

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
AUGUST 10, 2015**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Fritz Tegatz, Carrie Spear, Jacob Spell, Matthew Krasnow.

OTHERS: Stanley Lane, Moe Harvey, Ellie Russell, Robert Mack, Christian Booher, Mary Mead, Jenny Cole, Bill Fraser-Harris, Charles Russell, David Nichols, Diane Nichols, Stephen Brooks, Christophe Lisarrague, Matt Keller, Charlotte Citizen; John Hammer, Charlotte News, and others.

ITEMS TAKEN UP:

- 7:05 PM Municipal tax rate for FY16. Action under consideration: set rate
- 7:30 PM Lake Champlain Open Water Swim—request to use Town Beach on September 13, 2015 for race finish and award ceremony. Action under consideration: approve
- 7:40 PM Stanley and Gayle Lane—request to drill a well on Thompson’s Point Lot 203 at 153 Lanes’ Lane. Action under consideration: approve
- 7:50 PM David Nichols—application for a Charlotte Housing Trust Grant for \$15,000 to repair two dwellings. Action under consideration: approve
- 8:20 PM Town Hall—interior painting of side offices & meeting rooms. Action under consideration: approve J.E. Powers Painting Co. for \$2,635 (labor only)
- 8:30 PM Bridge 14 (north Spear Street)—Request for Bids for Repairs to Concrete Rail Posts & Curb. Action under consideration: approve for distribution
- 8:40 PM Civil Engineering Associates—Renewal of Service Agreement for Thompson’s Point Wastewater System. Action under consideration: approve for the 2015 operating season
- 8:50 PM Pay adjustment considerations. Discussion only

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 7:00 p.m.

ADJUSTMENTS TO AGENDA

None.

PUBLIC COMMENT

Mr. Harvey requested that the Selectboard take up a discussion regarding the timing of signing of the warrants and release of the employee payroll so that the Town employees could be paid on time. Mr. Morrison said that the Board would discuss the issue under Selectboard Updates.

MUNICIPAL TAX RATE FOR FY16. Action under consideration: set rate

Mr. Bloch reviewed an updated municipal tax rate calculation, dated 08/10/2015, 5:43 p.m., based on the Grand List of \$9,560,151.12, a Fund Balance of \$376,111.31, and a calculation of a \$203,140 surplus to return to the taxpayers. FY2016 taxes to be raised were \$1,367,801, for a total municipal tax rate of \$0.1439. The Highway Fund was separated out historically, said Mr. Bloch.

Mr. Mack asked when the town started to collect an extra 5 percent from the tax payers. Ms. Mead explained that it was a recommendation of Sullivan, Powers, and Company, auditors. The Town should keep the funding policy in place and see what happens for a few years. The 5 percent amount was a one year buffer, which allowed the Town to use the funds in lieu of borrowing money. If there was a year when finances were tight then the Selectboard could revisit the policy and consider a higher percentage, said Ms. Mead.

MOTION by Mr. Spell, seconded by Ms. Spear, to set the municipal tax rate for FY2016 at \$0.1439.

VOTE: 5 ayes; motion carried.

LAKE CHAMPLAIN OPEN WATER SWIM—REQUEST TO USE TOWN BEACH ON SEPTEMBER 13, 2015 FOR RACE FINISH AND AWARD CEREMONY. Action under consideration: approve

Christophe Lisarrague reviewed a request to use the Town Beach for a swimming race from Essex New York to Charlotte Sunday September 13, 2015. Last year there were 18 swimmers. The event was aiming for 60 swimmers this year. The Coast Guard, Charlotte and Shelburne rescue boats provided for safety along with two boats and kayaks surrounding the swimmers. Buoys would be used to mark the course better. There were no issues last year. The race charged \$45 per swimmer, and asked for donations for the Lake Cleanup fund, explained Mr. Lisarrague.

