

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.

Agenda
Item # 3

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
June 23, 2015**

MEMBERS PRESENT: Gary von Stange (Chairman); Tim Pudvar, Toni Supple, John Kerr, Colleen Parker.
ADMINISTRATION: Joe Colangelo, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Director of Planning; Dan Couture, Harbormaster.
OTHERS PRESENT: Pete Gadue, Sean MacFaden, John Kohler, Michael Regan, Ty Parker, Kate Webb, Joan Lenes, Peter Antinozzi, Margaret Ottinger, Ann Hogan, Peg Rosenau, Gail Albert, Bill Hoadley, John Fuller, Jim Washburn, Hugh Knapp, Sean Dahl, Heather McKim (Shelburne News).

1. CALL TO ORDER

Chairman Gary von Stange called the meeting to order at 7 PM.

2. APPROVAL OF AGENDA

MOTION by Tim Pudvar, **SECOND** by Colleen Parker, to approve the agenda.

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

3. APPROVAL OF MINUTES

June 9, 2015

MOTION by Tim Pudvar, **SECOND** by Colleen Parker, to approve the minutes of June 9, 2015 as written. **VOTING:** unanimous (5-0); motion carried.

4. CITIZEN PARTICIPATION & PUBLIC COMMENT

None.

5. SELECTBOARD COMMENTS & QUESTIONS

- Success at baseball by former Shelburne Little League players, Rayne Supple and Will Hessling, was recognized. Rayne Supple was named Gatorade Player of the Year for the second year, is attending Wake Forest on a baseball scholarship and was drafted by the Chicago Cubs. Will Hessling was the winning pitcher for Rice High School, winner of the 2015 D-1 State Baseball Championship.

6. TOWN MANAGER'S REPORT

Joe Colangelo highlighted the following from the manager's report posted online:

- An employee information meeting was held on the transition to Health Connect (The Exchange).
- The town signed a six month renewal of the current health insurance plan.
- Collective bargaining negotiations are set to begin.
- Five trees were planted on the Parade ground using the grant secured by the Tree Advisory Committee.

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- “Back to the Beach” night was canceled due to weather and will be reschedule at the end of the season if possible.
- Employee evaluations are upcoming. Forms to be used were included in the Selectboard packet for review. Management by objectives (goal setting) approach will be used.

7. **REVIEW/DISCUSS SHELBURNE NATURAL RESOURCES AND CONSERVATION COMMITTEE (SNRCC) CBC QUESTIONNAIRE REPORT TO SELECTBOARD**

Gail Albert and members of SNRCC made the following comments:

- The members are satisfied with the mission and charge of the committee as written. The mission information will be posted on the website along with member bios. The members offer a broad range of interests and backgrounds.
- The committee has been focused on water quality and storm water, and working with the Paths Committee regarding a path around the LaPlatte nature area.
- The committee hosted the Selectboard on a tour of conserved lands in town.
- There are three land conservation projects currently under discussion. Further information will be forthcoming when appropriate. It may be necessary to increase the allocation to the open space fund because one of the projects could amount to more than the balance in the fund.
- Other activities of the committee include managing town lands and removing invasive plant species, doing water quality testing, creating a bird sanctuary on private land on Falls Road by removing invasives and creating habitat, trail management work, and project reviews for projects before the DRB or under discussion by the Planning Commission.
- In the last 10 years land conserved in Shelburne includes the Zen Center, Bread & Butter Farm, and a small parcel of land off Irish Hill Road. Allocation of funds for conservation projects was at one time a penny on the tax rate. The average allocation over the last 10 years has been close to \$20,000. The Selectboard has supported every project brought to them by SNRCC.
- People in Shelburne value the landscape and open space protection in the town. The charge of the committee is to take care of natural resources. The committee can be strategic in conserving the right properties.
- Update of the open space plan should be complete by fall. Members have donated many hours in their areas of expertise to work on the plan.

Gary von Stange suggested the committee and Selectboard work together to include storm water management concerns with open space plans.

Colleen Parker asked about the work on storm water with Jim Pease and the Nesti property. Gail Albert said the committee has been working with Jim Pease to come up with mutual storm water solutions along Route 7.

Gail Albert commented on the constraints by the Open Meeting Law on communication outside a warned meeting which has been a burden on the committee and impacts being able to respond in a timely manner. Reps. Kate Webb and Joan Lenes urged contacting

Karen Horn at VLCT about the Open Meeting Law. Gary von Stange confirmed issues with the Open Meeting Law have been under discussion and need to be addressed by the state.

