

**CHARLOTTE SELECTBOARD  
MINUTES OF MEETING  
TOWN HALL  
FEBRUARY 16, 2016**

**APPROVED**

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

**ADMINISTRATION:** Dean Bloch, Town Administrator.

**OTHERS:** Mary Mead, Robert Mack, Sue Smith, Christina Booher, Bill Fraser-Harris, Peter Trono, Jenny Cole, Joe Bobee, Wesley Snyder, Stephen Brooks, Wally Gates, Rayne Herzog, Laurie Thompson, John Hammer, Charlotte News; and others.

**ITEMS TAKEN UP:**

- 4:10 PM Review financials with the Town Treasurer
- 4:20 PM CPI metric used for cost of living increase for Town employee pay-rates
- 4:40 PM Thompson's Point Wastewater System Operating Budget
- 4:50 PM National Multiple Sclerosis Society—request for approval of organizational plan for Green Mountain Getaway MS Bike Ride on Saturday August 6, 2016
- 5:00 PM Green Mountain Power—petition to replace poles on Lake Road and Whalley Road
- 5:15 PM Michael Hinsdale—Open Space Agreement
- 5:25 PM Land Maintenance Request for Bids—Mowing, Brush-hogging, Burns property
- 5:40 PM Senior Center-replace water heater
- 5:50 PM RaceVT.com—request for approval of organizational plans for Lewis Creek ½ Marathon, 5K & 10K; Olympic & Sprint triathlons; Covered Bridge ½ Marathon, 5K & 10K
- 6:00 PM Comments on proposed 144.9 kW solar project at 5721 Ethan Allen Highway, PSB Docket NM 6691
- 6:10 PM Richard Tenney d/b/a Tenney Enterprises—request for renewal of Second Class Liquor License (to be approved by Liquor Control Board)
- 6:15 PM Sound system package for Town Meeting—approve cost of \$333.50
- 6:20 PM Humane Society—contract for calendar year 2016

**CALL TO ORDER**

Mr. Morrison, Chair, called the meeting to order at 4:00 p.m.

**ADJUSTMENTS TO THE AGENDA**

None.

**PUBLIC COMMENT**

Ms. Mead requested time on a Selectboard agenda for a discussion regarding pay rate calculation issues. Mr. Morrison asked staff to add Ms. Mead to the March 14, 2016, agenda.

**REVIEW FINANCIALS WITH THE TOWN TREASURER**

Ms. Mead reviewed handouts regarding General Ledger budget revenues for the current year, and Bridge Reconstruction and Thorp Barn trial balances.

**CPI METRIC USED FOR COST OF LIVING INCREASE FOR TOWN EMPLOYEE PAY-RATES**

Mr. Morrison reviewed cost of living increases calculated on a point-to-point adjustment for Town employees, and the Salary Policy, Section 3.

There was lengthy discussion regarding the merits of different methodologies to calculate a cost of living adjustment (COLA) using a 'point-to-point' (single point in time) versus an averaged percentage over 12 months; and the Salary Policy, Section 3, regarding COLA.

Mr. Tegatz explained that he did a handwritten comparison of methodologies and found that there was an average percentage difference of one-tenth percent between methodologies. Using Federal government sites you can compare the pluses and minuses on how to do this. The Salary Policy language was unclear and the Selectboard should nail down what to use, said Mr. Tegatz.

Mr. Krasnow pointed out that the Salary Policy cites a website link to calculating CPI-W for the New England Region for percentage changes. The 2015 December number was what the Selectboard used for the current first year. A concern involved negative COL percentage numbers during the year, said Mr. Krasnow.

Following further discussion, Mr. Morrison reviewed three options identified as:

1. Using a point-to-point number, acknowledging that a December number can fluctuate
2. Calculate an annual average percentage
3. Utilize a hybrid method as per the SSN website.

Ms. Mead recommended using a Bureau of Labor Statistics chart to calculate percentage changes from 12 months ago.

Ms. Spear spoke in support of rewriting the Salary Policy.

***SUGGESTIONS/TASKS:***

- Update the Salary Policy with the Bureau of Labor Statistics-North East Regions, CPI-W link - BLS.gov
- Correct Salary Policy language to reflect wording in the web link and chart
- Ask staff to send sample language regarding the web link as it relates to the chart, change the verbal description of the chart and web link in the policy
- Change policy language from "...annual COL increase" to read "...annual COL Adjustment..."