Mr. Tegatz asked if each swimmer would have a kayak nearby in case of trouble. Mr. Lisarrague replied yes, last year each swimmer had a kayak due to the small number of participants. This year there would be 12-20 kayaks and some swimmers have a personal kayak going with them. The Coast Guard puts out an announcement of the event on the radio. There would be three motor boats going with the swimmers this year. If there was bad weather then the race would be held the following weekend, said Mr. Lisarrague.

Mr. Fraser-Harris said that there were no issues last year and the event went off well. All the beach facilities may be closed and the docks out, so if the event sponsors wanted a dock in the water Mr. Lisarrague should let the Recreation Commission know. The Town opened the beach facilities last year for the event. There should be a medical practitioner on the water as well, said Mr. Fraser-Harris.

MOTION by Mr. Spell, seconded by Mr. Krasnow, to approve the Lake Champlain Open Water Swim request to use the Charlotte Town Beach on Sunday, September 13, 2015, for the race finish and award ceremony.

DISCUSSION:

Mr. Tegatz noted that the safety arrangements line on the application was blank. Mr. Morrison asked the event sponsors to write a note, or e-mail, as an attachment to the application that outlined the number of kayaks, motor boats going with the swimmers, and that a medical practitioner would be on the water as part of the application.

FRIENDLY AMEMDMENT by Mr. Tegatz, that upon receipt of a note/e-mail that kayaks, motor boats, and a medical practitioner on the water would accompany the swimmers for safety as a part of the application.

VOTE: 5 ayes; motion carried.

STANLEY AND GAYLE LANE—REQUEST TO DRILL A WELL ON THOMPSON’S POINT LOT 203 AT 153 LANES’ LANE. Action under consideration: approve

Stanley Lane explained that he had started an application process for a drilled well in 2013 when a neighbor accidentally severed his water line. He has been using a water hose for the last two summers. The 2013 application was signed by the Assistant Town Clerk, dated 07/19/2013, said Mr. Lane.

Mr. Bloch clarified that the Assistant Town Clerk verified Mr. Lane’s signature; it was not an approval. Steve Williams did a site visit and indicated a location for drilling a water well that wouldn’t interfere with the waste water systems. The application form is an application from the Lessee to the Selectboard. The Board approval was not done, said Mr. Bloch.

MOTION by Mr. Spell, seconded by Mr. Krasnow, to approve a request by Stanley and Gayle Lane to drill a well on Thompson’s Point, Lot 203, 153 Lanes’ Lane, and to authorize the Charlotte Selectboard Chair and the Town Administrator to sign the document on behalf of the Town of Charlotte.

DISCUSSION:

Mr. Tegatz asked if the well driller has to comply with the state rules. Mr. Krasnow said that Mr. Lane should have the well driller come into the Town Hall.

VOTE: 5 ayes; motion carried.

Mr. Morrison said he would sign the document on Tuesday, August 11, 2015.

DAVID NICHOLS—APPLICATION FOR A CHARLOTTE HOUSING TRUST GRANT FOR \$15,000 TO REPAIR TWO DWELLINGS. Action under consideration: approve

David Nichols and Diane Nichols, property owners, reviewed a request for an Affordable Housing Trust grant total of \$15,000 to repair two dwellings for affordable housing. The project has not been started; it was hoped to start by next spring, said Mr. Nichols.

Mr. Morrison said that the property owner was required to maintain the affordable housing rent in perpetuity.

Mr. Nichols said that he charged less than the restricted rental limits now. One of his tenants been there 25 years and earns more then the median income. Ms. Russell noted that a grandfathered amendment to the Grant Agreement for that tenant was sent to the Board as on FYI. The amendment allowed the existing renter to stay even though he didn't meet the eligibility requirements, said Ms. Russell.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve an application by David Nichols for a Charlotte Affordable Housing Trust grant for matching funds up to \$20,000 to repair two dwellings, subject to an exemption for an existing tenant only.

