

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
JANUARY 11, 2016**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Carrie Spear, Fritz Tegatz, Matthew Krasnow, Jacob Spell (arrived 6:50 p.m.).

PLANNING COMMISSION: Gerald Bouchard, Marty Illick, Peter Joslin, Charles Pughe.

ADMINISTRATION: Dean Bloch, Town Administrator; Jeannine McCrumb, Town Planner.

OTHERS: Liam Murphy, Jason Stockwell, Ronda Moore, Charles Russell, Alex Bunten, Madison Hakey, Michael Russell, Mark Moser, Mary Mead, Jenny Cole, John Hauenstein, Janet Morrison, Hugh Lewis Jr, Robert Mack, Francis Foster, Jane Lawlis, Tom Kessler, Gary Farnsworth, Erich Finey, Alaina Murphy, Karen Frost, John Hammer, Charlotte News; and others.

ITEMS TAKEN UP:

- 2:00 PM Senior Center Addition Project—bid opening
- 2:15 PM Interview Britney Tenney for appointment to fill vacancy on the Board of Listers until the next election
- 6:00 PM 2nd (final) Hearings for amendments to the Town Plan and Land Use Regulations
- 7:10 PM John and Lisa Hauenstein—request for a License Agreement to locate utility lines within the right-of-way of Spear Street (TH 6) at 6373 Spear Street.
- 7:15 PM FY17 budget review
- 8:00 PM Town Meeting Warning—review draft
- 8:40 PM Civil Engineering Associates, Inc.—renew agreement to provide engineering services for the Thompson’s Point wastewater treatment system

2:00 PM Senior Center Addition Project—bid opening

The Selectboard opened bids for the proposed Senior Center Addition project.

2:15 PM Interview Britney Tenney for appointment to fill vacancy on the Board of Listers until the next election

The Selectboard reviewed the candidate’s qualifications.

(NOTE: The meeting was recessed until 6:00 p.m.)

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:00 p.m.

**2ND (FINAL) HEARINGS FOR AMENDMENTS TO THE TOWN PLAN AND
LAND USE REGULATIONS**

Mr. Morrison briefly reviewed that the intent was to finalize the Town Plan and Land Use Regulation amendments for submission as articles at the 2016 March Town Meeting.

Ms. McCrumb reported that no comments were received regarding the Town Plan revisions, #1 Village Designation, and, #2 Energy section/citing standards, reviewed at the December 21, 2015 Selectboard First Hearing.

Ms. Spear asked for clarification regarding village boundary determinations. Ms. McCrumb replied that if a Village Designation article was passed at Town Meeting, then it would be a public process with input from the state as part of a Village Designation application. Mr. Bloch read the draft article, and stressed that it said that the Town would “consider applying” for the designation. The Town was not locked into applying, clarified Mr. Bloch.

LAND USE REGULATIONS AMENDMENT #1

Ms. McCrumb reviewed corrections made to Land Use Regulations amendment #1, excluded areas regarding “...150’ or less...” and wildlife habitat areas. No comments were received, said Ms. McCrumb.

BYLAW 2

Ms. McCrumb reported that comments were received from Liam Murphy, dated 01/11/2016, regarding performance standards, 3.12(A), related to ‘discontinued or altered’ uses.

SUGGESTIONS/CHANGES:

- Performance Standards, 3.12(A) - time periods should be consistent: change to read “discontinued or altered for a period of longer than 6 months.”
- Performance Standards, 3.12(A) – “or alteration...” change to read: “...altered, converted, expanded, or relocated...”
- Standard 3.8(B), should be the same language as in other sections
- Section 9.2(7)(10) - change “AAP” to “RAP” (Required Agricultural Practices).

BYLAW 3

- Table 2.3(B), #5 – change “(10 or less vendors)” to read “(1-10 Vendors)”
- Table 2.3(D), Conditional Uses, Health Care Facilities – change “(10,000 sf...” to read “(2,501-10,000 sf...”; Office “(10,000 sf...” change to read “(2,501-10,000 sf...”; Recreation Indoor (10,000 sf” change to read “(5,001-10,000 sf...”; and strike “Retail Age Specific (3,500 sf max gfa)
- Table 2.4(D) Conditional Uses, Financial Institution – change “(10,000 sf...” to read “(4001-10,000 sf...”.

