

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES
May 24, 2022**

***Hybrid meeting**

MEMBERS PRESENT: Mike Ashooh (Chair), Luce Hillman, Cate Cross, Kate Lalley, Matt Wormser [via Zoom].

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Adele Gravitz, Planning Director; Aaron DeNamur, DRB Coordinator; Chris Robinson, Water Quality Superintendent.

OTHERS PRESENT: Members of the public participating in the meeting included Bill Deming, Bill Keogh, Don Porter, Shelburne Town Host, Jonathan Rosenbloom, Lee Suskin, Patricia Fontaine, Susan Jean Hull Grasso, Tracey Beaudin, Linda Riell, Sean Moran, Susan McLellan, Peggy Coutu, Mercedes Ortgo, Gail Albert, Susan Moraska, Robilee Smith, Laura Kingsland, Barbara Johnson, Wanda Morgan, Pat, Donna Fialkoff, Maria, Media Factory.

[Note: Minutes reflect the order of the published agenda.]

1. CALL TO ORDER

Chair Mike Ashooh called the hybrid in-person and teleconference meeting to order at 7 PM.

2. APPROVE AGENDA

MOTION by Cate Cross, **SECOND** by Luce Hillman, to approve the agenda.
VOTING: unanimous (5-0); motion carried.

3. CONFLICTS OF INTEREST

Cate Cross announced she will abstain from the vote on the appointment to the Equity & Diversity Committee.

4. MINUTES

May 10, 2022

MOTION by Cate Cross, **SECOND** by Kate Lalley, to approve the minutes of 5/10/22 as presented. **VOTING: unanimous (5-0); motion carried.**

5. PUBLIC COMMENT

- There were comments and questions on the following:
 - Amtrak not stopping at the Shelburne train station (the town supports having the train stop at the station).
 - Having the town provide a bus ride to the town beach likely will not work in today's times.

- Brightening the town with lights similar to what occurs during the holidays.
- Remembering the parents impacted by the recent school shooting in Texas.

6. SELECTBOARD COMMENTS

- Thoughts are with the parents of the schoolchildren in Texas involved in the recent shooting.
- Farmers market begins on Memorial Day.
- Diversity Committee has identified a consultant for the committee.
- Cate Cross attended a VLCT forum on cannabis sale and licensure.
- Kate Lalley is running for the state legislature.
- Village Pedestrian Safety Committee asked the Selectboard to write a letter to VTrans requesting the shoulder lanes on Route 7 be widened from Marsett Road to Harbor Road.

7. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- Planning Office has a contract to study form based code.
- Staffing audit has been launched.
- Town crews are still cleaning up downed trees from the recent storms.
- Everyone is reminded again not to stop on the railroad tracks.
- Memorial Day ceremony will be held at Veterans Park.

8. DRB COORDINATOR

Aaron DeNamur, the new DRB Coordinator, was introduced.

9. CBC APPOINTMENT(s)

Finance Committee

MOTION by Kate Lalley, SECOND by Luce Hillman, to appoint Lee Suskin to the Finance Committee for a three-year term starting immediately and ending 4/1/25. VOTING: unanimous (5-0); motion carried.

Equity & Diversity Committee

MOTION by Kate Lalley, SECOND by Luce Hillman, to appoint Erica Lee to the Equity & Diversity Committee for a three-year term beginning immediately and ending 4/1/25. VOTING: 4 ayes, one abstention (Cate Cross); motion carried.

10. POLICE DEPARTMENT APPOINTMENT

Lee Krohn announced Mike Thomas has been appointed as Police Chief for a two year period with opportunity for a one year extension.

11. JONATHAN ROSENBLOOM PRESENTATION

Jonathan Rosenbloom briefly explained the services of Sustainable Development Code which looks at best practices across the development code and development process, and reviewed what is in the Infrastructure Investment & Jobs Act that could be helpful to Shelburne.

12. PUBLIC HEARING: Proposed Zoning Amendment

MOTION by Cate Cross, **SECOND** by Kate Lalley, to open the public hearing to consider the proposed zoning amendment entitled "Article 1980.11, Conduct of Outdoor Business Activity". **VOTING: unanimous (5-0); motion carried.**

The public hearing was opened at 7:30 PM and the amendment was reviewed.