8. DREDGING SHELBURNE BAY & ADOPTION OF SELECTBOARD POLICY STATEMENT

Staff reported the buildup of silt and sediment in Shelburne Bay from the LaPlatte River is hindering passage by boats from the boat launch and the boat club. The boat club submitted a request for dredging. The town does not have money in the budget for dredging. Toni Supply commented the matter seems to be a boat club issue, rather than a town issue. Gary von Stange pointed out the public boat access built by the state is used by the public at large, not just Shelburne residents, so the matter is actually a state issue.

Members of Shelburne Bay Boat Club made the following comments:

- The state spent \$1 million on the boat access which is heavily used by recreational boaters from all over, not just Shelburne residents.
- First responders with Shelburne Rescue also use the boat launch for water rescues. Not having clear passage hinders their response time.
- When the boat club was built in 1955 fill was dredged out for the dry dock for the Ticonderoga. Since that time fill has washed back into the water plus silt from the LaPlatte River is flowing into the bay and causing problems.
- The club did some dredging in the past and that is also filling back in. The cost of the dredging was about \$6,000.
- The club would like support from the town to get a channel dug and channel markers installed. Private Aid to Navigation Program can be used to install channel markers for safe passage. A manure dredger can be used.
- The boat club approached the state about the problem and was sent to the Coast Guard then the Army Corps of Engineers then Fish & Game. The state said if the state addresses the situation in Shelburne then all other river deltas with the same problem must be addressed.

Rep. Kate Webb said she tried to work with the Fish & Game Commissioner, but the lake is a federal concern (Army Corps.). The process has been frustrating, but Rep. Webb said she is willing to continue to pursue the matter. Gary von Stange affirmed the town wants to support the effort, but cannot support a grant application without knowing the details. Chairman von Stange said the town could work with state and federal reps, the boat club, and natural resources committee. Joe Colangelo pointed out the policy as drafted is open ended to judge where to spend time and resources. Staff can become involved in pursuing opportunities to address the problem and keep the Selectboard informed.

Gail Albert urged looking at alternatives to dredging due to possible environmental impacts.

Rep. Webb suggested meeting with the Army Corps., Coast Guard, the Shoreland Encroachment Program and Fish & Wildlife to help determine next steps. Rep. Webb volunteered to contact these individuals. John Kerr suggested involving Champlain Water

District which has an inlet pipe in the bay and is very interested in keeping silt away. CWD has expertise and knowledge of federal regulations. Mr. Kerr said it will take five years to get permits in place to dredge.

Dan Couture, Harbormaster, said Vermont State Police does markers which can be done in the center of the bay. The markers must be monitored weekly and adjusted as necessary to stay in place. Cost estimate is \$1,000 per marker with an anchor plus maintenance. Where the dredging was done 20 years ago the water is still 8' deep lessening to 18" by the river inlet. Vacuum dredging would be best and the material brought out to the open lake. Who pays for the dredging still needs an answer. Army Corps. wants to see the application before discussion. Regarding permitting, the town must get a permit for the moorings every 15 years.

Gary von Stange said the matter can be added to a future Selectboard agenda. Staff will research how the town can cooperate with other groups to address the problem and what the cost will be for the dredging. The town is not in a position to pay for the dredging.

MOTION by Colleen Parker, SECOND by Tim Pudvar, to table the request to dredge Shelburne Bay and the adoption of a policy statement to a date uncertain. VOTING: unanimous (5-0); motion carried.

9. APPOINT MEMBERS TO SHELBURNE CBCs

The Selectboard interviewed student candidates for seats on various town boards/committees and made the following appointments:

Shelburne Natural Resources & Conservation Committee

MOTION by Colleen Parker, SECOND by Toni Supple, to appoint Michael Regan to the Shelburne Natural Resources & Conservation Committee for a term beginning June 23, 2015 through April 1, 2016. VOTING: unanimous (5-0); motion carried.

Development Review Board

Colleen Parker recused herself because the appointee is her son.

MOTION by Tim Pudvar, SECOND by John Kerr, to appoint Ty Parker to the Development Review Board for a term beginning June 23, 2015 through April 1, 2016. VOTING: unanimous (4-0); motion carried.

Colleen Parker returned to the Selectboard.

10. REVIEW JUNE 11, 2015 MEETING BETWEEN THE TOWN, CHAMPLAIN HOUSING TRUST, AND REFERRING AGENCIES re: HARBOR PLACE

Joe Colangelo reported as a result of the joint meeting CHT and the referring agencies will update procedures and protocols and inform the Selectboard. Toni Supple mentioned the need for the referring agencies to be more selective as to who is sent to Harbor Place

and the town should have input upfront. Also, CHT needs to commit to more security on-site. Gary von Stange commented the town has to find a balance between helping people and providing safety and peacefulness for residents. Colleen Parker expressed concern the site will become more dangerous for the people living there by potentially concentrating the danger

COMMENTS

Pete Gadue, Social Services Committee, urged waiting to see what is drafted by CHT to address concerns.

