

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
October 13, 2020**

***Meeting held via teleconference.**

MEMBERS PRESENT: Jaime Heins, Mike Ashooh, Mary Kehoe, Kate Lalley.
(Jerry Storey was absent.)

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Jerry Ouimet, Fire Chief.

OTHERS PRESENT: Members of the public participating in the meeting included Jane and Tom Zenaty, Don Porter, Ken Albert, Tom Tompkins, Ted Grozier, Claire Gear, Cheryl Gibson, Robert Owens, Kelly Moreton, Amy Berger, Lilly Young, Bill Deming, Lara Malloy, Candice Paige.

1. CALL TO ORDER

In the absence of Chair Jerry Storey, Jaime Heins 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 Mary Kehoe, SECOND by Mike Ashooh, to approve the agenda as presented. VOTING by roll call: unanimous (3-0) [Kate Lalley not present for vote]; motion carried.

3. MINUTES

September 22, 2020

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the minutes of 9/22/20 with correction of the spelling of “Mike Ashooh”. VOTING by roll call: unanimous (4-0); motion carried.

4. PUBLIC COMMENT

- Amy Berger asked about the status of safety improvements on Bishop Road discussed at the last Selectboard meeting. Lee Krohn said the draft capital improvement plan for next year includes money for safety improvements in town.
- Ted Grozier said there are specific spots in town with safety issues that could have an interim solution of a gravel refuge area on the road for bicyclists and pedestrians to be replaced with a more permanent solution in the future.

5. SELECTBOARD COMMENTS

- Mary Kehoe spoke positively about the recent Abnaki flag raising event.
- Kate Lalley thanked Ted Grozier and the Paths Committee for reaching out with invites to go on walks in town.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- The Abnaki flag raising event was very good.
- Early voting is underway. Voters were informed about the sewer bond ballot item regarding the sewer line on Route 7 between Bay Road and Longmeadow Drive.
- Healthy Living/Firehouse project permitting process continues. It is hoped the review process can be completed and the project approved prior to town meeting and the vote on whether the project will move forward.
- David Leckey, formerly with Orton Foundation, has been selected to be the economic development consultant.

7. BUSINESS REPORT: Shelburne Craft School & Furchgott Sourdiffe Gallery

Shelburne Craft School

Claire Gear, Shelburne Craft School Director, described the hands-on education in real world arts and crafts offered by the school, and how the impact of the pandemic is being handled.

Furchgott Sourdiffe Gallery

Lara Malloy described the services offered by the gallery and the continued recovery from the pandemic.

8. CBC APPOINTMENT(S)

Shelburne Tree Committee

MOTION by Mary Kehoe, SECOND by Kate Lalley, to appoint Kelly Moreton to a three-year term on the Shelburne Tree Committee effective immediately and ending April 30, 2023. VOTING by roll call: unanimous (4-0); motion carried.

Shelburne Dog Park Committee

MOTION by Mary Kehoe, SECOND by Kate Lalley, to appoint Cheryl Gibson to the Dog Park Committee effective immediately and ending April 30, 2021 (filling out an existing term). VOTING by roll call: unanimous (4-0); motion carried.

9. HPDRC GRANT APPLICATION: Town Hall Clock Restoration

Lee Krohn said the clock restoration project cost is estimated at \$14,000. The grant request is \$7,000 with the remaining amount as the match. Funds have been raised that exceed the match amount. Any additional funds will go toward maintenance.

MOTION by Mary Kehoe, SECOND by Kate Lalley, to approve the grant application in the amount of \$7,000 prepared by the HPDRC Chair for the preservation and repair of the old Town Hall clock. VOTING by roll call: unanimous (4-0); motion carried.

10. PUBLIC HEARING: Proposed Speed Limit Change, Mt. Philo Road
MOTION by Mary Kehoe, SECOND by Kate Lalley, to open the public hearing to
consider amending the Town of Shelburne Speed Limit Ordinance to lower the
speed limit on Mount Philo Road to 30 mph in both directions from the four-way
intersection at Falls Road/Marsett Roads southerly to a point to be determined.
VOTING by roll call: unanimous (4-0); motion carried.

The public hearing was opened at 7:45 PM.

COMMENTS

Lee Krohn gave background information on the rationale to reduce the speed limit from 35 MPH to 30 MPH rather than 25 MPH as had been previously suggested, and options for where the transition might best be located – to be determined here.

