

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
August 8, 2023**

***Hybrid meeting**

MEMBERS PRESENT: Mike Ashooh (Chair); Matt Wormser, Andrew Everett, Luce Hillman. (Cate Cross was absent.)
ADMINISTRATION: Matt Lawless, Town Manager; Peter Frankenburg, Finance Manager; Paul Goodrich, Highway Superintendent.
OTHERS PRESENT: Members of the public participating in the meeting included Shelburne Town Host, Don Porter, Miranda MacDonald, Peggy Coutu, Susan McLellan, Miranda Lescuze, Javier Garcia, Mary Hurlie, 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 (4-0); motion carried.**

3. CONFLICTS OF INTEREST

None.

4. MINUTES

July 11, 2023

MOTION by Matt Wormser, **SECOND** by Andrew Everett, to approve the minutes of 7/11/23 as presented. **VOTING: unanimous (4-0); motion carried.**

July 25, 2023

MOTION by Matt Wormser, **SECOND** by Luce Hillman, to approve the minutes of 7/25/23 as presented. **VOTING: unanimous (4-0); motion carried.**

5. PUBLIC COMMENT

None.

6. SELECTBOARD COMMENTS

- Positive comment was made on the “Shelburne Forward Together” forum.
- Taxes due next week.

7. TOWN MANAGER REPORT/UPDATE

Town Manager, Matt Lawless, reported:

- The FY2020-21 financial audit is complete.
- Vacant positions are being filled. Highly qualified candidates are coming forward.

- Visits to local businesses in town continue.
- Falls Road working group is making excellent progress on suggestions for improvements to historic main street and the village.

8. INTERVIEWS/APPOINTMENTS

The Selectboard interviewed candidate(s) for CBC vacancies.

Energy & Climate Committee

MOTION by Matt Wormser, SECOND by Andrew Everett, to appoint Karen Baron, Chloe Nathan, and Liz Wier to the Energy & Climate Committee for three year terms commencing 8/9/23 and ending 4/1/26. VOTING: unanimous (4-0); motion carried.

9. PUBLIC HEARING: Champlain Housing Trust Grant Application

MOTION by Matt Wormser, SECOND by Andrew Everett, to open the public hearing on the grant application on behalf of Champlain Housing Trust to renovate/redevelop Harbor Place West. VOTING: unanimous (4-0); motion carried.

Representatives from Champlain Housing Trust stated the grant application is for the same project detailed in the prior grant application (26 condominium units for sale and 68 rental apartments in a range of income eligibility). The prior grant was not awarded.

MOTION by Matt Wormser, SECOND by Andrew Everett, to close the public hearing. VOTING: unanimous (4-0); motion carried.

MOTION by Matt Wormser, SECOND by Andrew Everett, to support and submit the Champlain Housing Trust grant application to the Vermont Community Development Program. VOTING: unanimous (4-0); motion carried.

10. HARBOR ROAD PUBLIC/PRIVATE STATUS

Highway Superintendent, Paul Goodrich, advised the Selectboard that when the shipyard was sold it was discovered the town does not own the right of way across the causeway even though the town has been plowing the road for over 50 years. The seawall could be a liability so the town should not claim the road. Town trucks can turn around at Chateaugay.

Residents of the neighborhood adjacent to the shipyard and members of the Harborwood homeowners association urged the Selectboard to review the DRB minutes on the redevelopment proposal by the shipyard which covered the road. The history of the road has been researched by many and the results were inconclusive as to whether the road is private or public. There is Vermont case law on de facto acceptance of a road if the town has maintained the road for a long period of time. The homeowners association and the property owners adjacent to the shipyard have safety concerns about the road and want to be a party to discussion of any changes that impact the neighborhood. Neighborhood residents and townspeople in general come to the beach and watch sunsets by the causeway.

Following further discussion, the Selectboard wanted clarity on the status of the road and the seawall and wanted to review the DRB information on the shipyard proposal that was withdrawn. Staff will provide information on the following items:

- Research that has been done on the road status (public/private)
- Why the town would want to maintain the road
- Whether the town is required to take ownership of the road
- The shipyard's position on the road
- Other options
- Liabilities and condition of the seawall
- Who owns the seawall

11. 2023 EMERGENCY MANAGEMENT SPENDING LIMIT

MOTION by Matt Wormser, SECOND by Andrew Everett, to authorize an emergency spending limit of \$10,000 within the town's emergency response plan for 2023-2024 fiscal year. VOTING: unanimous (4-0); motion carried.

12. COMPLETED AUDIT FY2020-2021

The Selectboard heard a report from independent auditor, Miranda MacDonald, who did an audit of the town's financials for FY2020-21. The contents of the audit report were reviewed. It was noted that the town received a clean opinion from the auditor and is implementing the recommendations in the auditor's management letter.

MOTION by Luce Hillman, SECOND by Matt Wormser, to acknowledge the independent audit report of the Town of Shelburne's accounts for fiscal year ending June 30, 2021. VOTING: unanimous (4-0); motion carried.

13. EXECUTIVE SESSION: Personnel

MOTION by Matt Wormser, SECOND by Andrew Everett, to enter Executive Session for personnel matters pursuant to 1VSA313(a)(3) and invite Matt Lawless, Miranda McDonald, and Ron Smith to attend. VOTING: unanimous (4-0); motion carried.

Executive Session was convened at 8:37 PM.

MOTION by Luce Hillman, SECOND by Matt Wormser, to adjourn Executive Session and resume the regular meeting. VOTING: unanimous (4-0); motion carried.

14. ADJOURNMENT

MOTION by Luce Hillman, SECOND by Andrew Everett, to adjourn the Selectboard meeting of 8/8/23. VOTING: unanimous (4-0); motion carried.

The meeting was adjourned at PM.

For the Selectboard

Date