DISCUSSION:

Mr. Brooks asked if a recent conversation he had with Mr. Morrison regarding use of the affordable housing trust funds to create new housing projects was in error. If not, then other people should be able to come in with similar projects, said Mr. Brooks.

Mr. Krasnow read Section 1, Grant Purposes, of the Charlotte Housing Trust Fund documents regarding perpetually affordable units in Charlotte. The expectation was that the Nichols' two dwellings would now be perpetually affordable units.

Mr. Nichols said that he agreed to do this when he sold his development rights to the Charlotte Land Trust. Mr. Krasnow stated that the grant application fit in with the Grant Purpose section.

**Mr. Morrison said that the grant funds could be used for construction of new affordable housing. He understood that the discussion he and Stephen Brooks had was if a grant could be used for improvements for the home owners benefit. Mr. Nichols was providing affordable housing on his property, said Mr. Morrison
VOTE: 5 ayes; motion carried.**

TOWN HALL—INTERIOR PAINTING OF SIDE OFFICES & MEETING ROOMS. Action under consideration: approve J.E. Powers Painting Co. for \$2,635 (labor only)

Mr. Bloch reviewed interior rooms in the Town Hall that required painting. Three competitive quotes were obtained. Materials and labor were split out. Jim Powers submitted the lowest proposal, and the second lowest bidder had painted the meeting room with Fritz and Betsy Tegatz and did a good job. The kitchen may be an add-on for an extra \$200, said Mr. Bloch.

Mr. Morrison noted that an e-mail from a citizen was received asking why not combine the interior and exterior painting at the same time. The interior could be done now. Painting companies had a longer back log of projects due to the rainy weather, said Mr. Morrison. Mr. Bloch said that the bids to paint the Town Hall exterior had been sent out and were due by August 27, 2015.

Mr. Spell asked if the exterior could be painted before the end of October. Mr. Bloch replied that it might be possible to get some primer on the outside before winter.

Mr. Tegatz and Mr. Krasnow volunteered to prime the exterior as needed.

Mr. Tegatz recused himself from the vote to approve the painting contract since he had worked with one of the contractors on painting the interior meeting room.

MOTION by Mr. Krasnow, seconded by Mr. Spell, to approve the bid by J. E. Powers Painting Company to paint the interior of the Charlotte Town Hall side offices and meeting rooms as presented, for the amount of \$2,635 for labor only.

DISCUSSION:

Mr. Bloch said that painting the kitchen later could be added for a few hundred dollars.

Mr. Morrison asked if the contract included moving office furniture. Mr. Bloch replied yes.

Ms. Booher explained that a Town expense account was set up with Vermont Paint Company for paint or primer only. When a purchase was made on the account the Town would be notified via e-mail, said Ms. Booher.

AMENDMENT by Mr. Krasnow, seconded by Mr. Spell, to approve an amount not to exceed \$3,000 for labor only.

VOTE: 4 ayes, 1 recused (Mr. Tegatz); motion carried.

BRIDGE 14 (NORTH SPEAR STREET)—REQUEST FOR BIDS FOR REPAIRS TO CONCRETE RAIL POSTS & CURB. Action under consideration: approve for distribution

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a Request For Bids for repairs to the concrete rail posts and curb(s) to Bridge #14 (North Spear Street) as presented.

VOTE: 5 ayes; motion carried.

CIVIL ENGINEERING ASSOCIATES—RENEWAL OF SERVICE

AGREEMENT FOR THOMPSON'S POINT WASTEWATER SYSTEM. Action under consideration: approve for the 2015 operating season

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve Civil Engineering Associates renewal of service agreement for Thompson's Point Wastewater System for the 2015 operating season.

VOTE: 5 ayes; motion carried.

PAY ADJUSTMENT CONSIDERATIONS. Discussion only

Mr. Morrison briefly reviewed a request for adjustments to the pay for the Assistant Town Clerk and the Zoning Clerk as discussed at the previous Selectboard meeting regarding the Salary Administration Policy.

