



# Town of Shelburne, Vermont

SELECTBOARD MEETING AGENDA  
SHELburnE TOWN OFFICES, 5420 SHELburnE ROAD

Tuesday, August 9, 2022, 7:00 P.M.

Join SELECTBOARD Zoom Meeting

<https://us02web.zoom.us/j/89293401596?pwd=WkVGdWx2eIN3ZOY3MG94ZHFzVDJhZz09>

Meeting ID: 892 9340 1596; Passcode: J4nTvk

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

Meeting ID: 892 9340 1596; Passcode: 420043

**Call to Order/Roll Call** 7:00 P.M.

**\*Approve Agenda** 7:00 P.M.

**Disclosure of conflict of interest for items on the agenda** 7:00 P.M.

**\*Approve meeting minutes of July 12 and 26, 2022** 7:00 P.M.

**Public Comments re: items not on the agenda** 7:05 P.M.

**Selectboard Comments** 7:15 P.M.

**Town Manager Report** 7:20 P.M.

**\*Requests for waivers of fees/penalties for late payment of property taxes** 7:25 P.M.

**\*ARPA Committee composition/solicitation** 7:35 P.M.

**\*COVID hazard bonus question re: other Town employees** 7:50 P.M.

**Potential budget deferral concepts** 8:05 P.M.

**\*Grant application/award from VLCT/PACIF for a Dispatch desk** 8:20 P.M.

**\*Reappoint John Zicconi as Shelburne's representative on the CCRPC Board** 8:25 P.M.

**\*Liquor license application** 8:30 P.M.

**\*Executive Session – labor relations agreements and personnel** 8:35 P.M.

**\*Adjourn** 9:00 P.M.

*\*Potential action items. Times are approximate and depend upon how discussion flows.*



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<b>*Requests for waivers of fees/penalties for late payment of property taxes</b>	<b>7:25 P.M.</b>

We have in hand two requests for waivers of late fees and/or penalties:

One is from Cornelius Cowles, seeking a waiver of the late penalty of \$297.69 related to late filing of the homestead declaration required by the State. Mr. Cowles submitted voluminous, detailed background information (attached) describing the challenges he had faced related to the purchase of a new property and the bureaucratic quagmire of trying to get the State SPAN number assigned so he could file timely. Based on this documentation, it appears that Mr. Cowles did everything possible in good faith to try to comply with the required timely filing, but could not do so due to circumstances out of his control. Although not directly on point regarding late payment of property taxes themselves, it appears to satisfy criterion #7 – the “extenuating circumstances” provision - of the Selectboard’s waiver policy (attached). We recommend waiving the late penalty in this most unusual case. If the Board is so inclined:

*MOTION: Based on the documentation provided, I move to waive the penalty of \$297.69 related to late filing of this year’s homestead declaration required by the State.*

The second request is from William Ryerson, seeking a waiver of late fees associated with his property taxes. He stated that he had mailed payment for the March 15, 2022 installment prior to the due date, but we never received it. When Mr. Ryerson received the late notice for this payment, he promptly paid the installment and late fees and now hopes for a waiver of these late fees charged. There is no history of late payments in the past. Mr. Ryerson has already signed up to have his property tax payments withdrawn from his bank account automatically on each due date. He is requesting a waiver of the penalty charge of \$180.89 and Interest charge of \$54.27. Given that he has already signed up for automatic payments, and that this matter appears to satisfy criterion #6 of the Selectboard's waiver policy – "...delays... due to the operation of mails...", we recommend waiving the late fees noted here. If the Board is so inclined:

*MOTION: Based on the information provided, I move to waive the penalty and interest totaling \$235.16 related to late payment of the March 2022 property tax installment.*

**\*ARPA Committee composition/solicitation**

**7:35 P.M.**

The Selectboard has made clear its interest in initiating the process of soliciting community members for this committee, and launching the conversation of seeking ideas and suggestions for use of the Town's ARPA funds. Selectboard members Cate Cross and Matt Wormser had offered to take the lead on this.

**\*COVID hazard bonus question re: other Town employees**

**7:50 P.M.**

As you recall, a \$500 bonus was awarded to employees thought to have been at greatest risk during the COVID pandemic. It has been suggested that a similar bonus should be offered to all other Town employees in recognition of continued service to the community during challenging times. Based on current staffing, if this were to become an "all in" approach, then this would involve 22 full time staff and 20 part time staff.

If the same \$500 bonus were granted to all other full time employees, the total cost would be \$11,000; if to all full and part time staff, then the total cost would be \$21,000. Another suggestion made was to consider \$500 for full time staff, and \$250 for part time staff. In that latter circumstance, the total cost would be \$16,000.

If the Board were so inclined to award these additional bonuses from the ARPA fund, then we'd need a motion to approve a COVID hazard pay bonus using the Town's ARPA funds to all other Town employees who were not awarded this previously in the following amount(s): \$500 to all? \$500 to full time/\$250 to part time?