Mr. Bloch stated that the proposed changes were minor changes and would not require another hearing.

PUBLIC COMMENTS

Mr. Farnsworth asked if 'retail age specific' should be better defined. Mr. Krasnow suggested a change to a retail store definition, Land Use Regulation Amendment #3, page 3, to read "...goods and/or services offered for sale...". He was concerned with the word "primarily", said Mr. Krasnow.

Following further discussion, Mr. Murphy suggested the word "value" in place of "primarily", as "...determined by a percentage value of product sold." This would require that the Town determine a measurement of "value", said Mr. Murphy. Ms. McCrumb suggested "51 percent of gross sales."

Mr. Krasnow suggested "...excluding beer, tobacco, wine and lottery" from the definition of age 18 and older, as a minor change.

BYLAW 4

Ms. McCrumb noted that written comments were received from Ronda Moore on behalf of neighbors, and from the Charlotte Community Development group regarding water issues identified at the 12/21/2015 hearing.

Ms. McCrumb explained that the water issue could be addressed through Conditional Use and permitting processes, such as the state waste water permit. The Zoning Board relies on an applicant's expert or the waste water permit as another layer of protection, said Ms. McCrumb.

Mr. Moser said that as written the state waste water and potable water permit process was forcing litigation. Wells that were dug via the Conditional Use process in the past are wells now having problems. The ground water table has lowered in his area, stated Mr. Moser.

Ms. Moore said that allowing commercial interests in the West Village is a concern regarding water runoff from parking areas, impervious surfaces, etc. and there was nothing in the regulations for low flow fixtures, for example. The Town Plan includes preservation of ground water as a goal, pointed out Ms. Moore.

Mr. Finey asked for clarification of "public facility", Bylaw 3, page 2 of 5, 5.1.2(8). Mr. Bloch read the definition of public facility from the Land Use Regulations, Definitions.

Mr. Finey explained that three residential neighbors have rights to his water well at his business store if they run out of water. If that ever happened his business would be affected. Septic and water in the West Village are big deals and a risk for him as well, said Mr. Finey.

Mr. (Charles) Russell pointed out that a previous Selectboard crafted an Advisory Motion for wastewater in the West Village. A similar motion could be made for water in the West Village and put before the voters, suggested Mr. Russell.

Ms. McCrumb briefly reviewed proposed changes as suggested by Liam Murphy related to pre-existing small lots, which could be added in Section 4.3.

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve proposed Amendments to the Town Plan with minor changes as per 01/11/2016, and with Retail as an age specific use eliminated.

VOTE: 5 ayes; motion carried.

NEXT STEPS:

- Warn the amendments for Town Meeting.

ADJUSTMENTS TO THE AGENDA

Added:

- Approve appointment of Britney Tenney to fill a vacancy on the Board of Listers until the next election.
- Approval of Lister Form 411 – request for an extension.

PUBLIC COMMENT

Jenny Cole, Charlotte Park and Wildlife Refuge Oversight Committee member, reported that several boards blew off the side of the Thorp Barn. The damage should be repaired by a professional versus volunteers. Funding could come from the Thorp Barn Fund, suggested Ms. Cole.

The Selectboard spoke in support of repairing the Thorp Barn.

Mr. Lewis, Charlotte Road Commissioner, reported that the road sign for ‘Tractor Trailer Road’ was misspelled as ‘Tracter’ and recommended leaving the sign up.

MINUTES: December 15, December 16, December 21

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

JOHN AND LISA HAUENSTEIN—REQUEST FOR A LICENSE AGREEMENT TO LOCATE UTILITY LINES WITHIN THE RIGHT-OF-WAY OF SPEAR STREET (TH 6) AT 6373 SPEAR STREET.

