

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
March 28, 2023**

***Hybrid meeting**

- MEMBERS PRESENT:** Mike Ashooh (Chair); Cate Cross, Luce Hillman, Andrew Everett, Matt Wormser.
- ADMINISTRATION:** Nini Anger, Assistant to Town Manager; Peter Frankenburg, Finance Director; Water Quality Superintendent, Chris Robinson.
- OTHERS PRESENT:** Members of the public participating in the meeting included Suzzanne Fay, Rowland Davis, Karen Schumacher, Stephen Kredell, Doug Merrill, Margaret Wiener, Linda Riell, Sarah Reeves, Adam Kunin, Barbara Johnson, Betsey Dempsey, Bill Deming, Don Porter, David Hall, Don Rendall, Dr. Gillom, Faith Yacubian, Gail Albert, Joyce George, JP, Judy Raven, Lee Suskin, Linda, Michele Morris, Oliver Dienz, P Worrall, Patricia Fontaine, Peggy Coutu, Rick McGuire, Roger Bogue, Susan Moraska, Tabitha Moore, Tracey Beaudin, Vivian, Wayne Elliott, Shelburne Town Host, Media Factory.

1. CALL TO ORDER

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

2. APPROVE AGENDA

MOTION by Matt Wormser, SECOND by Andrew Everett, to approve the agenda as presented. VOTING: unanimous (5-0); motion carried.

3. CONFLICTS OF INTEREST

None.

4. MINUTES

March 14, 2023

MOTION by Matt Wormser, SECOND by Cate Cross, to approve the minutes of 3/14/23 as presented. VOTING: unanimous (5-0); motion carried.

5. PUBLIC COMMENT

None.

6. SELECTBOARD COMMENTS

- Positive comment was made on the Town Manager search and having a broader discussion with the community. Thanks to all involved.
- It is heartening to see the amazing list of volunteers in town.

- The passing was noted of Sam Feitelberg, long time resident of Shelburne, member of the Cemetery Commission and member of the Veterans Memorial Committee.

7. TOWN MANAGER REPORT/UPDATE

In the absence of Lee Krohn (due to illness), Nini Anger reported:

- All are urged to visit local sugarhouses in Shelburne on maple weekend.

8. INTERVIEWS/APPOINTMENTS

The Selectboard interviewed candidates for various openings on the Town's boards, committees, and commissions. The following appointments were made.

Development Review Board (DRB)

MOTION by Matt Wormser, SECOND by Luce Hillman, to appoint Stephen Kredell to a full three-year term on the DRB effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint John Day as a DRB alternate filling Bob Glover's term effective immediately and running until 3/31/24, and to appoint Bob Glover as a regular member of the DRB filling John Day's term effective immediately and running until 3/31/24. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Luce Hillman, to reappoint Tom Karlhuber and Shawn Sweeney to a full three-year term on the DRB effective 4/1/23 and running until 3/31/26. VOTING: 4 ayes, one abstention (Cate Cross); motion carried. [NOTE: This motion was later corrected to read "Planning Commission". See Planning Commission appointment below.]

Planning Commission

MOTION by Matt Wormser, SECOND by Andrew Everett, to correct the record and reappoint Tom Karlhuber and Shawn Sweeney to a full three-year term on the Planning Commission effective 4/1/23 and running until 3/31/26. VOTING: 4 ayes, one abstention (Cate Cross); motion carried.

Bike/Ped/Paths Committee & Village Safety Group

MOTION by Matt Wormser, SECOND by Luce Hillman, to reappoint Joplin Wistar to a full three-year term on the Bike/Ped/Paths Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint Adam Kunin and Barbara Johnson a full three-year term on the Bike/Ped/Paths Committee and Village Safety Group effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Shelburne Historic Preservation & Design Review Committee (SHP&DRC)

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Anne Milovsoroff to a full three-year term on the SHP&DRC effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Ruth Hagerman to a full three-year term on the SHP&DRC effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Shelburne Natural Resources and Conservation Committee (SNRCC)

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Christine Haines and Fred Morgan to a full three-year term on SNRCC effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Parks & Rec