**Potential budget deferral concepts**

**8:05 P.M.**

As suggested by the Finance Committee, the Selectboard sought early, initial suggestions as to where in the approved FY 2023 budget expenses could be deferred. As always, some expenses such as salaries are linear in nature throughout the year, and are thus inherently "deferred" by only being spent as the year goes on. Other expenses such as purchases of costly projects or equipment can sometimes be deferred, at least temporarily. That said, given the scrutiny given to proposed budgets within each department and also by the Selectboard and the voters, expenditures within our Town budget are all thought necessary for safe and functional operations. Note also that while a single large line item such as road paving/retreatment, which is often felt to be an easy "big ticket" expense to defer, is a twin edged sword, especially this year. Given extreme cost increases, we will necessarily be more limited than anticipated in how much repaving can be accomplished; and if we don't spend our entire budgeted amount, then we also prevent ourselves from accepting the significant paving grant

received from the State for this year. Repaving is slated to begin shortly while contractors are available, and before costs rise even further.

Attached please find a first draft of suggested deferrals by department.

**\*Grant application/award from VLCT/PACIF for a Dispatch desk**

**8:20 P.M.**

Executive Assistant Nini Anger learned of and applied for a grant through our insurer, VLCT/PACIF, for a new ergonomic stand-up desk and accompanying chair for Dispatch. We sometimes learn of these grants on short notice, and then act quickly while funds are still available. As I understand it, this grant (unlike most others) is a 100% reimbursement in an amount up to \$2447.68. We are pleased to inform you that this grant was awarded immediately, and we here now seek your *ex post facto* authorization. While these adjustable desks are useful for any desk bound person, they are especially applicable in Dispatch, where multiple employees must share common workspace, and where ability to adjust working height is ergonomically appropriate and important.

*MOTION: I move to approve the VLCT/PACIF grant for up to \$2447.68 as already awarded.*

**\*Reappoint John Zicconi as Shelburne's representative on the CCRPC Board**

**8:25 P.M.**

John Zicconi has been Shelburne's representative for a number of years, and wishes to continue serving for the foreseeable future. He and our new alternate representative Jeff Carr believe they will be an excellent "tag team" representing Shelburne on this Regional Planning Commission governing board.

*MOTION: I move to reappoint John Zicconi as Shelburne's representative to the CCRPC Board, for a term beginning on July 1, 2022 and ending on June 30, 2024.*

**\*Liquor license application**

**8:30 P.M.**

Shelburne resident Donnell Collins, the owner of Leunig's in downtown Burlington, will be opening a French café called Le Marche Bakery and Café in the space formerly occupied by Harrington's. A liquor license application has been submitted, seeking both first and second class licenses for this new business. With no known concerns,

*MOTION 1: I move to suspend the regular Selectboard meeting and convene as the local liquor control commission.*

*MOTION 2: I move to approve first class and second class liquor licenses for Le Marche Bakery and Café.*

*MOTION 3: I move to adjourn as the local liquor control commission and resume the regular Selectboard meeting.*

**\*Executive Session – labor relations agreements and personnel**

**8:35 P.M.**

*Motion 1: Pursuant to 1 VSA 313, I move to find that premature general public knowledge of labor relations agreements with employees would clearly place the Town at a substantial disadvantage.*

*Motion 2: Pursuant to 1 VSA 313, I move to enter executive session to consider labor relations agreements with employees, and to invite the Acting Police Chief and Town Manager to participate.*

*Motion 3: Pursuant to 1 VSA 313, I move to also enter executive session to consider the appointment or employment or evaluation of a public officer or employee, and to invite the Town Manager to participate.*

**\*Adjourn**

**9:00 P.M.**

*\*Potential action items. Times are approximate and depend upon how discussion flows.*

*PLEASE NOTE: Also attached to the packet is a summary of recent actions taken to help implement the Shelburne Hazard Mitigation Plan. The Regional Planning Commission and a consultant help each municipality and the region as a whole to update these plans as federally required every five years. It is attached for your information as requested.*

A VIDEO RECORDING OF THE MEETING IN ITS ENTIRETY IS AVAILABLE THROUGH VERMONTCAM.ORG. THE WRITTEN MINUTES ARE A SYNOPSIS OF THE DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES SUBJECT TO CORRECTION BY THE SHELBURNE SELECTBOARD. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE BOARD.

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES  
JULY 12, 2022**

**\*Hybrid meeting**

**MEMBERS PRESENT:** Mike Ashooh (Chair), Kate Lalley, Matt Wormser. (Luce Hillman and Cate Cross were absent.)

**ADMINISTRATION:** Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Adele Gravitz, Planning Director; Kevin Unrath, Library Director; Diana Vachon, Town Clerk.

