

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
April 23, 2019**

MEMBERS PRESENT: Jerry Storey, Mary Kehoe, Mike Ashooh. (Jaime Heins and Colleen Parker were absent.)

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director.

OTHERS PRESENT: J. Saar, Lisa Scagliotti, Ruth Hagerman, Sara and Tom Tompkins, Paul Irish, Dave and Sue McLellan, Anne Bentley, Don Porter, Dan and Marie Couture, Gail Albert, Ken Albert, Nicolas Esposito, Georgette Grover.

1. CALL TO ORDER

Chair Jerry Storey called the meeting to order at 7 PM.

2. APPROVE AGENDA

MOTION by Jerry Storey, **SECOND** by Mike Ashooh, to approve the agenda with the addition of an Executive Session to discuss contracts. **VOTING: unanimous (3-0); motion carried.**

3. MINUTES

March 26, 2019

MOTION by Mike Ashooh, **SECOND** by Mary Kehoe, to approve the 3/26/19 minutes. **VOTING: unanimous (3-0); motion carried.**

April 9, 2019

MOTION by Mike Ashooh, **SECOND** by Mary Kehoe, to approve the 4/9/19 minutes as written. **VOTING: unanimous (3-0); motion carried.**

4. PUBLIC COMMENT and LIBRARY/TOWN CENTER UPDATE

- Ruth Hagerman reported the siding is being installed on the new building. A trench has been dug for a new hydrant. Wallboard inside the building is being installed.
- John Saar urged the town to delay capital investment projects, such as the new fire station, until the full cost of the town's action against Vermont Railway is known. Mr. Saar also commented on the blind loyalty to the Town Attorney by the Selectboard and asked for an explanation as to why the attorney has not been dismissed for cause. Jerry Storey stated the Town Attorney acts at the direction of the Selectboard. The numbers on the Vermont Railway case will be provided as soon as available. Mary Kehoe explained the Town Attorney has a duty to do all that can be done within the bounds of the law whether the attorney agrees or disagrees with the action.
- Sue McLellan, Falls Road, asked about the sewer work on Falls Road to start in May. Lee Krohn said there is not a specific start date yet, but residents will be notified when the date is known.

- Nicholas Esposito, Falls Road, suggested adding a speed bump on Marsett Road between Route 7 and Falls Road. Jerry Storey urged contacting the Pedestrian Safety Committee which has been working on speed issues.
- Ruth Hagerman, Vista Drive, said fog lines need to be painted on Irish Hill Road for safety purposes.

5. SELECTBOARD COMMENTS

- The Selectboard recognized Lee Krohn's first anniversary as Town Manager.

6. TOWN MANAGER REPORT

Lee Krohn noted the following:

- Information will be provided to the public on the sewer line project on Falls Road.
- Green Up Day is May 4th. Bags are available.
- Openings on town committees will be advertised on Front Porch Forum.

7. CBC/APPOINTMENTS

Social Services Committee

Georgette Grover spoke in support of Linda Riell being appointed to the Social Services Committee.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to appoint Linda Riell to the Social Services Committee for a three year term effective 4/23/19 and ending April 1, 2022. VOTING: unanimous (3-0); motion carried.

Tree Advisory Committee

Nick Esposito mentioned recent information sessions he has attended on trees and his interest in serving the town.

MOTION by Mike Ashooh, SECOND by Mary Kehoe, to appoint Nick Esposito to the Tree Advisory Committee effective 4/23/19 and ending April 1, 2022. VOTING: unanimous (3-0); motion carried.

Deputy Health Officer

MOTION by Mike Ashooh, SECOND by Mary Kehoe, to officially appoint Pete Gadue as Shelburne's Deputy Health Officer for the statutory term. VOTING: unanimous (3-0); motion carried.

CCRPC Planning Advisory Committee

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to re/appoint Dean Pierce to the CCRPC Planning Advisory Committee for a term ending June 30, 2021. VOTING: unanimous (3-0); motion carried.

Ethics Committee

MOTION by Mike Ashooh, SECOND by Mary Kehoe, to appoint Cate Cross and Pete Gadue as full members of the Ethics Committee (each serves currently as an alternate). VOTING: unanimous (3-0); motion carried.

Fire Warden

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to appoint Jerry Ouimet to a five-year term as Fire Warden beginning June 1, 2019 and ending June 30, 2024.

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

8. AUDITOR

Peter Frankenburg reported the audit firm, Sullivan & Powers, agreed to a one year contract extension at a cost of \$23,700 which includes a 3% increase. The auditor will do the single audit for the town. Three other audit firms were contacted about being the auditor for the town and only one expressed interest.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to continue the contract with Sullivan & Powers for one year. VOTING: unanimous (3-0); motion carried.

