

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
February 9, 2021**

**\*Meeting held via teleconference.**

**MEMBERS PRESENT:** Jerry Storey (Chair); Jaime Heins, Mike Ashooh, Mary Kehoe, Kate Lalley.

**ADMINISTRATION:** Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Aaron Noble, Police Chief; Jim Mack, Emergency Services Dispatch; Jacob Leopold, Rescue Chief; Jerry Ouimet, Fire Chief; John Goodrich, Deputy Fire Chief.

**OTHERS PRESENT:** Members of the public participating in the meeting included Marcy Webster and Scott Moody (Media Factory), Tom Tompkins, Shelley Richardson, Lindsey Stoddard, Amy Berger, Pat Fontaine, Joyce George, Bob Lake, Luce and David Hillman, Sally Conrad, Cate Cross, Jessica Brumsted, Gloria. Devin Major, Lilly Young, Don Porter, Steph's iPhone, Yasamin Gordon, Jason Grignon, Laura Miller, Erika Lea, Catherine Collette, Dee Grigson, Renee Davitt, Candas Pinar, Coco Rooney, Mark Sammut, Doug Merrill, Mark, Dwight Matthews, Ken Scott, Anne Bentley, Tom Karlhuber, Nicci Micco, Sam Jackson, Liz Weir, Sandy, Tarn Foerg, Jon Olio, Michael Major, Mary Stanley, Zsuzsanna Kadas, Sam Jackson.

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**1. CALL TO ORDER**

Chair Jerry Storey called the teleconference meeting to order at 7 PM, explained the procedure to be followed, and held rollcall.

**2. APPROVE AGENDA**

**MOTION** by Jerry Storey, **SECOND** by Mike Ashooh, to approve the agenda with the amendment to table the Shelburnewood item and add a wastewater allocation for 309 Elmore Street. **VOTING** by rollcall: unanimous (4-0), [Jaime Heins not present for vote]; motion carried.

**3. MINUTES**

*January 12, 2021*

**MOTION** by Mike Ashooh, **SECOND** by Kate Lalley, to approve the minutes of 1/12/21 as presented. **VOTING:** unanimous (4-0), [Jaime Heins not present for vote]; motion carried.

January 26, 2021

**MOTION by Kate Lalley, SECOND by Mike Ashooh, to approve the minutes of 1/26/21 with the addition of Richard Foote to the list of participants. VOTING by rollcall: unanimous (4-0), [Jaime Heins not present for vote]; motion carried.**

**4. PUBLIC COMMENT**

- Rep. Jessica Brumsted reported the Town of Shelburne received one of nine state tax credit awards for the community room project at St. Catherine's Church, 92 Church Street.

**5. SELECTBOARD COMMENTS**

- Candidate forum is 2/16/21.

**6. TOWN MANAGER REPORT/UPDATE**

Lee Krohn reported:

- Annual Town Report is at the printer; thanks to Nini Anger and Sue Craig for their work getting it all together.

**7. SHELBURNEWOOD CDBG POLICIES**

Postponed.

**8. FIRE/RESCUE STATION**

The Selectboard viewed a presentation on Fire and Rescue services in Shelburne and the benefits of a potential new Fire/Rescue station. Housing Fire and Rescue together at one site will allow using resources and assets to the best ability and better serve the town into the future. The current facilities are constrained and need rehabilitation work. There is not enough space for staff, training and equipment, and current locations are challenged by traffic. The \$1.12 million bond vote is for the land purchase (\$650,000) and the 50% infrastructure share (\$470,000) with Healthy Living. Construction of a new building is a separate project three to five years in the future, and the cost at this point is not known.

There were questions/comments as follows:

- There is a significant contingency for the project and question as to how surplus funds if any will be used. A Clerk of the Works will oversee the project. Pizzagalli Properties will manage the project for Healthy Living. The collaborative relationship that is now in place is expected to continue. Only the money that is needed will be spent. There is no prepayment penalty on the bond.
- Ensuring the voters are aware the bond vote is for the first step of the project is vital. Other investment will be needed in the future for the building.
- Operating costs will include stormwater fee, road maintenance, plowing. The intent is to have both the town and Healthy Living move forward with the shared infrastructure for the project and share the cost of stormwater, road maintenance and snowplowing.