**OTHERS PRESENT:** Members of the public participating in the meeting included Nancy Badami, Ann Hogan, Bill Deming, Candacecarsonhoffmann, Donna Fialkoff, Gail Albert, Jane Zenaty, John Goodrich, Judith Raven, Kenneth Albert, Lee Suskin, Linda, Linda Retchin, Linda Riell, Sean Moran, Don Porter, Mary Kehoe, Maureen, Patricia Fontaine, Rob Fish, Robilee Smith, Rowland Davis, Ryan Brown, Shelburne Town Host, Steve Baietti, Susan Moraska, Tom Zenaty, Tracey Beaudin, Vivian's iPhone, Zoom for Pierson Library, Media Factory.

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**1. CALL TO ORDER**

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

**2. APPROVE AGENDA**

**MOTION** by Kate Lalley, **SECOND** by Matt Wormser, to approve the agenda with the amendment to add approval of the July 7, 2022 special meeting minutes.

**VOTING:** unanimous (3-0); motion carried.

**3. CONFLICTS OF INTEREST**

None.

**4. MINUTES**

*July 7, 2022*

**MOTION** by Kate Lalley, **SECOND** by Matt Wormser, to approve the minutes of 7/7/22 as presented. **VOTING:** unanimous (3-0); motion carried.

*June 28, 2022*

**MOTION** by Kate Lalley, **SECOND** by Matt Wormser, to approve the minutes of 6/28/22 as presented. **VOTING:** unanimous (3-0); motion carried.

**5. PUBLIC COMMENT**

- There was comment from the public in support of also awarding hazard (covid) pay to members of the Highway Dept. and Town Office staff.

- There was a question on the position of Shelburne on the sale of marijuana in town. The Selectboard noted action has not been taken on this issue yet.

#### **6. SELECTBOARD COMMENTS**

- Comments from residents on covid hazard pay will be taken under advisement.
- A statement was read regarding the renewal of the current Town Manager's contract. The decision to not renew the contract was amicable and professional.
- Antiques Roadshow at the Shelburne Museum was a good opportunity to showcase Shelburne.
- The passing of Cullen Bullard was mentioned.

#### **7. TOWN MANAGER REPORT/UPDATE**

Lee Krohn reported:

- The service of Cullen Bullard, volunteer firefighter for Shelburne for 55 years, was recognized.

#### **8. PRESENTATION: Communications Union District**

Rob Fish with the Vermont Community Broadband Board gave a presentation on providing broadband to under-served and not served addresses in Vermont through a communications union district (CUD) and how to establish a CUD which has no taxing power and is funded through grants and bonds. The question of establishing a CUD must be on the ballot for public vote. The Selectboard must decide whether to put the question on the ballot.

The Selectboard expressed support for having equitable access to broadband and suggested the Shelburne Finance Committee look at the funding mechanism. Questions/comments on the CUD covered rewiring to provide faster speed service, robust broadband having an impact on commercial and residential growth in town, providing more options and opportunities for people, being a great equalizer for communities. The Selectboard will make a decision on whether to add establishing a CUD on the ballot for public vote at the 7/26/22 meeting.

#### **9. DISCUSSION: Local Options Tax**

The Selectboard confirmed support for further researching a local options tax, educating the public on the matter, and letting the voters decide in March. There were also comments from the public in attendance in support of establishing a local options tax in Shelburne. Finance Committee Chair, Don Porter, commented that for the long run the town needs to find the best optimal mix of revenue sources to fund all the needs that the town has to fulfill the vision for the town for the future. Relying on the property tax alone is insufficient for property tax levels that are manageable in the community. There was further discussion of having a local options tax and ways to inform the townspeople and hear comments including contacting the Rotary Club, the farmers market, the local newspaper, sending out a mailer, doing presentations to groups in town.

#### **10. ARPA COMMITTEE APPLICATION PROCESS**

The Selectboard agreed the ARPA committee should be staffed by September 2022 and the committee can work through to the new year and provide recommendations. Matt Wormser said the application to serve on the committee is essentially complete and can be published.

Tom Zenaty mentioned the connectivity study results that will be available soon and incorporating this in conversations with the ARPA committee on how to spend ARPA funds.

The Selectboard will decide the composition of the ARPA committee in August.

#### **11. CBC APPOINTMENT POLICY**

The Selectboard agreed CBC Chairs can make recommendations on candidates, but all applications should be provided to the Selectboard. The language of the appointment policy needs to be clarified on this point. There was public comment in support of the Selectboard seeing all applications and selecting the candidate to fill a vacancy. Having a liaison from the Selectboard attend CBC meetings when applicants are being interviewed was suggested. Also, having members of the same family applying and serving on a CBC needs further discussion.

