear. This action would significantly expand the Town's ability to achieve many of the goals and recommended actions for the village center found in the Growth Area 1 section of the Town Plan. The Town of Williston has recently conducted an in-depth study for assuming control of a stretch of Rte 2 which is very informative. Their planning director shared the current version of the report with me and I'd be happy to send to the board if you are interested.

Pros

Traffic Calming

Within a designated downtown a municipality has been granted the authority to post speed limits of less than 25 mph. It is important to remember that this would not include Rte 7 unless it was redesignated as a Class 1 Town Highway. A combination of a designated downtown and reclassification of Rte 7 would provide significant ability to enhance the pedestrian friendliness in the area of the Village (beyond reduction of speed limits).

Downtown Transportation Fund

Downtown designation would provide access to the Downtown Transportation Fund program. This provides funds, through loans and/or grants, to municipalities for transportation related capital improvement projects within the downtown. This year the fund has helped to finance pocket parks, a pedestrian bridge, and sidewalk and pedestrian enhancements in downtowns throughout the state. Grants are up to \$100,000 and cannot exceed 50% of the cost of a project.

Priority Consideration for State Grants

Municipalities with a designated downtown receive priority consideration for state grants including ACCD Municipal Planning Grants, State Historic Preservation grants, VTRANS Bike/Ped and Transportation Alternatives grants, and more. (Also given with village center designation but it's not clear if downtown's rank higher or not.)

Priority Consideration by BGS

When the State Building and General Services (BGS) leases or constructs buildings municipalities with a designated downtown receive priority site consideration. (Also given with village center designation but it's not clear if downtown's rank higher or not.)

Special Assessment District

A municipality with a designated downtown may implement a Special Assessment within the borders of said downtown. There is a process required to create a Special Assessment which I can explain in further detail at another time should the Board be interested. Essentially, this allows the municipality to levy a Special Assessment on properties within that designated area. These funds must then be used on capital projects within that district that will directly benefit the properties paying the Special Assessment.

Act 250

Projects within the designated downtown pay no permit fees and go through a special process with reduced criteria. Some mixed-use housing projects within the downtown are exempt from Act 250 review.

Eligible for a Neighborhood Development Area

Municipalities with a designated downtown are eligible to create a Neighborhood Development Area (NDA). With our current village center designation, we already have this eligibility. With our village center designation, we can create an NDA that extends ¼ mile from the village center. However, with a designated downtown the benefits of an NDA can extend a ½ mile from the designated area. The Planning Commission already wants to pursue the creation of an NDA after the bylaw rewrite is completed, so this effort would align very well with that goal.

The exemption from Act 250 review for qualifying housing projects within the designated downtown would broaden to the area of the NDA extending a ½ mile from the downtown. Additionally, projects within the NDA that do not qualify for the exemption would receive a 50% discount on Act 250 application fees.

Tax Credits

With our village center designation, we already qualify for the same tax credits as a designated downtown.

Cons

Wastewater

A potential negative for the Town is that we would be required to commit to reserving a portion of our wastewater allocation for growth in the designated downtown. This would have to be based on calculations of expected growth in the area. This could be a potential issue due to the difficulty of predicting this growth and it may place limits on residential development in the serviced area outside of the downtown. Something to be aware of as we are currently working on upgrading our wastewater system.

Other Considerations

Downtown Organization

The Town would be required to designate either a non-profit or a Town committee (either existing or new) as the Downtown Organization. This entity will be charged with implementing the 'revitalization' of the downtown through multiple avenues such as promotion and events. This organization will require staff support either through a town employee if it was a town committee or its own hired staff if it is a separate non-profit.

It is important to note that my office is already overstretched and would require an additional staff member to help staff this committee. It's possible a new economic/community development position (already budgeted for) in our office could also perform this work. This would probably be a good fit for someone in that position but they would need to be full-time if they were also going to staff the downtown organization.

There are pros and cons to having this entity be a separate non-profit or an entity of the Town and both models are represented in the state. Having the organization be an arm of the Town obviously would provide more direct control but also require some more Town resources possibly. The Town can fund the downtown program with LOT, a Special Assessment, General Fund, or a combination of 2 or all 3. The Downtown Organization can also fundraise.

Current Commitments

The Planning and Zoning office is currently engaged in the work of rewriting the Shelburne land use regulations and this is likely to take another year. We have just started the phases of the project that will require significantly more amounts of my time and energy. This is also something that the Town should take ample time to discuss, think about, and plan. My honest assessment would be that this is something you should begin discussing but take plenty of time to contemplate and decide how you would want it to be structured. I also think that the work of actually applying for the designation should not begin until the new bylaw has been adopted. This would be the most realistic timeframe for me to be able to dedicate substantial time to working on and/or assisting with the process.