Mr. Tegatz clarified that Mary Mead had asked what she could offer a new Assistant Town Clerk. It was suggested \$16.50 per hour for the first 6 months, and then to raise it to \$17.00 per hour after the first 6 months. The Selectboard should honor that commitment, said Mr. Tegatz.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to adjust the pay of the Assistant Town Clerk, Christina Booher, to \$17.00 per hour retroactive to a date 6 months from the date of hire.

DISCUSSION:

Mr. Morrison noted that the proposed adjustment didn't impact the pay grade. Mr. Krasnow reviewed that the Assistant Town Clerk was at Step 6 on the grid without a 1 percent increase.

Ms. Booher said that currently she was at Step 6 at \$16.81 per hour with no cost of living increase.

Mr. Morrison explained that Ms. Booher would remain at Step 6 and any increases would be based on Step 6.

Ms. Booher thanked the Selectboard for her raise. As per the grid, Steps 1-5 were to be given the 1 percent increase, Steps 6-10 would be given a 0.75 percent increase, said Ms. Booher. Mr. Morrison said that the percentage increases were a subject for discussion at a later time.

VOTE: 5 ayes; motion carried.

Mr. Morrison said that Mary Mead would like a raise. It was explained to her that at 15 years she was at the maximum step. The situation has not changed, said Mr. Morrison.

Mr. Tegatz said that the system did not reward someone at the 15 year or more maximum. The Vacation Policy should be amended to add another week of vacation for those at Step 15, said Mr. Tegatz. Mr. Morrison replied that an employee of 10 years or more had 4 weeks vacation, with the possibility of a carry-over of a 5th week.

There was lengthy discussion regarding 5 weeks of vacation for an employee of 15 years or more, or 4 weeks with 2 weeks additional; responsibility of that employee to fit 5 weeks of vacation into a work schedule; how elected officials would fall under the grid versus what was required under state statute; a suggestion that paying out accrued leave for someone who resigned, or retired after a 20 year employment should be considered; and Selectboard suggestions to hire a consultant to review the grid and correct any flaws.

Mr. Krasnow stated that in a quick calculation of the highest paid employee, the formula from Steps 1-15 didn't work out to a 100-140 percent range. It came out to 112 percent, which was a 30 percent difference versus 40 percent, said Mr. Krasnow.

In response to further discussion, Mr. Krasnow said that a concern was that the Palmer evaluation would be excluded. There was a separate system in place that tracked how

long someone was employed and could still be rewarded on a productivity curve: 1-5 years at a 1 percent increase, 5-10 years at a 0.75 percent increase and 0.5 percent for 15+ years, said Mr. Krasnow. Mr. Morrison said that the Town spent \$1,000 on a consultant who verified the data and offered suggestions. The consultant didn't get into the detail of what Mr. Krasnow was talking about, said Mr. Morrison.

Mr. Spell asked if the Board has sat down with Mary Mead to find out where we all stand. If an employee comes to the Board with a complaint, we bump them up. It sets a precedence, said Mr. Spell.

Mr. Tegatz said that a job has to have a value to the Town. Value is 'x' at the start and 'x' at the end. The Board established the maximum at 140 percent, assuming the 1.5 percent was embedded, said Mr. Tegatz. Mr. Krasnow replied that the 140 percent maximum shouldn't be tied to the 1.5 percent. It should be zero percent to make the range work at 15 years, said Mr. Krasnow.

Mr. Hammer suggested keeping the formula simple. The table seems to be based on a 'job' with the bottom at 100 percent and the top at 140 percent. If the 40 percent was divided by the 15 years then $2\frac{2}{3}$ percent should be added each year, said Mr. Hammer.

There was further discussion regarding the variable of cost of living increases, counting a persons prior experience related to 'growth' within a position, and a suggestion for staff to put extra vacation as a discussion topic on a future Selectboard agenda.