#### **12. LIQUOR LICENSE APPLICATION(s)**

**MOTION** by Kate Lalley, **SECOND** by Matt Wormser, to suspend the regular Selectboard meeting and convene the Shelburne Liquor Control Commission meeting. **VOTING: unanimous (3-0); motion carried.**

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

**MOTION** by Kate Lalley, **SECOND** by Matt Wormser, to approve a 2<sup>nd</sup> Class Liquor License for the new owners of the Shelburne Country Store.

##### **DISCUSSION:**

- Diana Vachon noted the license is for the sale of gift baskets at the store.

**VOTING: unanimous (3-0); motion carried.**

**MOTION** by Kate Lalley, **SECOND** by Matt Wormser, to adjourn the Shelburne Liquor Control Commission and reconvene the regular Selectboard meeting.

**VOTING: unanimous (3-0); motion carried.**

#### **13. ADJOURNMENT**

**MOTION** by Kate Lalley, **SECOND** by Matt Wormser, to adjourn the meeting.

**VOTING: unanimous (3-0); motion carried.**

The meeting was adjourned at 9:09 PM.

*RScty by tape: MERJordan*

\_\_\_\_\_  
For the Selectboard

\_\_\_\_\_  
Date

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**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES  
JULY 26, 2022**

**\*Hybrid meeting**

**MEMBERS PRESENT:** Mike Ashooh (Chair); Cate Cross, Kate Lalley, Luce Hillman. (Matt Wormser was absent.)

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

**OTHERS PRESENT:** Members of the public participating in the meeting included Wayne Elliott, Ken Albert, Tom Zenaty, Jane Zenaty, Linda Riell, Wanda Morgan, Don Rendall, Rowland Davis, Steve Baietti, Miranda Lescaze, Lin Hanson, Doug Merrill, Bob Furr, Ali Shatri, Steve Mayfield, Julie Shatnick, Charlie Kauf, Dubois & King, Barb Johnson, Joyce George, Robin Jeffers, Mark Keeley, Media Factory.

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**1. CALL TO ORDER**

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

**2. APPROVE AGENDA**

**MOTION** by Kate Lalley, **SECOND** by Cate Cross, to approve the agenda with the amendments to take action to receive the Bike/Ped Connectivity Study and strike the Executive Session from the agenda. **VOTING: unanimous (4-0); motion carried.**

**MOTION** by Cate Cross, **SECOND** by Mike Ashooh, to add to the agenda a discussion of continued expenditure of ARPA funds to include potentially those employees of the town who did not receive ARPA funds. **VOTING: 2 ayes, 2 nays (Kate Lalley, Luce Hillman); motion did not carry.**

The Selectboard will further discuss use of ARPA funds for covid bonuses at the next meeting.

**3. CONFLICTS OF INTEREST**

None.

**4. MINUTES**

*July 12, 2022*

Postponed due to lack of a quorum present at the 7/12/22 meeting.

**5. PUBLIC COMMENT**

- Wanda Morgan announced the \$10,000 grant received by the Shelburne Equity & Diversity Committee from the Vermont Covid-19 Response Fund of the Vermont Community Foundation.
- There was public comment in support of Town office and highway employees receiving Covid hazard bonus pay.

**6. SELECTBOARD COMMENTS**

None.

**7. TOWN MANAGER REPORT/UPDATE**

Lee Krohn reported:

- Absentee ballots requested to date total 1,694 (672 have been returned).
- Officer Kyle Kapitanski was recently hired by the Shelburne Police. It is hoped that two more officers will be attending the Police Academy.

**8. COMMUNICATIONS UNION DISTRICT**

**MOTION by Luce Hillman, SECOND by Kate Lalley, to place the following question on the November ballot for the Town of Shelburne:**

- **Should the Town of Shelburne enter into a communications union district to be known as the “Chittenden County Communications Union District” under the provisions of 30VSA82 for the purpose of improving access to broadband services?**

**VOTING: unanimous (4-0); motion carried.**

**9. PUBLIC HEARING: Community Development Block Grant – Champlain Housing Trust**

Lee Krohn briefly explained the grant for the Champlain Housing Trust Harbor Way housing project.

**MOTION by Kate Lalley, SECOND by Cate Cross, to open the public hearing on the VCDP grant application by Champlain Housing Trust for the Bay Ridge housing project at 3164 Shelburne Road. VOTING: unanimous (4-0); motion carried.**

The public hearing was opened at 7:17 PM.

Miranda Lescaze with Champlain Housing Trust gave a summary of the project to create a mixed income neighborhood at 3164 Shelburne Road (Harbor Way site) and explained the town’s role with the grant.

There was public comment on the increase in traffic on Champlain Drive. It was suggested that this matter is appropriate to bring to the DRB and/or Act 250.

**MOTION by Kate Lalley, SECOND by Luce Hillman, to close the public hearing. VOTING: unanimous (4-0); motion carried.**

The public hearing was closed at 7:29 PM.

