

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
JULY 27, 2015**

APPROVED

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

ADMINISTRATION: Dean Bloch.

OTHERS: Lydia Clemmons, Jack Clemmons, Die Clemmons, Moe Harvey, Ellie Russell, Christian Booher, Peter Trono, Janet Morrison, Patrice Machavern, Charles Russell, Robin Reid, John Snow, Hugh Lewis Jr, Stephen Brooks, Mary Mead, David Marshall, Jenny Cole, Eliza Pillard, Beth Merritt, Jonathan Freer, Jon Braun, Michael Yantachka, Ken Spencer, Larry Hamilton, Henrietta Ober, Peter Rosenfeld, Diane Rosenfeld, Hans Ohanan, Susan Ohanan, Sylvia Knight, Robert Wright, Karen Frost, Chris Davis, Margaret Russell, Jack Pilla, Matt Keller, Charlotte Citizen; John Hammer, Charlotte News, and others.

(NOTE: the agenda was heard out of order, but appears as published for continuity.)

ITEMS TAKEN UP:

- 7:10 PM Joint quarterly meeting with CVFRS. Discussion only
- 7:40 PM Review of wage policy. Discussion only
- 8:00 PM Update regarding East Thompson's Point Road drainage ditch and trees. Discussion only
- 8:15 PM Vermont Rail Plan—submission of comments regarding the storage of empty tankers and lack of safety/emergency planning, and possible request for an extension of the public comment period. Action under consideration: approve
- 8:30 PM Sole Source and Preferred Vendor List. Action under consideration: approve
- 8:40 PM Painting exterior of Town Hall—review draft Request for Bids. Action under consideration: approve
- 8:45 PM Susan Smith—amendment to Highway Access Permit. Action under consideration: approve
- 8:50 PM Employee performance review process. Action under consideration: approve
- 9:05 PM Appointment of town representative to the Transportation Advisory Committee of the Chittenden County Regional Planning Commission. Action under consideration: appoint Dean Bloch for a term ending June 30, 2017
- 9:10 PM Library Roof change order. Action under consideration: approve
Change Order of \$1,957.72 for replacement of trim on the dormers

CALL TO ORDER

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

ADJUSTMENTS TO AGENDA

None.

PUBLIC COMMENT

None.

MINUTES: July 13, 2015

MOTION by Mr. Tegatz, seconded by Mr. Spell, to approve the Charlotte Selectboard minutes of July 13, 2015, as written, with corrections/edits:

- Page 2, line 85 – change the word “was” to read “will be”;
- Page 4, line 156 – change the word “start” to read “completion”;
- Page 6, line 271 – replace “CSWD” with “CCRPC”;
- Page 7, line 284 – replace “Treasurer” with “Auditor”.

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

JOINT QUARTERLY MEETING WITH CVFRS. Discussion only

Charles Russell, Patrice Machavern, John Snow and Chris Davis, CVFRS representatives, reviewed CVFRS income and expenses to date. Mr. Russell noted that the budget was over by \$26,665.

Mr. Snow noted that Rescue transports were lower than the prior year. On the Fire side, call outs were all expense related. No income was generated for fire calls clarified Mr. Snow.

Ms. Mead asked for clarification regarding a line item of \$15,000 from the Barrows fund as per the proposed FY15/16 budget. Mr. Snow explained that in the past miscellaneous income went into Special Funds. It was decided to place miscellaneous income in the operating budget this FY versus Special Funds. It would reduce the Town appropriation as a long term benefit to the Town. The Corporation had committed \$15,000 miscellaneous income sourced from the Barrows fund if necessary, said Mr. Snow.

Ms. Machavern explained that there were three hazmat calls to date, which were miscellaneous income. Those types of calls were unpredictable, said Ms. Machavern.