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Peggy Coutu and Sue McLellan to a full three-year term on the Parks & Recreation Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Library Trustees

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Alice Brown and Kristin Jangraw to a full three-year term as Library Trustee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Tree Committee

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Susan Dunning and Tod Warner to a full three-year term on the Tree Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Cemetery Commission

MOTION by Matt Warner, SECOND by Andrew Everett, to reappoint Jennifer Brown and Stuart Morrow to a full three-year term on the Cemetery Commission effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Deb Belcher to a full three-year term on the Cemetery Commission effective 4/1/23 and running until March 31, 2026. VOTING: unanimous (5-0); motion carried.

Water Commission

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Pete Gadue to a full three-year term on the Water Commission effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Ethics Committee

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Bill Deming to a full three-year term on the Ethics Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Dog Park Committee

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Bob Owens to a full three-year term on the Dog Park Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Finance Committee

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Don Porter to a full three-year term on the Finance Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Equity & Diversity Committee

MOTION by Matt Wormser, SECOND by Andrew Everett, to reappoint Josh Flore, Patricia Fontaine, and Jennie Hoenigsberg to a full three-year term on the Equity & Diversity Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint Chunka Mui to the Equity & Diversity Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint Faith Yacubian to the Equity & Diversity Committee effective 4/1/23 and running until 3/31/2025. VOTING: unanimous (5-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint Sara McIlvennie to the Equity & Diversity Committee effective 4/1/23 and running until 3/31/24. VOTING: unanimous (5-0); motion carried.

Social Services Committee

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint Karen Schumacher to a full three-year term on the Social Service Committee effective 4/1/23 and running until 3/31/26. VOTING: unanimous (5-0); motion carried.

Tree Warden

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint David Thomas Hall to serve again as the Town's Tree Warden effective immediately and running until the next required appointment after Town Meeting 2024. VOTING: unanimous (5-0); motion carried.

9. PRESENTATION: Chittenden Solid Waste District (CSWD) FY2024 Budget
Sarah Reeves, CSWD General Manager, reviewed the proposed FY24 CSWD budget showing a 9.8% increase in revenues and an 8.7% increase in expenses. Ms. Reeves also reviewed fee increases for organics, the MRF, and drop off centers. CSWD administration is relocating to South Burlington in a building shared with the South Burlington Police Department.

MOTION by Matt Wormser, SECOND by Andrew Everett, to approve the CSWD FY2024 Budget as presented. VOTING: unanimous (5-0); motion carried.

10. WASTEWATER CONSOLIDATION PROJECT ALTERNATE ANALYSIS

Wayne Elliott with Aldrich + Elliott summarized the study of the consolidation of Shelburne's two treatment plants into one and the recommendation to consolidate at the Plant #1 site on Crown Road. There will be extensive odor control measures and noise mitigation put in place. Traffic and aesthetics will also be addressed. Next steps include finalizing design for the Plant #1 consolidation, updating costs, working on funding, doing dilution and hydrodynamic work, and permitting.

There were questions/comments about the following:

- Drop off at Plant #2 site – This could create odor issues. The site is remote. There would not be full time staffing to monitor the site.
- Timeline - Predesign and environmental process about three to four months, design and permitted about a year and a half, construction at least two years out, going operational about four or five years out.
- Amount needed to bond - Cost data will be provided by summer 2023.
- Other sources of funding – The Town can bond for the total amount, but subsidies and grants do not have to be part of that.
- Quality of life issues need to be addressed so consider adopting a resolution that says the consolidation will include state-of-the-art odor control, truck repair/maintenance at town shop on Turtle Lane, septic sewage drop off at Plant #2, and healthy trees/vegetation to shield the trucks and the facility from view - The Selectboard indicated support for odor control, maintaining a buffer, noise mitigation, and working on the wording of the resolution to address these matters.
- Issues to consider include lowering operation costs with gravity lines, finding a contractor to install the lines into Shelburne Bay, covering capital costs with matching funds, federal funds, and grants rather than 100% on the taxpayers, and the lack of ability to expand the Crown Road site.
- Keeping the community involved throughout the project which will take years to complete – The project will go through the development review process which includes opportunity for public comment.
- Limiting the volume of septage brought to the plant which is in a residential area and whether there is a change of use at the Crown Road site with septage being delivered – There will be max of 13 trucks in one day hauling septage and an average of 10 vehicles per day.
- Expected outflow of phosphorus and plan to further reduce this amount – The outflow is good or better than the current amount. There are limits operationally on what can

be done. The chemical to remove phosphorus kills the needed bacteria in the treatment process.