**MOTION by Kate Lalley, SECOND by Cate Cross, to adopt the resolution for the VCDP grant application authority for a community development grant for the Champlain Housing Trust Bay Ridge housing project. VOTING: unanimous (4-0); motion carried.**

**10. UPDATE: Wastewater Treatment Plant Consolidation Project**

Consultant Wayne Elliott with Aldrich & Elliott gave a brief overview and summary of options to consolidate the town's two treatment plants. The final report by the consultant was issued in 2021. The latest upgrades to both plants were 20 years ago. The infrastructure and equipment are aged and reaching their functional lifespan. The recommendation is to convert Treatment Plant #2 (Harbor Road) to a pump station with preliminary treatment of effluent to be pumped to expanded Treatment Plant #1 (Crown Road). Funding for the project needs to be confirmed. Construction would begin in 2024 and the consolidated system would be operational by 2026. Total cost estimate today is \$33 million subject to increase due to the current supply chain environment and the economy.

Questions/comments:

- Assistance with funding – Best case is 50% subsidy; worst case is 25% subsidy.
- Dilution of material flowing into Shelburne Bay – There will be compliance with all permit limits in place.
- Decrease in energy consumption/increase in energy efficiency – Improvement is expected with better technology and by only operating one treatment plant instead of two.
- Solar or green roofs – These can be considered separately from the consolidation project. The town already contracts for the maximum net metered solar energy allowed under State law (from the library solar panels and other off-site arrays).
- Public comment was made in support of consolidating to Plant #2 (Harbor Road) rather than Plant #1 (Crown Road), and potentially decommissioning the plant on Crown Road. The geography of the site, removal of trees, the increase in noise, the impact of increased truck traffic on the surrounding residences, the impact on real estate value of the surrounding homes, and a suggested small cost difference between expanding the two facilities were cited as reasons to expand the Harbor Road plant.
- Anaerobic processing - The anaerobic option is not cost effective or feasible for the plants and the flow volumes.
- Impact on two bridges for infrastructure to pump discharge to Shelburne Bay – Pipes will be located underground, not hung on the bridges.
- Accept South Burlington wastewater for a charge to offset the cost of the plant expansion project – South Burlington already expanded its facilities.
- Stormwater in the sewage flow and maximizing the decrease in phosphorus going into the lake – There is compliance with all permit requirements. Facilities are operated to the maximum possible.

- Expanding the Harbor Road facility (Plant #2) – Cost will be an issue. A scoping study can be done. Further discussion will be needed. The state will have to be involved.

The Selectboard will do an on-site walking tour of the facilities in August.

**11. PRESENTATION: Bike/Ped Connectivity Study Report**

Consultants from Dubois & King reviewed the results of the connectivity study that included an inventory of existing and proposed pathways in town and a matrix of 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> tier projects per the ranking. The projects include sidewalk, bike lanes, shared use paths, trails, crosswalks, bridges.

There was discussion of the path from the village to the beach not having a higher priority and the inclusion in the report of parking to access the paths and wayfinding signs. The map of the pathways should be amended to remove the shared use path on Bay Road since the town already rejected this path (paths that are not under consideration should be removed from the report). There was mention of the transportation value of the pathways from an environmental point of view and getting input from the Shelburne Natural Resources Committee early in the process. It was suggested the report be amended to include removal of the Bay Road multi-use path and elevation in the ranking of the path to the beach. An executive summary of the amended report should be drafted. It was also suggested the bike/ped safety group and the Bike/Paths Committee be tasked with drafting a build-out list in order and priority (five to 10-year plan) and include input from the Natural Resource Committee.

The consultants will finalize the report with the recommended amendments (remove the Bay Road path, increase the ranking of the path to the beach, draft an executive summary). The Selectboard will take action and review concrete next steps at an upcoming meeting.

**12. ADJOURNMENT**

**MOTION by Cate Cross, SECOND by Kate Lalley, to adjourn the meeting.**

**VOTING: unanimous (4-0); motion carried.**

The meeting was adjourned at 9:45 PM.

*RScty by tape: MERiordan*

\_\_\_\_\_  
For the Selectboard

\_\_\_\_\_  
Date



# Town of Shelburne, Vermont

CHARTERED 1763

P.O. BOX 88 5420 SHELBURNE ROAD SHELBURNE, VT 05482

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Clerk/Treasurer (802) 985-5116	Town Manager (802) 985-5111	Zoning & Planning (802) 985-5118	Assessor (802) 985-5115	Recreation (802) 985-5110	FAX Number (802) 985-9550
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Policy: 18 – 01