There was discussion regarding CVFRS budget items related to Workers Comp, building maintenance, and radio expenses (Mr. Davis explained that the Fire Department was successful in securing grant funds to cover the radio fees and equipment replacement); CVFRS equipment purchases and repair expenses; and EMT personnel changes, volunteers and associated expenses related to payroll.

Mr. Spell asked if the Corporation had a plan in place to mitigate the loss of volunteers. Mr. Snow reviewed EMT volunteer numbers that were steadily declining, and the high expense and time commitment required for training volunteers.

Ms. Spear suggested holding a special meeting with CVFRS for further discussion. Mr. Davis said that any Selectboard member was welcome to attend the next CVFRS Fire meeting, Wednesday at 7:00 p.m. at the Fire Station.

Mr. Morrison asked for clarification of a CVFRS surplus calculation. Mr. Russell replied that CVFRS was meeting with the auditor tomorrow regarding a surplus, estimated at \$47,000, and how to address it as clearly as possible on the Balance Sheet as an Operating Reserve Fund as per the MOA.

Ms. Booher asked if the CVFRS had a rainy day fund.

MOTION by Mr. Spell to hold a special Selectboard meeting at the Town Hall with CVFRS.

DISCUSSION:

Mr. Spell said that he could draft an agenda for a special meeting. He would like to see the CVFRS bank statements, said Mr. Spell. Mr. Snow replied that a Selectboard review of the bank statements would make the statements a public record, which should not be done, nor was a review in the MOA. Fritz Tegatz was the Selectboard CVFRS liaison to the Corporate Board, which was a private corporation, said Mr. Snow.

Motion failed for lack of a second.

MOTION by Mr. Spell, to request that CVFRS provide the last 12 months of bank statements to the Selectboard for review.

Motion failed for lack of a second.

REVIEW OF WAGE POLICY. Discussion only

Mr. Morrison suggested a proposal to hold a single focus Selectboard meeting, Monday at 7:00 p.m. for the purpose of reviewing the draft Wage Policy. Ms. Mead had sent a letter to the Selectboard, which has not been reviewed, said Mr. Morrison.

Ms. Spear said that Ms. Mead should have time to talk about her concerns.

Mr. Russell said that the public has not been given copies of Ms. Mead's material that was mailed to the Selectboard.

Ms. Mead reviewed her written concerns regarding new hires and employees related to equitable pay and pay increases as outlined in the Wage Policy. Ms. Mead handed out copies of a Selectboard Wage Policy related to job descriptions, grading and a compensation worksheet.

UPDATE REGARDING EAST THOMPSON'S POINT ROAD DRAINAGE DITCH AND TREES. Discussion only

Mr. Morrison summarized issues related to trees planted in a Town right-of-way on East Thompson's Point Road and a Town drainage ditch as follows:

- A site visit was conducted at the Mack field located on East Thompson's Point Road to view damaged Town trees, the Town ditch, and drainage issues from the farm field.
- The Mack's requested that the Town trees be moved due to interference with their farming practices.
- The Town trees were planted at the Mack's request.
- Some of the trees were planted on private land and others in the Town right-of-way.
- The Tree Warden has issued a citation to the Mack's for damage to the trees via tractor cultivation too near the tree roots and digging out drainage ditches near the roots on the other side.
- A neighbor to the Mack's has offered to pay to move 10-12 trees onto his property, 10 trees would be moved to a Ferry Road location decided by the Charlotte Road Commissioner, and 3-4 trees would remain at the east end of East Thompson's Point Road.
- The cost to move the trees to Ferry Road would be less than the citation fine.

Mr. Morrison said that he would mediate a meeting between the Tree Warden, the Mack's and the low bid contractor to move the trees. The trees should be moved by October, stated Mr. Morrison.

Mr. Hamilton, Charlotte Tree Warden, reviewed that a plan to move the trees was included in the citation paperwork. The Mack's willfully damaged the trees and should pay to have a professional move all the trees to Ferry Road and not leave any on East Thompson's Point Road. The Mack's should not move the trees themselves, said Mr. Hamilton.