- There was general discussion of improving/maintaining lake health.

MOTION by Andrew Everett, SECOND by Luce Hillman, to convert the Turtle Lane wastewater treatment plant to a pump station and expand the Crown Road facility to become the Town's sole wastewater treatment facility. VOTING: unanimous (5-0); motion carried.

11. LIQUOR LICENSES

MOTION by Cate Cross, SECOND by Andrew Everett, to suspend the Selectboard meeting and convene the Shelburne Liquor Control Commission. VOTING: unanimous (5-0); motion carried.

MOTION by Cate Cross, SECOND by Matt Wormser, to approve the First, Second, Third, and Outside Consumption licenses and a tobacco license as listed in the document, dated March 28, 2023. VOTING: unanimous (5-0); motion carried.

MOTION by Andrew Everett, SECOND by Matt Wormser, to adjourn the Shelburne Liquor Control Commission and reconvene the Selectboard meeting. VOTING: unanimous (5-0); motion carried.

12. LOAN AGREEMENTS

Staff explained the loans for a project being done by the Water Dept. and for the wastewater treatment plant project.

MOTION by Cate Cross, SECOND by Matt Wormser, to accept the Loan Agreement WPL-333-1.0 with the Vermont state revolving fund in the amount of \$46,000 and Loan Agreement RF1-264-1.1 with the Vermont state revolving fund in the amount of \$260,400, and sign the documents as required. VOTING: unanimous (5-0); motion carried.

13. MEETING SCHEDULE

The Selectboard agreed to add Shelburne Community School as a posting site for meetings.

MOTION by Cate Cross, SECOND by Matt Wormser, that the Selectboard's regular meetings be held on the 2nd and 4th Tuesday of each month and CBC agendas be posted at Town offices, Pierson Library, Post Office, Shelburne Community School and website as required by statute, and further that *Shelburne News* be the Selectboard's newspaper of record and the Selectboard Rules of Procedure as adopted previously and dated March 8, 2022 be adopted again as written. VOTING: unanimous (5-0); motion carried.

14. EXECUTIVE SESSION

MOTION by Cate Cross, SECOND by Andrew Everett, pursuant to 1VSA313 to enter Executive Session to consider appointment or employment or evaluation of a public officer or employee, and to invite Rick McGuire, Tabitha Moore, and Dr. Stephan Gillom to attend. VOTING: unanimous (5-0); motion carried.

Executive Session was convened at 9:11 P.M.

MOTION by Matt Wormser, SECOND by Cate Cross, to adjourn Executive Session and resume the regular meeting. VOTING: unanimous (5-0); motion carried.

Executive Session was adjourned and the regular meeting resumed at 9:55 P.M.

ACTION FOLLOWING EXECUTIVE SESSION

Mike Ashooh announced the report from the VLCT consultant was received which included the background check and reference check on the selected candidate for the Town Manager position. The position was offered to Matt Lawless from Scottsville, Virginia and Mr. Lawless accepted and signed the contract with a start date of June 4, 2023.

MOTION by Andrew Everett, SECOND by Cate Cross, to accept and sign the contract offered to Matt Lawless as the future Town Manager of Shelburne. VOTING: unanimous (5-0); motion carried.

Mike Ashooh said the Selectboard will meet with employees to discuss the Town Manager selection and notify all about next steps. A press release will be done.

15. ADJOURNMENT

MOTION by Matt Wormser, SECOND by Cate Cross, to adjourn the meeting. VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 10:05 P.M.

RScty by tape: MERiordan

For the Selectboard

Date