- Effective:** Upon Adoption
- Purpose(s):** Provide guidance to the Selectboard, staff, and public for requests made of the Selectboard to waive the penalty on late property taxes pursuant to §147-9.2 of the Town Charter. This policy applies to homeowners, businesses, non-profits, and all entities with property tax paying responsibilities.
- Authority:** This policy is adopted by the Shelburne Selectboard pursuant to §147-5.1(a) of the Town Charter.
- Procedure:** When requests from the public come before the Selectboard to waive penalty fees associated with late property tax payments pursuant to the authority provided by the Selectboard under §147-9.2<sup>1</sup> of the Town Charter. The following criteria will be used by the Selectboard as ‘just cause’ justification(s) for waiving the penalty charge, subject to timely provision of documentation by the taxpayer substantiating the request. Requests must be provided to the Selectboard in writing.
1. The property tax payer is a current member of the United States Armed Services and is deployed for military assignment outside of Vermont at the time payment was due;
  2. The property tax payer has experienced an unavoidable or unplanned relocation within ninety (90) days prior to the tax due date;
  3. The property tax payer, immediate household member, or close family member is experiencing a serious medical condition which affected timely payment or which requires taxpayer personal attention and use of personal or family resources as to affect timely payment;
  4. The property tax payer, immediate household member, or close family member passed away within six (6) months prior to the tax due date;
  5. The property tax payer, immediate household member, or close family member experiences an unexpected financial loss or change in financial situation within six (6) months prior to the property tax due date;
  6. Delays in the forwarding, receiving, or clearing of the owed tax payment attributable to the operations of mails and/or the financial institution(s) involved, which were beyond the tax payer’s control;

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<sup>1</sup> This policy acknowledges that in past practice the Selectboard has not strictly enforced the requirement that taxes be paid within seven (7) days of the due date in order to receive a penalty waiver, and will continue to handle requests pursuant to this past practice.

7. Other extenuating circumstances not considered above which the Selectboard considers equivalent in nature to 'just cause' justifications listed herein.

**Process:**

If one of the criteria listed above is met, the Selectboard will use its authority under §147-9.2 of the Town Charter to consider the waiver of the property tax penalty fee, at a duly warned meeting. As a condition of waiver, the Selectboard shall require that the property tax payer first enrolls with the automatic payment option, unless a justifiable reason is provided for why the property tax payer is unable to enroll in the automatic payment option.

**Adopted:**

February 13, 2018.

Shelburne Selectboard

\_\_\_\_\_/s//\_\_\_\_\_  
Gary von Stange, Chair

\_\_\_\_\_/s//\_\_\_\_\_  
Jerry Storey

\_\_\_\_\_/s//\_\_\_\_\_  
Colleen Parker

\_\_\_\_\_/s//\_\_\_\_\_  
Josh Dein

\_\_\_\_\_/s//\_\_\_\_\_  
Jaime Heins

## FISCAL YEAR 2022-2023

### First draft, potential budget deferrals in a time of high fuel and materials costs

As we had done during the early, uncertain times of the COVID pandemic, it has been suggested that we again review the approved budget for this new fiscal year in order to determine what expenditures might be able to be deferred.

At the outset of this exercise, it is important to note that a significant portion of the overall Town budget relates to salaries for our dedicated, hard-working employees. While this is not and should not be considered deferrable, note also that in large part, salaries are paid in linear fashion throughout the year. Thus, these do not have the same short-term impact as might a single large purchase or project paid out of current revenues. At the same time, not all large purchases or projects are necessarily able to be delayed – availability, reliability, continuing cost increases, safety, or other factors may also play into the timing of larger expenses or acquisitions.

All that said, please find below an early, first draft list of budgeted expenditures that might be delayed with lesser impact municipal operations; these are listed in order of appearance in the Town budget:

#### SELECTBOARD

Economic Development:	\$50,000
Town Report (inherently delayed until winter):	\$2000

#### MANAGER'S OFFICE

Manager's Expenses:	\$4500
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#### ADMINISTRATIVE SERVICES

Various line items that are typically spread over the year but eventually must be spent	\$35,000
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#### ELECTIONS

N/A, with both primary and general elections this year, plus Town Meeting

#### FINANCE & INSURANCE

Insurance bills must be paid when they come due.

Audit: inherently delayed until later in the fiscal year... \$27,000

#### TOWN CLERK/TREASURER

Recording software/supplies, records automation/preservation \$20,000?  
As with other items, may be spread out over the year...

#### PLANNING & ZONING

Planning projects without grants \$10,000

#### ASSESSING

N/A with reappraisal underway, and funded via the reappraisal fund

#### BUILDINGS & GROUNDS

“Big ticket” budget lines are operating, utility, and similar costs \$45,000  
that flow throughout the year, but for which there is little  
leeway over the course of the year. Heat, power, and general  
operations are essential. “Deferrals” here may be seasonal, but  
not optional.

Carpet replacement \$5000

Transfer to capital equipment/building reserve fund\* \$50,000

#### STORMWATER

N/A; these are state and federal mandates that must be implemented.