Ms. Spear suggested that a few of the trees could be planted at the Town Beach playground.

Mr. Spell said it was understood that a resolution was already reached. Why levy a fine now, asked Mr. Spell. Mr. Hamilton replied that by law he was required to issue a citation. The trees should not be moved by the Mack's. They should pay for a professional. The objective was to safeguard the trees, reiterated Mr. Hamilton.

Ms. Illick reported that the Mack's were interested in discussing an improvement plan for the farm fields. There was grant funding for assessment and design work for the Mark's field project, which would start in the fall. She would ask the engineer to include the Town right-of-way in the site assessment, said Ms. Illick.

VERMONT RAIL PLAN—SUBMISSION OF COMMENTS REGARDING THE STORAGE OF EMPTY TANKERS AND LACK OF SAFETY/EMERGENCY PLANNING, AND POSSIBLE REQUEST FOR AN EXTENSION OF THE PUBLIC COMMENT PERIOD. Action under consideration: approve

Lydia Clemmons, spokesperson for the Charlotte Citizens for Responsible Rail Committee, narrated a short video depicting changes to the rail line and rail uses from

2000 to the present, and a short WPTZ news report related to moving Brakken Field oil by rail on the New York side of Lake Champlain.

Ms. Clemmons said that the Charlotte citizens group had contacted Vermont Railway, the state, and the Federal Railway Agency regarding the 40-50 rail cars stored on the rail siding created for the now defunct Champlain Flyer passenger service. Chris Davis, CVFRS Fire Chief, had sent a copy of a draft rail plan that covered a period 15 years into the future for a west rail corridor passenger and freight rail service, said Ms. Clemmons.

Mr. Davis, CVFRS Fire Chief and Charlotte's Emergency Management Coordinator, said that he supported rail and he lived near the rail road tracks. He would like to work on drafting comments in response to the State Rail Plan; for example, to have adequate protection for traffic at rail crossings, and gates at all rail crossings in Charlotte. He was interested in researching federal rail laws, and would reach out to state hazmat personnel, said Mr. Davis.

Ms. Clemmons noted that federal rules say that federal funds could only pay for passenger rail. However, a draft passenger rail plan would also benefit freight via upgrades to the tracks. The Town of Charlotte should reach out to other towns along a west rail corridor to gather comments regarding the Rail Plan, and get experts, said Ms. Clemmons.

Mr. Morrison said that the Selectboard members would endorse a letter from the Town to other towns and would collaborate with Ms. Clemmons on a draft.

Ms. Illick suggested that the committee contact VTrans and the CCRPC for information.

Mr. Spell said that he had experience lobbying the state and offered his assistance.

SOLE SOURCE AND PREFERRED VENDOR LIST. Action under consideration: approve

Mr. Bloch reported that the Road Commissioner's vendors and the Thompson's Point Wastewater vendors were added to the Preferred Vendor list. Section 5 of the policy limited the use of Sole Source to \$5,000 or less, said Mr. Bloch.

SUGGESTED CHANGES:

- Section 5, A – use two sentences that “the Selectboard may waive....” and “the Selectboard may authorize....”
- Add to the title – “...for Regular and Major Purchases.”

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve the proposed Sole Source and Preferred Vendor List, dated July 27, 2015, as amended.

FRIENDLY AMENDMENT by Mr. Spell, seconded by Mr. Krasnow, to add Kathlyn Furr, Recording Secretary, to the Preferred Vendor List.

VOTE: 5 ayes; motion carried.

PAINTING EXTERIOR OF TOWN HALL—REVIEW DRAFT REQUEST FOR BIDS. Action under consideration: approve
MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a draft Request For Bids for painting the exterior of the Town Hall.

DISCUSSION:

Mr. Trono noted that the RFP included a section that allowed either a 2015 or 2016 start for the project, and expressed concern that bare wood could rot if painting the building exterior was put off another year. Spot painting could be done, suggested Mr. Trono.