Sean Dahl, Hedgerow Drive, questioned the accuracy of the statement that the volume of calls has been reduced by 20%. Also, the purpose of Harbor Place in 2013 was said to be to create a safe haven for domestic violence victims and families. CHT intimated they are taking care of survivors of domestic violence, but they are acting more like a landlord for all-comers. Some of the people at Harbor Place are alarming to residents in the nearby neighborhoods. Gary von Stange noted there may not be a 20% decrease in calls because the calls are not just to Harbor Place, but also calls related to that campus occurring in other parts of the town. There have been over 400 calls in total to the police.

11. BUSINESS NEEDS SURVEY

Joe Colangelo and Ann Hogan explained the business survey developed to see what can be done to help businesses in Shelburne thrive and provide business development in town. The draft survey has been beta tested and is ready for distribution. Town letterhead will be used.

MOTION by Colleen Parker, SECOND by Tim Pudvar, to approve the business needs survey and authorize distribution, and further, to allow amendment as necessary by the Planning Commission. VOTING: unanimous (5-0); motion carried.

12. ACCEPT SEWER SERVICE AREA REPORT, ANALYTICAL TOOL, AND POLICY STATEMENT FOR USE OF ANALYTICAL TOOL

Staff reported questions that needed answers included who will have access to the tool and if there is a cost. The consultant is recommending the tool be available free of charge with a disclaimer coupled with education materials to describe the models (scenarios and outputs). Town boards, committees, commissions should be given priority consideration to scenarios run by or at the direction of town staff. Town staff only runs scenarios per direction from town boards, committees, and commissions. The policy statement encompasses these points.

Gary von Stange stated town staff can help townspeople without being monopolized and a policy to this effect may not be necessary.

MOTION by Tim Pudvar, SECOND by Toni Supple, to accept the sewer service area report and analytical tool. VOTING: unanimous (5-0); motion carried.

Further consideration will be given on whether a policy statement for use of the tool is needed, and if so the matter will be added to a future agenda.

13. DISCUSS CCRPC UNIFIED WORK PLAN PROJECTS APPROVED FOR SHELBURNE

Staff reported the update of the 2000 Village Transportation Study and the Pedestrian Safety and Mobility Study on Route 7 beyond Marsett/Bostwick Intersection were combined and \$40,000 allotted by CCRPC. The infrastructure and utilities easement mapping was also funded. The pedestrian and bike safety project on Bay Road was not funded.

14. ADOPT SELECTBOARD POLICY STATEMENT re: STATE FUNDING FOR SHELBURNE'S PUBLIC SAFETY ANSWERING POINTS (PSAP)

Joe Colangelo reported with the E-911 call center consolidation the call volume for Shelburne dispatch will increase due to rollover calls. Currently the town receives \$90,000 to operate the local PSAP. The cost of one dispatcher (wages and benefits) is as high as \$81,000. The average cost is \$60,000 so the amount the town currently receives will not fund two dispatchers who will be serving the state, not just the town. Gary von Stange commented the state is asking the town to do more and incur more cost for the benefit of the state, not just for the benefit of Shelburne.

MOTION by Colleen Parker, SECOND by John Kerr, that due to the anticipated increase in rollover calls from outside the Shelburne perimeter dispatching area and the additional burden that will be placed on Shelburne's dispatch center the town believes the state has an obligation to increase the annual compensation to Shelburne by a sensible amount.

DISCUSSION: Colleen Parker stressed the consolidation of dispatch is unsafe and will lead to more mortality and morbidity in the population of Vermont. There have already been reported cases of this across the nation. Toni Supple commended Joe Colangelo for taking the matter into his hands and confronting the state. There were no further comments.

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

15. SET INTEREST RATE FOR LATE PROPERTY TAX PAYMENTS

MOTION by Tim Pudvar, SECOND by Colleen Parker, to set the interest rate at 0% for the first month of property tax delinquency and 1.5% per month thereafter per Section 9.2 of the town charter. VOTING: unanimous (5-0); motion carried.

16. WAIVE LATE HOMESTEAD FILING PENALTY

MOTION by Toni Supple, SECOND by Tim Pudvar, to continue the town practice of charging a 3% late filing fee on late homestead filing forms to the Vermont Department of Taxes. VOTING: unanimous (5-0); motion carried.

17. CONTINUE EMPLOYMENT CONTRACT BETWEEN THE TOWN OF SHELBURNE AND THE TOWN MANAGER

Joe Colangelo recused himself. Gary von Stange reported Joe Colangelo was hired April 2015 and the one year contract is expiring. An extension of the employment agreement has been drafted. The agreement includes providing a cost of living increase effective July 1st pursuant to standard practice for town employees.