#### HARBORMASTER

N/A; self-funded via fees.

#### POLICE

As elsewhere, salaries and overtime are generally linear over the \$30,000  
course of the year. Until we are more fully staffed, it’s likely that  
certain line items may not be expended fully. The amount shown  
is an estimate at best.

Transfer to cruiser fund*	\$45,000
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FIRE

As with salaries elsewhere, FF stipends are linear through the year; so while the largest line item in this department, deferral is only the natural delay of expenditure over time, but not truly optional.

Protective equipment, supplies, etc, rough estimate:	\$30,000
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Equipment replacement fund*:	\$50,000
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#### PUBLIC SAFETY/DISPATCH

No deferral is recommended here. We must continue to move forward with communications systems improvements as existential, life safety necessities.

#### HIGHWAY

Road maintenance:	\$20,000
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Salt:	\$30,000
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Transfer to equipment replacement fund*:	\$150,000
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#### HEALTH/SOCIAL SERVICES

Social service agencies	\$20,000
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#### RESCUE

N/A; self-funded

#### CEMETERIES

Transfer to tractor fund	\$1600
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#### PARKS & RECREATION

N/A; program expenses are offset by revenues, and facilities maintenance is already 'bare bones'.

## LIBRARY

Books/tapes/periodicals/etc	\$25,000
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Note while the Library has made a successful case for restoration of its budget for this purpose, like other matters, these are not all purchased at once, so any proposed deferral may be part of the natural cycle of the year. I am certain that the Library would not consider an actual cut to this line item fair, practical, nor reasonable.

DEBT/INTERGOVERNMENTAL TRANSFERS/BENEFITS: all fixed costs

## MISCELLANEOUS

Open space land study	\$15,000
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Initially thought to be deferrable, but NRCC is already launching this project.

EAB tree management	\$14,000
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Transfer to open space fund*	\$50,000
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TOTAL POTENTIAL OR ACTUAL BUDGET DEFERRALS	\$714,100
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*Includes items flagged and as noted below – expenses that are deferred until the end of each fiscal year, but which should not be considered as potential or actual “savings” not to be spent at all. These reserve or replacement funds are essential aspects of financial planning.*

\*NOTE: all of the items flagged with \* are internal transfers to various reserve type funds. These internal transfers do not typically occur until the end of each fiscal year, so are inherently deferred until the end of a fiscal year per standard practice.

07/29/2022

Nini Anger  
Executive Assistant  
Town of Shelburne

Dear Nini,

Your application for a 2022 PACIF Equipment Grant has been approved. Your municipality is eligible for a grant of up to \$2,447.68 as outlined below:

- Your grant application was approved as submitted.
- Your grant was partially and/or conditionally approved as follows:

For reimbursement, if the amount of the purchase is less than the quoted price or if the municipality does not purchase all approved items, we will adjust the amount of the grant reimbursement check accordingly. **There should be no substitution of items purchased via this program, unless those items are *substantially similar in nature and quality to the approved items*. We reserve the right to refuse payment if purchased items vary from approved items.** Refer to the 2022 PACIF grant guidelines for more information.

Once you have purchased the approved equipment, send us proof of purchase and payment in the form of a detailed receipt and a copy of the check that references the invoice #. After review, PACIF will calculate the award amount and send a check to your municipality's PACIF contact. **Note that all awards are valid for six months from the date of this letter, after which time they will expire.**

VLCT PACIF is thrilled to be a part of your municipality's risk management efforts! If you have any questions regarding what documentation is required to receive your grant award, please contact Jeff LaBossiere at [jlabbossiere@vlct.org](mailto:jlabbossiere@vlct.org).

Sincerely,  
Jeff LaBossiere  
**Loss Control Manager**  
Vermont League of Cities & Towns  
89 Main Street, Suite 4  
Montpelier, VT 05602-2948  
802-229-9111  
[vlct.org](http://vlct.org)

cc: Lee Krohn, Town Manager

**TOWN OF SHELBURNE**

**Report: Calendar Year 2021: Progress on Implementation of All-Hazards Mitigation Plan**

**Date:** July 27, 2022  
**To:** Selectboard  
**From:** Robert Lake, Town Emergency Management Director  
**Information collected by:** Chittenden County RPC in partnership with municipal staff

