

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
September 8, 2020**

**\*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; Brian Monaghan, Town Attorney; David Hall, Tree Warden.  
**OTHERS PRESENT:** Members of the public participating in the meeting included Joyce George, Don Porter, Gail Albert, Ken Albert, Jason Grignon, Rep. Jessica Brumsted, Tom Tompkins, Susan McLellan, Ken Scott, Lilly Young, Linda Barker, Candace Page, Gail Henderson-King.

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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 a roll call.

**2. APPROVE AGENDA**

**MOTION by Jaime Heins, SECOND by Mike Ashooh, to approve the agenda as presented. VOTING by roll call: unanimous (4-0) [Kate Lalley not present for vote]; motion carried.**

**3. MINUTES**

*August 25, 2020*

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to approve the minutes with deletion of the new business update agenda item since the owner of the business being highlighted could not attend the meeting, and the global correction to the name of the Finance Committee. VOTING by roll call: unanimous (4-0) [Kate Lalley not present for vote]; motion carried.**

**4. PUBLIC COMMENT**

None.

**5. SELECTBOARD COMMENTS**

- School is back in session so please watch for students going to school and school buses.
- Taxes are due 9/15/20.

**6. TOWN MANAGER REPORT/UPDATE**

Lee Krohn reported:

- Shelburne Falls Road closed for culvert replacement by VTrans over weekend of 9/11/20.

- Four proposals have been received for the economic development consultant. Staff will provide a recommendation.
- Shelburne requested COVID funds (approximately \$5,000 from FEMA and \$9,000 from Vermont for reimbursement of expenses incurred during the pandemic.
- Bike/ped radar sign on Marsett Road will be installed once received.
- Speed tubes are down on Mount Philo Road for a speed study. There has been request for line striping as well. The width of the lanes will be determined and when a contractor is available the lines will be painted. VTrans paints the center yellow lines.
- The cost estimate for the School Street crosswalk s \$6,000. [Following discussion, the consensus of the Selectboard is to install the crosswalk.]
- Guardrails on Bay Road will be moved in the fall.

#### **7. APPOINT TREASURER**

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to appoint Linda Barker to the position of Shelburne Town Treasurer for a one-year appointment beginning at the conclusion of the background check and to end no later than September 30, 2021. VOTING by roll call: unanimous (5-0); motion carried.**

Appreciation was expressed to Colleen Haag for service and dedication to the Town.

#### **8. TREE POLICY AMENDMENTS**

Gail Henderson-King, Tree Committee, and David Hall, Tree Warden, noted changes to the policy include minor edits and removing a statement in Section IX pertaining to tree removal on private property. There was discussion of having the Tree Committee investigate possible additional rewording of Section IX (Tree Removal on Private Property) to address the Town going on private property or requiring the property owner to remove a dangerous tree.

**MOTION by Mike Ashooh, SECOND by Jaime Heins, to approve the tree policy as proposed. VOTING by roll call: 4 ayes, one nay (Jerry Storey); motion carried.**

Following further discussion of the issue of enforcing tree removal on private property, Mary Kehoe expressed a vote in the negative to approving the tree policy as presented.

#### **9. REGULATORY REFORM/PLANNING GRANT APPLICATION**

Dean Pierce reviewed a framework for considering regulatory revisions including keeping in mind the effectiveness of regulations and the value achieved by a regulation or removing a regulation, the benefit of the changes for the community versus the individual, and the tradeoff between equity and efficiency. The administrability and enforceability of the regulations must also be considered. Regulatory changes should address whether a project can be done (simple yes or no answer), minimize or avoid review of low impact projects, simplify review of moderate impact projects, and ensure rule changes do not allow projects counter to community goals. Input from the CBCs should be gathered on regulatory changes. Jason Grignon, Planning Commission Chair,

added with regulatory changes the priorities need to be identified and input gathered from the Planning Commission and other committees before taking action. The Planning Commission has spent a lot of time on the subject. The Selectboard agreed the work done thus far is good and the Planning Commission, staff, and the CBCs should be empowered to provide more focus on what is to be accomplished with regulatory reform. Kate Lalley said regulatory reform should be looked at in terms of economic development, protecting natural resources, making the town more walkable, safer, more affordable. Lee Krohn said the CBC Chairs can meet to discuss what can be done to get some forward momentum on the matter.

Ken Albert, resident, spoke in support of having shared conversations and thinking through the issues, and urged looking at both regulatory reform and making small changes that can make a difference. There are immediate economic issues in town that can be addressed with input from the Planning Commission, DRB, staff, and all committee involved.