## 9. COMMUNITY POLICING & RACE IN MOTOR VEHICLE STOPS

Questions were raised about possible bias in policing based on a recent study. Police Chief Noble noted the training that has been taking place in the department to address racial bias and mentioned the legal obligations of the police in order to make a vehicle stop, search, or arrest. Either reasonable suspicion or probable cause are the criteria that must be met before a motor vehicle stop can be initiated.

Dispatcher Mack who is also a data analyst for the Police Department highlighted issues with the report by UVM Professor Stephanie Seguino (“Driving While Black and Brown in Vermont”) including comparing law enforcement data to census data, lack of supporting evidence for assumptions on traffic stops and crashes, missing data elements, duplicate records, lack of reporting on other biases such as age or gender, unclear definition of ‘search’, discrepancy between the number of records in the system and the number of traffic stops performed, sample size from Shelburne being too small to draw any conclusions, and county census information and crash set information not being completely accurate or truly representative of what the police in Shelburne are doing. Mr. Mack reported data on traffic stops and arrests in Shelburne from 2015-2019 show 91.34% of the traffic activity involved whites, 5% involved blacks, 2.24% involved Asians, .03% involved Native Americans, and 1.27% involved Hispanics. Mr. Mack said in all his research he could not find any justification of the methodology used by Professor Seguino to compare crime rates to local demographic data.

There was discussion and comment on diversity training in Shelburne and the police being proactive in addressing 21<sup>st</sup> Century policing. It was suggested that the Town needs to formulate how to offer more diversity training to all staff (i.e. revamp the entire system, not just the Police Department). Professor Seguino will be invited to attend a future Selectboard meeting to discuss the subject.

## 10. ON THE RECORD REVIEW/MAPA

Lee Krohn reported rescinding on-the-record review and the municipal administrative procedures act (MAPA) will still allow due process with DRB hearings. Standards will be maintained. Appeal of any DRB decisions would follow the normal court process.

There was comment on streamlining the regulatory process for applicants and making project review more accessible, and agreement eliminating on-the-record review is one step.

**MOTION by Kate Lalley, SECOND by Jaime Heins, that the Selectboard adopt the resolution rescinding on-the-record review in proceedings before the DRB.**

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

## 11. SELECTBOARD WORK PLAN 2021

Topics discussed, some in addition to those noted in the annotated agenda, included:

- Budget process – what works
- Personnel – where help is needed

- Reorganization in Town Manager's Office and other departments
- Zoning enforcement
- Economic development work
- Regulatory reform
- Partnerships and alternative revenue sources
- Stormwater utility
- Union negotiations with Police
- Capital improvements
- Long term infrastructure planning
- Affordable housing
- More constructive and efficient use of committee structure
- Anti-bias and racial awareness

Lee Krohn and Jerry Storey will draft a priority list of items and sample goals and objectives for the next meeting.

#### **12. BISHOP ROAD STREETLIGHT**

Lee Krohn announced the property owner is willing to remove the streetlight by his driveway on Bishop Road and install alternative lighting. The streetlight will be removed in the spring.

#### **13. SHARED INFRASTRUCTURE AGREEMENT WITH HEALTHY LIVING**

Action was postponed pending information on next steps should Healthy Living not pursue its project at all.

#### **14. WASTEWATER ALLOCATION**

**MOTION** by Mary Kehoe, **SECOND** by Jaime Heins, to approve 210 GPD of wastewater allocation for a single-family house at 216 Caspian Lane, and 210 GPD of wastewater allocation for a single-family house at 309 Elmore Street. **VOTING** by rollcall: unanimous (5-0); motion carried.

#### **15. CERTIFICATE OF HIGHWAY MILEAGE**

**MOTION** by Kate Lalley, **SECOND** by Mary Kehoe, to approve the Certificate of Highway Mileage for the Town of Shelburne and authorize the Town Manager to sign the document(s). **VOTING** by rollcall: unanimous (5-0); motion carried.

#### **16. NEW ROAD NAMES**

**MOTION** by Mary Kehoe, **SECOND** by Jaime Heins, to approve the names of "Rosito Lane" in the Ewing subdivision and "Hemlock Lane" off Thompson Road. **VOTING** by rollcall: unanimous (5-0); motion carried.

#### **17. ADJOURNMENT**

**MOTION** by Mary Kehoe, **SECOND** by Kate Lalley, to adjourn the meeting. **VOTING** by rollcall: unanimous (5-0); motion carried.

The meeting was adjourned at 10:02 PM.

*RScty by tape: MERiordan*

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For the Selectboard

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Date