*Town of Shelburne Mitigation Actions: Implementation Monitoring Worksheet*

<b>CATEGORY A: Upgrade Stormwater Management Systems to mitigate against Severe Rainstorm and Water Pollution and their associated vulnerabilities of:</b>	
<ul style="list-style-type: none"> <li>• Damage to new/existing public infrastructure and buildings</li> <li>• Temporary road and bridge closure</li> <li>• Budgetary impacts</li> </ul>	
<b>Action</b> <b>Primary Responsible Entity</b>	<b>Report on Progress since Plan adoption</b>
<u><b>Action A-1: Catch Basin cleaning &amp; Street Sweeping</b></u> (Water Quality Superintendent)	-annual # basins cleaned -annual # street miles swept  <u>Town reports progress in 2021 as follows:</u> <ul style="list-style-type: none"> <li>• The Town has a five-year rotating schedule of catch basin cleaning. In 2021 we cleaned 112 catch basins.</li> <li>• Street sweeping consists of spring and fall sweeping. In 2021 we swept 30 road miles. Sweeping is based on the Town’s Street Sweeping Map and will be relatively consistent each year.</li> </ul>
<u><b>Action A-2: Munroe Brook Flow Restoration Plan</b></u> (Water Quality Superintendent)	-project types and locations and year constructed/installed  <u>Town reports progress in 2021 as follows:</u> <ul style="list-style-type: none"> <li>• Using a Design Implementation Block Grant secured in partnership with the CCRPC, the Town completed a Final Design for the Boulder Hill SW Pond Upgrade</li> <li>• The Town engaged in discussions with Fitzgerald Environmental on a planned 2022 submission to CCRPC for Unified Planning Work Program funds to update designs and cost estimates for several projects in the Flow Restoration Plan. (Note: This request was approved &amp; will be conducted in FY23).</li> </ul>

<p align="center"><b><u>Action A-3: Land development proposal review &amp; regulation</u></b></p> <p>(Planning &amp; Zoning Department Director)</p>	<p>-approximate annual # of site plans reviewed -approximate annual # of subdivision plans reviewed</p> <p><u>Town reports progress in 2021 as follows:</u></p> <ul style="list-style-type: none"> <li>In 2021, the Town reviewed Site Plan applications, Final Plans for Subdivision and numerous applications for single family home permits, multi-family housing permit and building permits, including changes to existing buildings as detailed in the table below. All plans and projects were reviewed for consistency with applicable water quality and stormwater regulations.</li> </ul> <p>Site Plan Review: 5 Design Review: 0* Sketch Plan: 6 Preliminary: N/A Final Plan: 9 Boundary Line Adjustments: 4 Form Based Zoning: 3 Conditional Use Review, Approvals: 8 Conditional Use Review, Denials: 0 Variance Review, Approvals: 1 Variance Review, Denials: 0</p> <p>*Design Review no longer goes before the DRB unless the project needs DRB approval for something else, site plan or etc., afterwards.</p>
<p align="center"><b><u>Action A-4: Develop Phosphorus Control Plan</u></b></p> <p>(Water Quality Superintendent)</p>	<p>-progress on development of plan and filing to State</p> <p><u>Town reports progress in 2021 as follows:</u></p> <ul style="list-style-type: none"> <li>With funding provided by the Chittenden County RPC along with Town funds, the Town engaged the services of a consultant to draft and complete a Phosphorus Control Plan which was submitted to the Vermont DEC prior to the April 1, 2021, deadline.</li> <li>Using State of Vermont Grants-in-Aid funds, the Town upgraded road segment 5085.1 near 7065 Bostwick Road to meet standards in the Municipal Roads General Permit.</li> </ul>
<p><b>CATEGORY B: Upgrade Transportation Infrastructure to mitigate against Severe Rainstorms, Fluvial Erosion and Water Pollution and their associated vulnerabilities of:</b></p> <ul style="list-style-type: none"> <li>Damage to new/existing public infrastructure and buildings</li> <li>Temporary road and bridge closure</li> <li>Budgetary impacts</li> </ul>	
<p><b>Action</b> <b>Primary Responsible Entity</b></p>	<p><b>Progress since Plan adoption</b> <i>See Section 5.4 for details on locations identified during Plan development.</i></p>

<p><b><u>Action B-1: Implement measures to address lake &amp; pond floods</u></b> (Highway Foreman)</p>	<p>-note year of installation of any permanent infrastructure to mitigate flooding on Pond, Windmill Bay (private), Bay, and Harbor roads</p> <p><u>Town reports progress in 2021 as follows:</u></p> <ul style="list-style-type: none"> <li>• No work was completed on Bay Road and Harbor Road.</li> <li>• No work is anticipated on Windmill Bay Road since it is privately owned.</li> </ul>
<p><b><u>Action B-2: Implement measures to address fluvial erosion</u></b> (Highway Foreman)</p>	<p>-note year of installation of any permanent infrastructure to reduce erosion at Thomas and Depot roads.</p> <p><u>Town reports progress in 2021 as follows:</u></p> <ul style="list-style-type: none"> <li>• Depot Road: Road receives runoff from abutting properties. Long-term solution could be infrastructure located outside of Town right-of-way. No physical work on site in 2020.</li> <li>• No work was completed on Thomas Road.</li> </ul>