- Change language to read that no employee would lose money in case of a negative COLA that "...can never be less than zero."
- Insert a new paragraph "New hire step advancement – COLA" that "new employees whose start date is prior to April 1<sup>st</sup> of the fiscal year would move up one step for the next year on July 1<sup>st</sup>"
- Review the Personnel Policy regarding new hire probationary periods
- Table 1, update 20+ year employee(s) to add 2 percent plus a COLA, and update 2.5 percent, 2.25 percent and 2 percent.

**MINUTES: January 19, January 25, January 28, February 2, 2016**

Approval of the minutes was deferred until the next Selectboard meeting.

**THOMPSON'S POINT WASTEWATER SYSTEM OPERATING BUDGET**

**MOTION by Mr. Tegatz, seconded by Ms. Spear, to adopt the Thompson's Point Wastewater System Operating Budget per gallon fee of \$0.055 per gallon as presented.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**NATIONAL MULTIPLE SCLEROSIS SOCIETY—REQUEST FOR APPROVAL OF ORGANIZATIONAL PLAN FOR GREEN MOUNTAIN GETAWAY MS BIKE RIDE ON SATURDAY AUGUST 6, 2016**

Wesley Snyder, National Multiple Sclerosis Society representative, explained a proposed Green Mountain Getaway bike ride starting at Technology Park, South Burlington with a rest stop at the Old Lantern, medical aid available at all rest stops, and SAG guides along the route for safety. Riders were encouraged to ride no more than two abreast. No police services were engaged. It was a one-day ride on Saturday, August 6, 2016, explained Mr. Snyder.

Mr. Tegatz asked if a state permit was required for events of 125 participants or more, and asked if CVFRS was notified. Mr. Snyder replied that Fire and Rescue were notified. He would have his staff follow up on any state permits requirements, said Mr. Snyder.

Mr. Fraser-Harris said that he would clarify state permit requirements.

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve the organizational plan for the Green Mountain Getaway MS Bike Ride, Saturday, August 6, 2016, pending CVFRS notification, and any state permits as required.**

**DISCUSSION:**

**Mr. Bloch asked for clarification of a water station stop in East Charlotte village. Mr. Snyder said that he would follow up on that with his staff.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**GREEN MOUNTAIN POWER—PETITION TO REPLACE POLES ON LAKE ROAD AND WHALLEY ROAD**

Joe Bobee, Green Mountain Power representative, briefly reviewed a proposal to replace utility poles on Lake Road and Whalley Road north to Holmes Road. The Charlotte Tree Warden was consulted, said Mr. Bobee.

Ms. Cole asked for clarification regarding pole placement. Mr. Bobee replied that the maximum distance between poles would be 250'-300' and the old poles would be removed. Ms. Cole noted that a tree on the corner of her property would need to be cut.

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve a petition by Green Mountain Power to replace poles on Lake Road and Whalley Road as per a detailed map.**

**DISCUSSION:**

**Mr. Tegatz pointed out that there were old poles in Charlotte that needed to be removed. Mr. Bobee said that GMP had a list of old poles that needed removal. GMP was working on removing old poles on Thompson's Point. For example, Spear Street still had utilities located on old poles and once those were off then the poles would be taken out, explained Mr. Bobee.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

#### **MICHAEL HINSDALE—OPEN SPACE AGREEMENT**

Mr. Bloch reviewed an Open Space Agreement signed by Michael Hinsdale that conserved 6.4 acres of an 11 acre property. The open space wouldn't be developed except for possible agricultural uses. The agreement was approved by the Planning Commission and the Selectboard would need to approve the agreement for it to be enacted, said Mr. Bloch.

Mr. Trono asked when the Town's open space document was last revised and has it been changed, or not. The agreement was very restrictive, said Mr. Trono. Mr. Bloch explained that the Hinsdale open space agreement was a standard boiler plate document with minor tweaks that has been used for 20 years. The Town Planner has reviewed the document, said Mr. Bloch.

Mr. Krasnow read Section 3(b), regarding the use of open space for agricultural uses, or farm structures.

**MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the Michael Hinsdale, Kytoad, LLC, Open Space Agreement, dated 01/06/2016, regarding property located at 3795 and 3825 Ethan Allen Highway, and to authorize the Charlotte Selectboard Chair to sign the document on behalf of the Town of Charlotte.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

#### **LAND MAINTENANCE REQUEST FOR BIDS—MOWING, BRUSH-HOGGING, BURNS PROPERTY**

Mr. Bloch briefly reviewed Land Maintenance Request for Bids for mowing and brush hogging of Town lands that included one change related to the removal of Wild Parsnip from the Town offices ditches. The bid forms were sent to Town committees for comments, said Mr. Bloch.

Ms. Smith, Charlotte Park and Wildlife Refuge representative, handed out copies on how to mulch trees to be given to the contractors for information and education. Some parcels may need to be brush hogged twice due to Wild Parsnip. The Town trees are over mulched now and may not need mulching, pointed out Ms. Smith.

Ms. Cole, Charlotte Park and Wildlife Refuge representative, suggested language to the contract that "...mulch is to be applied so that it doesn't touch the trees", or "no mulch." Mr. Krasnow suggested "...trees and beds to be edged" and strike "mulch removed and replaced." Under Beach, #1, change to read "...trim the hedge row south and west of the tennis courts, and remove dead limbs."

Ms. Cole asked that the disk golf course be maintained, and at the Park, Thorp Barn, change to read "mowing a width of 10' around the Thorp Barn" versus 4' width, and add that the lawn in front of the barn and by the gate be mowed to a height of 4"-6".

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve the Mowing and Land Maintenance Request for Bids, as amended:**

- "...trees and beds to be edged" and strike "mulch removed and replaced."
- Beach area, #1, change to read "...trim the hedge row south and west of the tennis courts, and remove dead limbs."
- Charlotte Park and Wildlife Refuge, Thorp Barn, change to read "...mowing a width of 10' around the Thorp Barn" versus 4' width, and add that the lawn in front of the barn and by the gate be mowed to a height of 4"-6."
- Note that some parcels may need to be brush hogged twice due to Wild Parsnip.

**DISCUSSION:**

Mr. Mack suggested adding mowing at the cemeteries and Park plus any other area to the land maintenance contracts to take advantage of better pricing or hourly rates. Mr. Krasnow explained that maintenance at the Park did not lend itself to standard brush hogging practices. The cost at the Park was from \$1,000-5,000 and the contract hiring practices were consistent with the Town's Purchasing Policy, said Mr. Krasnow.

Ms. Cole explained some of the issues for brush hogging or mowing at the Park. The right equipment had to be used based on terrain, what needed to be done and when it needed to be done. The Park Committee did get good deals. It was difficult to identify areas to be done right now, said Ms. Cole.

Mr. Brooks said that the Town had discussed forming a Town Lands Commission several years ago. He encouraged the Selectboard to revisit the concept, and identify and inventory Town land resources. Regarding the Purchasing Policy it was clear the cemetery needs to move to a new model for bid work. He was willing to draft a narrative for bid work for the cemetery, said Mr. Brooks.

Mr. Brooks and the Town Administrator would draft a cemetery bid module.

Mr. Krasnow reiterated that the Park brush hogging bid should be separate. It was difficult to craft language for an unpredictable events that occur at the Park, clarified Mr. Krasnow.

**AMENDMENT by Mr. Tegatz, seconded by Ms. Spear, to add Topic 6 - Cemetery Maintenance, to be reviewed at the 02/22/2016 Selectboard meeting..**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

Mr. Fraser-Harris suggested under Town Beach to have the restrooms and horse shoe pits brush hogged "...a once per year brush hogging as it already exists to maintain it in its current status." Volunteers maintained the disk golf area, said Mr. Fraser-Harris.

Ms. Cole said to keep the Park brush hogging separate from the Land Maintenance contracts. The Park Committee follows the Town's Purchasing Policy and the committee couldn't predict what was needed to be done until we get into the season. The Park Committee was trying to maintain the fields in a different manner now, For example, delaying cutting the fields for Bobolink bird habitat, or road side mowing along Route 7 in the state right-of way for Wild Parsnip, explained Ms. Cole.