MOTION by Colleen Parker, SECOND by Tim Pudvar, to extend the Town Manager's contract pursuant to the terms agreed to in the June 23, 2016 employment extension and to authorize the Selectboard Chairman, Mr. Gary Ragnar von Stange, to sign on behalf of the town. VOTING: unanimous (5-0); motion carried.

Tim Pudvar questioned how long employment agreements will continue to be extended rather than the position becoming a work-at-will position. Gary von Stange said the answer is involved per recent case history.

18. EXECUTIVE SESSION and/or ADJOURNMENT

Union Negotiation Strategies

MOTION by Colleen Parker, SECOND by Tim Pudvar, that a finding be made that premature general public knowledge of pending or possible union negotiation strategies would clearly place the town at a substantial disadvantage. VOTING: unanimous (5-0); motion carried.

MOTION by Tim Pudvar, SECOND by Colleen Parker, to go into Executive Session under 1VSA§313 for the purpose of discussing contracts and labor relations with employees, and to invite the Town Manager to attend. VOTING: unanimous (5-0); motion carried.

Executive Session was convened and the regular meeting adjourned at 9:17 PM.

RecScy: MERiordan



Town of Shelburne, Vermont

Draft Minutes
SELECTBOARD MEETING
July 7, 2015

1. **Call to Order** – *Gary von Stange, Chair, Called the Meeting to Order at 8:04am.*
2. **Consider Approval of the Agenda** – *Motion by Tim, Seconded by John, Passed 5 – 0 Using a Roll Call Vote (Colleen Parker Joined the Meeting Via Phone), the Agenda for July 7, 2015 was Approved as Presented.*
3. **Citizen Participation and Public Comments** – *None.*
4. **Consider Setting Shelburne's Municipal Tax Rate for FY2015 – 2016, Pursuant to §147 – 11.5 of Shelburne's Town Charter** – *Motion by Tim, Seconded by Toni, and Passed 5 – 0 Using a Roll Call Vote, the Municipal Tax Rate was Approved as Presented.*

<i>Tax Rate</i>	<i>FY2016</i>
<i>Town</i>	<i>\$0.3598</i>
<i>Veterans Exemption</i>	<i>\$0.0008</i>
<i>School: Homestead</i>	<i>\$1.4916</i>
<i>School: Non-Residential</i>	<i>\$1.5577</i>
<i>Total Tax Rate: Homestead</i>	<i>\$1.8522</i>
<i>Total Tax Rate: Non-Residential</i>	<i>\$1.9183</i>
<i>Beaver Creek Special Assessment/Property</i>	<i>\$1,722.10</i>

5. **Adjourn** – *Motion by Toni, Seconded by Colleen, Passed 5 – 0 Using a Roll Call Vote, the Meeting Adjourned at 8:15am*

Respectfully Submitted by Joe Colangelo, Town Manager



Town of Shelburne, Vermont

Draft Minutes
SELECTBOARD MEETING
July 10, 2015

1. **Call to Order** – *Tim Pudvar, Vice - Chair, Called the Meeting to Order at 3:14pm.*
2. **Consider Approval of the Agenda** – *Motion by Tim, Seconded by Toni, Passed 3 – 0 Using a Roll Call Vote (John Kerr and Gary von Stange Absent), the Agenda for July 10, 2015 was Approved as Presented.*
3. **Citizen Participation and Public Comments** – *None.*
4. **Consider Setting Shelburne's Municipal Tax Rate for FY2015 – 2016, Pursuant to §147 – 11.5 of Shelburne's Town Charter** – *Motion by Tim, Seconded by Toni, and Passed 3 – 0 Using a Roll Call Vote, to Set the Municipal Property Tax Rate at \$0.3602, which supersedes the Municipal Property Tax Rate Set at the July 7, 2015 Selectboard Meeting, Based on a Clerical Error Discovered in the Municipal Grand List and to Confirm that the FY2015-2016 Tax Rate is as Follows*

<u>Tax Rate</u>	<u>FY2016</u>
<i>Town</i>	<i>\$0.3602</i>
<i>Veterans Exemption</i>	<i>\$0.0008</i>
<i>School: Homestead</i>	<i>\$1.4916</i>
<i>School: Non-Residential</i>	<i>\$1.5577</i>
<i>Total Tax Rate: Homestead</i>	<i>\$1.8526</i>
<i>Total Tax Rate: Non-Residential</i>	<i>\$1.9187</i>
<i>Beaver Creek Special Assessment/Property</i>	<i>\$1,722.10</i>

5. **Adjourn** – *Motion by Toni, Seconded by Colleen, Passed 3 – 0 Using a Roll Call Vote, the Meeting Adjourned at 3:20pm*

Respectfully Submitted by Joe Colangelo, Town Manager