Mr. Russell explained that before this there were years when Town employees were given reasonable raises not based on the cost of living, which seemed fair. With this policy a decision was made to have a cost of living increase and step increases based on a governmental model. Richmond decided to give a set number every year and used 2.5 percent increases. Some years the employees would win, some years they lost. It would be simpler to use a predictive pay scale every year outside of a cost of living increase, suggested Mr. Russell.

Mr. Morrison suggested using the Richmond model with 2.5 percent and deleting the cost of living increase. Then the range would be at 140 percent, said Mr. Morrison. Mr. Russell pointed out that the Selectboard had to weigh the fairness of the policy against the taxpayer who wasn't getting any raises.

Mr. Krasnow said that he would have a draft grievance section for the Salary Administration Policy for the Selectboard to consider at the next Selectboard meeting. Any new process should be reviewed in Executive Session at a one year date to see if it was working out well, or not, said Mr. Krasnow

Mr. Morrison said that the salaries were at equity now. The Selectboard would create the FY2017 budget in January and reconsider equity then, stated Mr. Morrison.

Ms. Booher said that if the Selectboard waited until January then they were in violation of the Salary Administration Policy if the new hires didn't receive a 1 percent increase before then. Mr. Morrison replied that the grid was based on experience utilizing past employment history for each employee. People were rewarded for advanced experience by being placed on a higher step based on the policy, stated Mr. Morrison.

SELECTBOARD UPDATES. Discussion only

Mr. Morrison reviewed that Town payroll was paid out every other week. The Town policy stated that three Selectboard members have to sign the warrants. The Selectboard could designate one member to sign the warrants, or all 5 members could sign the warrants by noon on Tuesdays, said Mr. Morrison.

Ms. Mead pointed out that the warrants needed to be signed during warned Selectboard meetings. Warned meetings and the payroll didn't coincide most times. One Selectboard member could be designated to sign the general payroll warrant, suggested Ms. Mead.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to authorize the Charlotte Selectboard Chair to sign and approve payroll warrants.

VOTE: 5 ayes; motion carried.

Mr. Krasnow reported that the speed cart was operational and placed at a road side. A data report would be presented at the next Selectboard meeting, said Mr. Krasnow.

Mr. Bloch reviewed that an engineering design to repair the Town Link Trail washout was received. An RFP for \$1,000 to fix the link trails should be distributed by August 11, said Mr. Bloch. Mr. Spell asked if Mr. Lewis, Lewis Excavation, was interested in bidding the project.

Mr. Tegatz reported that an existing Town Right-of-Way Ordinance dealt with signs, fence posts and trees within the Town rights-of-way. An enforcement provision mechanism was needed for drainage issues. Mr. Tegatz asked staff to include a draft to the ordinance on a Selectboard agenda for discussion.

Mr. Bloch reported that the Planning Commission had invited the Selectboard to attend the Thursday, August 20, 2015 meeting at 7:00 p.m. regarding proposed changes to the Land Use Regulations.

Mr. Spell said that the Selectboard has been invited by the state for site visits in the East Village and then the West Village regarding proposed village designation status on Thursday, August 20, 2015, at 5:00 p.m.

Next Selectboard meeting: Monday, August 24, 2015, 7:00 p.m.

Bid Openings: Town Hall exterior painting and Bridge #14, bid openings, August 27, 2015 at 4:00 p.m.

MINUTES: July 27 & August 3, 2015

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve the Charlotte Selectboard minutes of July 27, 2015 as written, with the following corrections:

- **Page 2, line 80 – change to read “...committed \$15,000 miscellaneous income...”;**
- **Page 3, lines 133 and 134 – delete the word “draft”.**

VOTE: 5 ayes; motion carried.

APPROVE WARRANTS TO PAY BILLS

The Selectboard signed warrants to pay bills.

ADJOURNMENT

MOTION by Mr. Spell, seconded by Mr. Tegatz, to adjourn the meeting.

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 9:45 p.m.

Minutes respectfully submitted, Kathlyn L. Furr, Recording Secretary.