John Hauenstein, owner, appeared and reviewed a request to run a utility line underground from a barn to a utility pole on the other side of Spear Street. The excavation was proposed 7-8’ off the edge of pavement, go 6.5-8.5’ below the roadway, come up to 4.5’ in the right-of-way and then surface to the pole, explained Mr. Hauenstein.

Mr. Lewis said that he had conducted a site visit and looked at the distances related to the right-of-way. There were no issues, said Mr. Lewis.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve a request by John and Lisa Hauenstein for a License Agreement to locate utility lines within the Town

right-of-way of Spear Street at 6373 Spear Street as presented, and to authorize the Charlotte Selectboard Chair to sign the document.

DISCUSSION:

Ms. Spear asked when Mr. Hauenstein had requested the license agreement. Mr. Hauenstein replied Wednesday, December 23, 2015. He had talked with Mr. Lewis, Charlotte Road Commissioner, first.

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

Mr. Morrison signed the document.

FY17 BUDGET REVIEW

FY2016/2017 BUDGET: EXPENSES

- Selectboard:
 - Minute Taker – change \$3,500 to \$4,000
 - Unanticipated Expense – zero out or leave \$500
 - Add line items: Mileage for \$200 and Membership Dues for \$200
 - Volunteer Recognition – change \$6,500 to \$3,500
 - Seminars – change \$300 to \$500
- Planning and Zoning:
 - Delete the word “salary” from the line items for Town Planner/Zon. Adm., Zoning Adm., Town Planner, and Admin. Asst.
 - Town Plan/Land Use Regs – change \$5,000 to \$750
- Lister:
 - 3rd Lister salary line item – change \$767 to \$1,500
- Employee Benefits:
 - Update all employee benefit line items to reflect salary changes
- Highway
 - Ms. Spear requested an additional \$3,000 for winter salt
- Bridge Construction:
 - Bridge Construction – zero out the \$20,000 and transfer that amount to Transfers to Other Funds: Highway Capital Reserve Fund
- Town Lands:
 - Land Maintenance – break out \$2,500 mowing for Trails as a separate line item; change \$13,400 to \$10,900
 - Cemetery Maintenance – change \$11,550 to \$10,000
 - Park Security – change \$5,600 to \$6,000
- Library:
 - Revise salary line items for Youth Librarian and Technical Librarian
- Donations:
 - Women Helping BW – change \$550 to \$500
 - HOPE Works – change \$1,000 to \$500
 - Child Care Resources - revisit and consider \$500
 - Lund – change \$2,000 to \$500
- Recreation:
 - Add two line items for Beach Mileage for \$300 and Beach Membership/Dues for \$100

- Rename Beach Miscellaneous as Beach Supplies; change \$900 to \$500
- Conservation:
 - Staff to update Operating Expense

There was lengthy discussion regarding CVFRS Capital Reserve Fund and major purchase requests for a new pumper truck. Mr. Spell suggested letting CVFRS raise funds for the new truck to take the burden off the tax payer. A capital reserve fund may not be needed. Surrounding towns pay \$200,000-250,000 for fire and rescue services versus Charlotte's \$550,000. Vermont League of Cities and Towns has drafted a proposal for more transparency in 501(c)(30) and fire/rescue organizations for this legislative year, said Mr. Spell.

Mr. (Charles) Russell pointed out that CVFRS volunteers equaled \$100,000-200,000 in volunteer time. There is transparency – ask Fritz Tegatz when you want something. Regarding a unified budget, by law CVFRS can't spend money on anything other than CVFRS items, said Mr. Russell.

Mr. Mack said that CVFRS should make do with a less expensive truck purchase. There needs to be a balance of what is needed versus what can be afforded, stated Mr. Mack.

Mr. Spell suggested hiring a Town Planner consultant versus a part-time Town Planner for updating the Town Plan.

Mr. Mack suggested that the Town bid out the dock work under Recreation.

Mr. Krasnow said that if a department/committee doesn't use a contract for work done then the invoice should be held until a contract is handed in.