Following further discussion, there was agreement staff will draft a proposed strategy for moving forward and explore securing a planning grant.

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the application for a municipal planning grant as discussed.**

**DISCUSSION:**

- **Dean Pierce said there is no specific project for a planning grant. Direction is needed on whether it was worth pursuing a grant that requires a 10% match considering the current budget situation.**
- **Kate Lalley commented a unified bylaw would go far to simplify and eliminate duplication in the bylaws.**

**VOTING by roll call: (4-0), Heins not voting due to temporary technical difficulty; motion carried.**

**10. BUDGET SCHEDULE**

Lee Krohn noted the proposed schedule includes an additional meeting in both October and December and holding the usual full day budget meeting over two evenings. Don Porter said the Finance Committee will do its work products around the schedule. Jaime Heins suggested the budget overview by department heads be brief, perhaps limited to one page, and “crisp” in presentation.

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to confirm the schedule proposed for budget review and discussion as set forth in the document titled: “Proposed Budget Development Timeline for FY2022”. VOTING by roll call: unanimous (5-0); motion carried.**

**11. LIQUOR LICENSE APPLICATION: Shelburne Farms**

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to adjourn the Selectboard meeting and constitute the board as the Liquor Control Commission for purposes of**

consideration of the application by Shelburne Farms. VOTING by roll call: unanimous (5-0); motion carried.

*2<sup>nd</sup> Class Liquor License: Shelburne Farms*

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the application for a 2<sup>nd</sup> Class Liquor License by Shelburne Farms. VOTING by roll call: unanimous (5-0); motion carried.**

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to adjourn the Liquor Control Commission and reconvene the regular Selectboard meeting. VOTING by roll call: unanimous (5-0); motion carried.**

**12. VLCT VOTING DELEGATE & ALTERNATE FOR TOWN FAIR**

**MOTION by Jaime Heins, SECOND by Kate Lalley, to appoint Lee Krohn as the VLCT voting delegate for Shelburne and Jerry Storey as the alternate. VOTING by roll call: unanimous (5-0); motion carried.**

**13. BORROWING AUTHORIZATION: Highway Truck**

Lee Krohn corrected the authorization is for purchase of the truck since the money is in the budget. Peter Frankenburg said the highway truck is in the capital improvement plan.

**MOTION by Mike Ashooh, SECOND by Kate Lalley, to authorize the purchase request as presented (2021 International Truck from Clark's Truck Center for \$60,874). VOTING by roll call: unanimous (5-0); motion carried.**

**14. EXECUTIVE SESSION**

*Contract Negotiations*

**MOTION by Mary Kehoe, SECOND by Jaime Heins, pursuant to 1 VSA 313 to find that premature public knowledge of the town's strategy and contract negotiations would clearly place the town at substantial disadvantage and to go into Executive Session for that reason. VOTING by roll call: unanimous (5-0); motion carried.**

**MOTION by Mary Kehoe, SECOND by Jaime Heins, pursuant to 1 VSA 313 to enter Executive Session to consider the town's strategy and contract negotiations with the police dispatch union, and invite the Town Manager, Finance Director, Town Attorney, and Police Lieutenant to attend. VOTING by roll call: unanimous (5-0); motion carried.**

Executive Session was convened at 8:44 PM.

**MOTION by Kate Lalley, SECOND by Mary Kehoe, to adjourn Executive Session on contract negotiations. VOTING by roll call: unanimous (5-0); motion carried.**

Executive Session was adjourned at 9:02 PM.

*Pending/Probable Litigation*

**MOTION by Mary Kehoe, SECOND by Jaime Heins, pursuant to 1 VSA 313 to find that premature public knowledge of pending/probable litigation would clearly place the town at substantial disadvantage and to go into Executive Session for that reason. VOTING by roll call: unanimous (5-0); motion carried.**

**MOTION by Mary Kehoe, SECOND by Jaime Heins, pursuant to 1 VSA 313 to enter Executive Session to consider pending/probable litigation, and invite the Town Manager and Town Attorney to attend. VOTING by roll call: unanimous (5-0); motion carried.**

Executive Session was convened at 9:04 PM.

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to adjourn Executive Session. VOTING by roll call: unanimous (5-0); motion carried.**

Executive Session was adjourned at 9:33 PM.

**15. ADJOURNMENT**

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to adjourn the meeting. VOTING by roll call: unanimous (5-0); motion carried.**

The meeting was adjourned at 9:34 PM.

*RScty by tape: MERiordan*

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For the Selectboard

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Date