COMMENTS

There was comment on the number of businesses that took advantage of the temporary bylaw amendment. The businesses support making the bylaw permanent.

MOTION by Kate Lalley, **SECOND** by Cate Cross, to close the public hearing on the proposed zoning amendment entitled "Article 1980.11, Conduct of Outdoor Business Activity". **VOTING: unanimous (5-0); motion carried.**

MOTION by Luce Hillman, **SECOND** by Cate Cross, to adopt the proposed zoning amendment entitled "Article 1980.11, Conduct of Outdoor Business Activity" as presented. **VOTING: unanimous (5-0); motion carried.**

13. DEAN PIERCE APPEAL OF DENIAL OF RECORDS REQUEST

Lee Krohn explained why the request was denied (document was in the personnel file and per state statute documents in personnel files are exempt from release). The Selectboard concurred.

Mike Ashooh read findings of fact and the decision of the Selectboard regarding the appeal by Dean Pierce.

MOTION by Kate Lalley, **SECOND** by Cate Cross, to vote to approve the decision of the Selectboard to deny the appeal by Dean Pierce of the denial of records request. **VOTING: unanimous (5-0); motion carried.**

14. GENERAL FUND BUDGET STATUS

Finance Director, Peter Frankenburg, gave a status report on the General Fund Budget nearing the end of the fiscal year. The following was noted:

- Tax delinquencies are similar to last year
- Late payment fees are higher than in past years
- Deed recordings are up
- State highway transportation payment is higher than last year
- Passport fees are up
- Building permit revenue is up
- Current use reimbursement from the state is higher
- Legal expenses are over budget
- Economic development expense is down slightly
- Town center building operations is close to budget
- Police salaries have not been fully expended due to vacant positions
- Police overtime is over budget

- Police dispatch is close to budget
- Highway budget is under spent
- Overall, the town is in a good financial situation to finish the fiscal year

Don Porter noted any surplus at the end of the fiscal year is under the town's control, and ARPA money is money that otherwise would not have come to the town.

15. VCRD REQUEST FOR ASSISTANCE

MOTION by Luce Hillman, SECOND by Cate Cross, that the town submit a letter of interest to the Vermont Council on Rural Development seeking assistance through the "community visit" program or other process as may be appropriate.

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

16. ARPA COMMITTEE

Ideas for the ARPA Committee were discussed. Members would include the Town Manager, Finance Director, Planning Director, Selectboard liaison (non-voting), representative from the Bike/Ped/Paths Committee, four members from the public at large. The committee will have up to 8 members and provide recommendations to the Selectboard on how to use the ARPA funds to best benefit the town. The Selectboard will further discuss the ARPA Committee at the next meeting.

17. PERSONNEL POLICY AMENDMENT

There was discussion of the policy amendment to compensate employees for accrued vacation time above the 240 hours that can be carried over at the end of the year. The amendment would be reviewed each year. Staff will compile the cost of the compensation and consult with the Town Attorney on wording of the amendment.

18. RECRUITMENT/RETENTION FOR POLICE/DISPATCH

There was discussion of offering a sign-on or retention bonus for three years to police and dispatch personnel, new hires and current employees. The offering would be reviewed every five years. Staff will work with the Town Attorney on draft language.

19. CSWD BUDGET

MOTION by Cate Cross, SECOND by Kate Lalley, to approve the CSWD Budget for FY2023 as proposed. VOTING: unanimous (5-0); motion carried.

20. LIQUOR LICENSE REVIEW/APPROVAL

MOTION by Cate Cross, SECOND by Kate Lalley, to suspend the regular meeting and convene the Local Liquor Control Commission. VOTING: unanimous (5-0); motion carried.

First Class & Outside Consumption Liquor Licenses: Himalayan Kitchen & Bar, LLC

MOTION by Cate Cross, SECOND by Kate Lalley, to approve a First Class Liquor License and Outside Consumption Liquor License for Himalayan Kitchen & Bar, LLC. VOTING: unanimous (5-0); motion carried.

MOTION by Cate Cross, SECOND by Kate Lalley, to adjourn the Local Liquor Control Commission meeting and reconvene the regular Selectboard meeting.
VOTING: unanimous (5-0); motion carried.

21. ADJOURNMENT

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

The meeting was adjourned at 9:46 PM.

RScty by tape: MERiordan



For the Selectboard

6-21-22

Date

10/1/2020