Mr. Krasnow suggested that the Park Committee could solicit competitive prices so the contractors could bid on that along with the Town. Mr. Tegatz suggested that the Park Committee draft a scope of work in writing for next year that included equipment needs on a per hour use for review and managing bid contracts for next year.

Mr. Krasnow explained that he was familiar with bidding contracts for the landscaping business. Businesses would bid portions of a contract at a low amount and inflate other portions for a profit, and show a total bottom line low bid. By getting a mowing at an hourly cost we can get a fair bid, said Mr. Krasnow. Ms. Cole said that the committee gets hourly rates for work and tracks paid and volunteer hours. There are on-going projects that go for years at the Park. The committee was familiar with the costs and the bid process should be kept as is. However, including a Park scope of work could be considered for next year, said Ms. Cole.

Mr. Tegatz said that for future discussion, the Town should track scopes of work and costs historically.

Mr. Brooks asked if the Burns property ditch would be brush hogged. Mr. Bloch explained that the swale was included in the contract.

**MOTION By Mr. Krasnow, seconded by Mr. Tegatz, to approve Land Maintenance Requests for Bid – Brush Hogging, dated 02/16/2016, as modified, and to include specifications as provided by the Park Oversight Committee, and to include unit pricing per hour for additional or reduced services.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

Mr. Bloch explained that the Burns property brush hogging could be done as a lease, with the lessee taking hay off the field in lieu of payment.

Mr. Krasnow suggested opening more Town land for farming opportunities.

There was discussion regarding a 5-year lease period for the Burns field; allowing the lessee to hay the Burns field; a request to have the lessee fertilize the Burns field(s) at no cost to the Town; a lease rate based on the Management Plan; and a suggestion that a lessee submit a written proposal for use of the 15+ acre Burns parcel.

Mr. Krasnow and the Town Administrator would draft a lease proposal regarding the Burns property for review at the Monday, 02/22/2016 Selectboard meeting.

**SENIOR CENTER-REPLACE WATER HEATER**

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve a bid by J.W. and D.E. Ryan, Inc., to replace the Senior Center water heater for an amount not to exceed \$2,239.02.**

**DISCUSSION:**

**Mr. Brooks asked what technology the contractor would use. Mr. Gates explained that it was an indirect water heat tank off the heating unit.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**RACEVT.COM—REQUEST FOR APPROVAL OF ORGANIZATIONAL PLANS FOR LEWIS CREEK ½ MARATHON, 5K & 10K; OLYMPIC & SPRINT TRIATHLONS; COVERED BRIDGE ½ MARATHON, 5K & 10K**

Rayne Herzog, RaceVT representative, reviewed three race events for Saturday, May 7<sup>th</sup>, Sunday, August 7<sup>th</sup>, and September 10<sup>th</sup>.

Mr. Fraser-Harris said that the Recreation Commission supported the events and asked Mr. Herzog to post public awareness announcements via public media and Front Porch Forum.

Mr. Fraser-Harris asked that race signage be posted along the roadways 2-3 days before the events instead of the week before.

Mr. Morrison noted that the Kelly Brush ride was on one of the race dates. Mr. Bloch explained that the Kelly Brush sponsor was contacted and there was no problem.

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve the organizational plans for the RaceVT.com May 7, 2016, Lewis Creek ½ Marathon, 5K and 10K race, August 7, 2016, Olympic and Sprint Triathlons, and the September 10, 2016, Covered Bridge ½ Marathon, 5K and 10K race.**

**DISCUSSION:**

**Mr. Bloch said that the races were well run and kudos to Rayne for his safety record. The event sponsor donations to the Town were appreciated, stated Mr. Bloch.**

**Mr. Tegatz asked that the CVFRS be notified for all events. Mr. Herzog explained that he had talked with Chris Davis regarding the race details.**

**Mr. Trono asked what the donations were and how was it paid. Mr. Herzog explained that the rate was \$1.00 per participate, and it was paid out of pocket to the Town.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**COMMENTS ON PROPOSED 144.9 kW SOLAR PROJECT AT 5721 ETHAN ALLEN HIGHWAY, PSB DOCKET NM 6691**

Mr. Bloch briefly reviewed a proposed 144.9 kW solar project on the east side of Route 7 south of State Park Road. A new driveway was not proposed and new utility poles would connect directly to the project. The new poles would be out of the Route 7 reconstruction area. The Public Service Board (PSB) was proposing non-glare solar panels. A question was if the Selectboard desired to enter comments regarding the project to the PSB, said Mr. Bloch.