9. HARBORMASTER UPDATE

Dan Couture, Harbormaster, highlighted the following:

- Shelburne mooring rates are lower than most marinas because there are no services. In addition, the parking lot is not close to the dock.
- There is a milfoil infestation in the marina.
- The marina presently has five open boat slots. Occupancy is 50% Shelburne residents, mostly Vermonters. The cost of a mooring for Shelburne residents is \$650. Non-resident cost is \$850.
- Last summer 42 mooring blocks were installed. There will be 26 more installed this season. There are three lifts.
- The mess from gulls and cormorants is a problem for boats. People are encouraged to chase the birds away.
- Bilingual signs are posted at the moorings and dock.

John Saar spoke positively about the work by the Shelburne Harbormaster and the Shelburne moorings.

10. LOCAL EMERGENCY MANAGEMENT PLAN

Lee Krohn reported the emergency plan has been updated and meets the requirements of the state. There was mention of the Vermont Alert System to notify people of various alerts and warnings.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to adopt the Local Emergency Management Plan as presented. VOTING: unanimous (3-0); motion carried.

11. NET METERING POWER PURCHASE AGREEMENT

Postponed for discussion in Executive Session.

12. PURCHASE AND SALES AGREEMENT: Healthy Living

Lee Krohn reported the P&S agreement has been vetted. The town is not buying the property at this time, but will work with Healthy Living on a site analysis and the permitting process. If the site is suitable then the land purchase will be on the ballot for a vote at next year's town meeting.

Susan McLellan, Falls Road, asked if there is a problem with the zoning. Lee Krohn said the site analysis will show if the site is suitable and permissible before going on the ballot.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to sign the Purchase & Sales Agreement with Healthy Living. VOTING: unanimous (3-0); motion carried.

13. VTRANS PAVING GRANT APPLICATION: Barstow Road

Lee Krohn reported the grant is an 80/20 split. The town portion will come from the paving budget.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the VTrans grant application for \$95,000 to repave Barstow Road including the annual financial plan for town highways. VOTING: unanimous (3-0); motion carried.

14. LOAN APPLICATION: Bond Bank for library/town center

Peter Frankenburg explained the continued financing of the library/town center project from the \$6.5 million bond approved by the voters. The amount to be borrowed can be decreased by \$600,000 due to successful fundraising efforts.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the loan application to the Vermont Municipal Bond Bank in the amount of \$3.9 million to finance the new library/town center project. VOTING: unanimous (3-0); motion carried.

15. GRANT AGREEMENT: TNC and Ewing Land Conservation Project

Gail Albert said Shelburne Natural Resources Committee has been working on this project for a while. The Nature Conservancy will conserve the portion of the Ewing property closest to Shelburne Pond. The Selectboard supported use of the Open Space Fund for this project.

MOTION by Mike Ashooh, SECOND by Mary Kehoe, to approve the grant agreement with TNC for the Ewing land conservation project. VOTING: unanimous (3-0); motion carried.

16. SELECTBOARD RETREAT

The Selectboard agreed to a retreat on May 13, 2019 beginning at 5:30 PM. Location to be determined. Each Selectboard member will submit two suggested items to discuss at the retreat.

17. LIQUOR COMMISSION

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to convene as the Liquor Commission to consider a liquor license application. VOTING: unanimous (3-0); motion carried.

La Villa Bistro

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve a First Class Liquor License and Outdoor Consumption permit for La Villa Bistro. VOTING: unanimous (3-0); motion carried.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to adjourn the Liquor Commission and reconvene the regular meeting. VOTING: unanimous (3-0); motion carried.

18. EXECUTIVE SESSION: Contracts

MOTION by Mary Kehoe, SECOND by Mike Ashooh, pursuant to 1 VSA 313 to find that premature public knowledge of contract negotiations would place the town at a substantial disadvantage. VOTING: unanimous (3-0); motion carried.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, based on the finding of premature public knowledge placing the town at a substantial disadvantage to go into Executive Session to discuss the solar/net metering power purchase agreement and invite the Town Manager to attend. VOTING: unanimous (3-0); motion carried.

Executive Session was convened at 8:30 PM.

MOTION by Mike Ashooh, SECOND by Mary Kehoe, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (3-0); motion carried.

Executive Session was adjourned at 9:05 PM.

ACTION FOLLOWING EXECUTIVE SESSION

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to direct the Town Manager to continue negotiations on the solar/net metering project. VOTING: unanimous (3-0); motion carried.

19. ADJOURNMENT

MOTION by Mike Ashooh, SECOND by Mary Kehoe, to adjourn the meeting. VOTING: unanimous (3-0); motion carried.

The meeting was adjourned at 9:07 PM.

RScty: MERiordan

For the Selectboard

Date