There was discussion of setting the speed limit at 30 MPH at the Charlotte town line. Jane and Tom Zenaty, residents, suggested the speed limit change occur where the sidewalk begins (Wild Ginger Lane). Ted Grozier, Paths Committee, agreed, adding this will help enforcement. The Selectboard felt that motorists should be driving 30 MPH when they reach Wild Ginger Lane, so the speed limit change should occur before then heading north, at Air Park Road. Kate Lalley observed reducing the speed limit is setting up the area to be more pedestrian friendly in the future.

There were no further comments.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to close the public hearing
on the speed limit change on Mount Philo Road. VOTING by roll call: unanimous
(4-0); motion carried.

The public hearing was closed at 8:07 PM.

MOTION by Mary Kehoe, SECOND by Kate Lalley, to amend the Shelburne Speed
Limit Ordinance to change the speed limit on Mount Philo Road from 35 MPH to 30
MPH in both directions from Falls Road and Marsett Roads southerly to Air Park
Road. VOTING by roll call: unanimous (4-0); motion carried.

11. CAPITAL IMPROVEMENT PLAN (CIP) FY20-21 THROUGH FY25-26

Peter Frankenburg gave a presentation on the six-year CIP covering projects funded in the current year, FY2020-21, and proposed projects in the following five years through FY2025-26. The draft CIP has 115 projects and totals \$45,724,000. Types of projects include buildings and grounds, bridges, roads, equipment, land acquisition, and studies for capital projects. The majority of projects in Shelburne's CIP are wastewater/sewer projects. For a project to move forward, funding must be approved by bond vote or included in an annual operating budget. The CIP does change as projects are added or removed from the list. The CIP helps the town prioritize and plan for capital projects, those more costly projects with longer lifespans. Impact fees can be applied to certain projects in the capital budget per statute, and an approved CIP is often necessary in order

to apply for grants. Before adoption, input from the Planning Commission and other town committees will be solicited and then a public hearing will be held. Peter Frankenburg noted there will be certain reductions in debt service with the last payments on the Town Center bond due in 2021 and for sewer plant improvements due in 2022.

Mike Ashooh asked if any of the bonds in town constitute impact fees. Peter Frankenburg explained the impact fee is a funding mechanism that may be used to support certain types of growth. Impact fees are currently in place for a prior CVU expansion and for prior recreation path improvements; both are still being paid off. Mike Ashooh said years 2021 and 2022 appear heavy on capital projects. Peter Frankenburg said staff will review this. One objective of a CIP is to try to avoid large fluctuations in the property tax rate.

Kate Lalley mentioned the need to address the Bay Road Bridge. Lee Krohn noted the bridge continues to be moved down the list compiled by the state so state funding for the project is not likely any time soon.

Fire Chief Ouimet said the prospective new Fire/Rescue station project is not likely to be in this five-year plan, but potentially could occur in year 2027-28.

Jaime Heins spoke in support of the proposed capital investment in bike/ped improvements. Kate Lalley mentioned having a sidewalk fund paid into by developers when it is not appropriate for a sidewalk in their development, which the Town could use the money for bike/ped facilities where more desirable, appropriate, or necessary.

Mike Ashooh mentioned having public/private partnerships for project funding.

Don Porter, Finance Committee, said some projects on the list are required, while the Town may have some flexibility with others. The committee will analyze projects and provide a list showing this. The Town must consider the school's capital improvement budget as well in order to better predict the total impact on the tax rate. All must fit together in a time horizon that makes sense. Jaime Heins agreed finer analysis of what is required and what is discretionary would be helpful.

The Selectboard will further discuss the CIP in an upcoming meeting.

12. ADJOURNMENT and/or EXECUTIVE SESSION

Executive Session: Legal Matters

Jaime Heins announced he will recuse himself from all aspects of the Executive Session discussing a BCA decision,

MOTION by Kehoe, SECOND by Ashooh, pursuant to 1VSA313 to find that premature general public knowledge of pending/probable civil litigation to which the public body is or may be party would clearly place the town at a substantial disadvantage. VOTING by roll call: unanimous (3-0); motion carried.

MOTION by Kehoe SECOND by Ashooh, pursuant to 1VSA313 to enter Executive Session to consider pending/probable civil litigation regarding the BCA decision on the tax-exempt status of the Shelburne Farms “Treehouse” property as a matter to which the public body is or may be a party, and to invite the Town Manager to participate. VOTING by roll call: unanimous (3-0); motion carried.

Heins and members of the public exited the meeting at this time.

The Board came out of Executive Session at 9:15 P.M.

Motion by Kehoe to adjourn at that time; seconded by Ashooh and approved 3-0.

RScty by tape: MERiordan

For the Selectboard

Date