There was lengthy discussion regarding the siting of the proposed solar panel area; an existing deciduous hedge row that would partially screen the solar panels; a spring wetland determination to be done by the state; and possible view impacts from the Mt Philo State Park and Route 7.

The Selectboard members spoke in favor of a written response to the PSB citing concerns related to possible undue adverse impacts, requests for improved screening of the view from the Mt Philo State Park and Route 7, and seeking relocation of the solar panels further east, or south within the parcel.

Mr. Tegatz expressed concern that the solar project could be seen from Mt Philo and if an archeological investigation was needed in addition to a wetland investigation.

Ms. Spear stated that she could not support the project.

Mr. Trono suggested that the Selectboard members read a letter from Terry Boyle's office, and noted that Green Mountain Power has set a moratorium on accepting solar generated power.

**MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a written response to the proposed 144.9kW solar project at 5721 Ethan Allen Highway, PSB Docket NM 6691, drafted by the Town Administrator, that the Town of Charlotte was not in support of the project, but if approved by the Public Service Board, the Town of Charlotte requested that the Public Service Board include the following points:**

- **Non-glare solar panels should be installed**
- **Change the project orientation and elongate the panel installation area further to the south**
- **Plant a tall evergreen screen on the east boundary utilizing Eastern White Cedar trees**
- **Maintain the existing hedgerow(s);**

**and to authorize the Charlotte Selectboard Chair to sign the letter on behalf of the Town of Charlotte.**

**DISCUSSION:**

**Ms. Spear asked to review a copy of the draft response via e-mail.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**RICHARD TENNEY D/B/A TENNEY ENTERPRISES—REQUEST FOR RENEWAL OF SECOND CLASS LIQUOR LICENSE (TO BE APPROVED BY LIQUOR CONTROL BOARD)**

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to recess the regular Selectboard meeting and to convene as the Charlotte Liquor Control Board.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve a request for renewal of a Second Class Liquor License by Richard Tenney, d/b/a, Tenney Enterprises.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

The Selectboard members signed the liquor license document.

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to adjourn as the Charlotte Liquor Control Board and to reconvene as the Selectboard.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**SOUND SYSTEM PACKAGE FOR TOWN MEETING—APPROVE COST OF \$333.50**

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve a sound system package for the March 1st 2016 Town Meeting supplied by CW Stageworks for an amount not to exceed \$333.50.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

**HUMANE SOCIETY—CONTRACT FOR CALENDAR YEAR 2016**

**MOTION by Ms. Spear, seconded by Mr. Krasnow, to approve a renewal of a contract with the Chittenden County Humane Society for the calendar year of 2016 as presented.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

The Selectboard signed the contract document.

#### **SELECTBOARD UPDATES**

Mr. Tegatz asked staff to add a presentation by Winslow Ladue regarding water supplies and development impacts to a future Selectboard agenda.

Mr. Morrison reviewed March Town Meeting presentations as follows:

- CVFRS - CVFRS update
- Mr. Krasnow – Capital Reserve Fund projections
- Mr. Morrison – highlights of the 2015-2016 year.

Mr. Bloch reported that a proposed schedule of interviews on 02/18/2016 for Zoning and Planning applicants would be forwarded to Selectboard members. Committee vacancies needed to be advertised.

#### **NEXT SELECTBOARD MEETINGS:**

- February 22, 2016 – pay policy review, Burns property draft lease
- February 29, 2016, prior to the School Board Meeting – Town Charter Informational Hearing. It was suggested to invite the Ad hoc Town Meeting Solutions Committee members
- March 1, 2016, Town Meeting
- March 14, 2016, Mary Mead – pay rate calculations

#### **APPROVE WARRANTS TO PAY BILLS**

The Selectboard signed warrants to pay bills.

#### **ADJOURNMENT**

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to adjourn the meeting.**

**VOTE: 4 ayes, 1 absent (Mr. Spell); motion carried.**

The meeting was adjourned at 7:19 p.m.

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