Ms. Booher said that painters are behind in their jobs due to the raining weather. Bare spots could be primed, suggested Ms. Booher.

VOTE: 5 ayes; motion carried.

SUSAN SMITH—AMENDMENT TO HIGHWAY ACCESS PERMIT. Action under consideration: approve

Mr. Lewis said that Ms. Smith wanted to save the trees along the front of the property, which included a rare Black Maple. The access location chosen was wet and water flows were a concern. A slight swale could be dug in place of a culvert there. However, a concern was that water might pond up on the south side of the proposed gravel driveway. In that case a culvert would be needed, said Mr. Lewis.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to amend the approved Highway Access Permit as requested by Susan Smith, with the following conditions:

- **The first 30' of driveway would slope away from the road at a 2 percent grade.**
- **A ditch would be dug on the north side of the proposed driveway.**
- **The Town reserves the right to install a culvert at the owner's expense should it be needed.**

VOTE: 5 ayes; motion carried.

EMPLOYEE PERFORMANCE REVIEW PROCESS. Action under consideration: approve

Mr. Morrison reported that he, Ms. Spear and Mr. Bloch drafted a Employee Performance questionnaire for employees to use and for supervisory comments in response to the employee's self evaluation.

SUGGESTED CHANGES/ADDITIONS:

- Add a question to the back of the questionnaire regarding "Comments on Compensation."
- Performance reviews to start in August.
- Staff to provide questionnaires to the Library Trustees and the Senior Center Board.
- Employee reviews completed as follows: 1. a self appraisal by each employee, 2. immediate supervisor to add comments/feedback to the self appraisal, 3.

employees meeting with a review committee in Executive Session, to include a direct supervisor.

- Format the questionnaire as a Word document.

APPOINTMENT OF TOWN REPRESENTATIVE TO THE TRANSPORTATION ADVISORY COMMITTEE OF THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION. Action under consideration: appoint Dean Bloch for a term ending June 30, 2017

MOTION by Mr. Tegatz, seconded by Ms. Spear, to appoint the Town Administrator as the Town of Charlotte representative to the Transportation Advisory Committee of the Chittenden County Regional Planning Commission for a term ending June 30, 2017.

VOTE: 5 ayes; motion carried.

LIBRARY ROOF CHANGE ORDER. Action under consideration: approve Change Order of \$1,957.72 for replacement of trim on the dormers

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve a Library Roof change order by Ellis Construction in the amount of \$1,637.74 to replace trim around the dormers, to be painted white.

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

SELECTBOARD UPDATES

Mr. Tegatz reported that the bearing issue for the Bridge #30 repair project was resolved.

Ms. Spear reported a citizen request for a four-way stop at the Ferry Road/Lake Road intersection. On another matter, a discussion should be held related to the various speed limits posted around Town. For example, it was 25 mph in the West Village, 35 mph by the Charlotte Central School, and 45 mph in the East Village, said Ms. Spear. Mr. Tegatz suggested adding the dip on Lime Kiln Road to the list and ask the CCRPC to conduct a study. Mr. Krasnow said he would ask the Vermont State Police to look at the issues and make recommendations.

MOTION by Mr. Spell, to warn an August 11, 2015 Selectboard meeting to discuss the administrative, financials that included FY 2014, 2015 bank statements from any and all accounts held in financial institutions by CVFRS, or any entity of CVFRS, and personnel strengths of CVFRS to include a detailed discussion related to the June 17, 2014 MOU, and a legal interpretation as to whether or not the Selectboard Designee's voting position constitutes a conflict of interest. Motion failed due to a lack of a second.

Mr. Morrison recommended that Mr. Spell, or any other interested party, meet with CVFRS members at the station, ask questions, and receive answers.

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: 5 ayes; motion carried.

The meeting was adjourned at 10:03 p.m.

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