NEXT STEPS:

- Staff to contact the Town Attorney regarding proposed Article 4, if the original language sunsets after a period of 10 years, and if the Reserve Fund would no longer exist
- Staff to research the status of the Energy Committee projects related to budget request(s) for an energy audit at the Senior Center and CVFRS
- Town Clerk/Treasurer to update employee benefit line items (SSN, retirement and medicare) for the next Selectboard meeting
- Consider a work session to educate employees on zero-based budgeting and tracking costs versus estimates
- Staff to create line items to match mowing/brush hogging for the three Town properties under Land Maintenance
- Consider funding a new rug in the Town Hall from the Improvement and Repair Fund
- Ear mark money in the Highway Capital Reserve Fund for the Spear Street Bridge repairs
- Fire and Rescue Reserve Fund – needs further review: Mr. Krasnow, Mr. Bloch and Mr. (Charles) Russell to meet regarding the CVFRS Capital Reserve Fund

and budget prior to the next Selectboard meeting scheduled for 01/19/2016 at 4:00 p.m.

- Consider a Debt Service section (CVFRS) that details bond payments
- Mr. Krasnow to research HOPE Works
- Mr. Krasnow to contact the Vermont State Police regarding traffic enforcement contract hours and levels of service
- Staff to contact the Energy Committee regarding proposed energy audits of the CVFRS station and the Charlotte Senior Center.
- Staff to provide an updated FY17 budget for the 01/19/ 2016, 4:00 p.m. Selectboard meeting.

MOTION by Mr. Spell, to increase the Town Clerk/Town Treasurer salary by \$10,000. The motion died for lack of a second.

TOWN MEETING WARNING—REVIEW DRAFT

The Selectboard briefly reviewed a draft Town Meeting Warning.

SUGGESTIONS/COMMENTS:

- Staff to research if Article 4 was necessary
- Staff would draft an outline regarding a Town Charter based on input received (Nancy Wood and Gretchen Morse)
- Consider an article regarding a municipal septic system ordinance, sewer district, costs, including a cost-free system, for the November 2016 election date.

Further review of the draft Town Meeting was deferred until the next Selectboard meeting.

CIVIL ENGINEERING ASSOCIATES, INC.—RENEW AGREEMENT TO PROVIDE ENGINEERING SERVICES FOR THE THOMPSON’S POINT WASTEWATER TREATMENT SYSTEM

MOTION by Mr. Krasnow, seconded by Mr. Spell, to renew an agreement with Civil Engineering Associates, Inc., to provide engineering services for the Thompson’s Point Wastewater Treatment System for one year starting January 1, 2016.

VOTE: 5 ayes; motion carried.

SELECTBOARD UPDATES

MOTION by Mr. Krasnow, seconded by Mr. Spell to appoint Britney Tenney to fill a vacancy on the Board of Listers until the next election day in 2016.

DISCUSSION:

Ms. Spear asked for clarification regarding a time lapse. A letter in interest from Ms. Tenney, dated 10/15/2015, was received and didn’t appear on the agenda until now, said Ms. Spear. Mr. Bloch explained that Ms. Tenney had been a Town employee at the time of receipt of the letter. It was also a capacity issue of fitting the topic on an agenda, said Mr. Bloch.

Ms. Spear asked if letters and documents were date stamped when received.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Tegatz, seconded by Mr. Spell, to approve a Board of Listers Form 411, for a 30-day extension to file a Conditional Use Report to the State of Vermont, and to authorize the Charlotte Selectboard Chair to sign the form on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

Ms. Spear expressed concern regarding dates entered on the Charter document. She would like to hold more than the required two public hearings. It takes a while to understand the issues regarding the charter and planning/zoning amendments, said Ms. Spear.

Next Selectboard meeting was scheduled for 01/19/2016, at 4:00 p.m. to discuss the Town Budget, CVFRS budget and Capital Reserve Fund, Town Meeting Warning and Palmer Analysis.

Mr. Morrison asked Selectboard members to review and comment on a draft Selectboard Report for the Town Report.

APPROVE WARRANTS TO PAY BILLS

The Selectboard signed warrants to pay bills.

ADJOURNMENT

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 11:09 p.m.

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