

**CHARLOTTE SELECTBOARD  
MINUTES OF MEETING  
TOWN HALL  
JULY 8, 2013**

**APPROVED**

**SELECTBOARD MEMBERS:** Charles Russell, Chair; Ellie Russell, Winslow Ladue, John Owen, Lane Morrison.

**OTHERS:** Peter Trono, Nancy Woods, Moe Harvey, Glenn Derichie, Patrice Machavern, Bonnie Christie, Mary Mead, Robert Mack, Sharron Balaban, Hugh Lewis Jr, Dana Hanley, Ed Cafferty, Mike Yantachka, Scott Laberge, Amanda Laberge, P Brian Machanic, Rayne Herzog, Claudia Mucklow, John Hammer, Charlotte News; and others.

**6:00 p.m. SITE VISIT: on south side of Lime Kiln Road, approximately 1/3 mile west of Spear Street – for Highway Access Permit application submitted by Scott and Amanda Laberge**

**CALL TO ORDER**

Mr. Russell, Selectboard Chair, called the meeting to order at 6:30 p.m.

Lane Morrison, new Selectboard member, was welcomed.

**CVFRS – MEMORANDUM OF AGREEMENT – discussion only**

Mr. Russell briefly reviewed a proposed revised draft Memorandum of Agreement, dated 07/08/2013, and a suggestion by Mark McDermott, CVFRS, to divide the draft document into three documents to include a main document, a lease document for land and buildings, and an equipment document. A focus for discussion should include the two key paragraphs of the budget process and communication, said Mr. Russell.

Ms. Russell said that some of the “Where as” deletions by Mark McDermott should be put back in.

The following was discussed:

- A review of the MOA would be done every two years.
- The Town’s CVFRS budget appropriation should include Special Funds and a statement that “...the Town would receive monthly reports...”.
- That the CVFRS would present a unified budget.
- That the budget should include line item budget items for a level of service similar to how the Charlotte Highway budget was done. For example; an annual operating budget by line item, and expenses by line item, with an end of year reconciliation.
- Consider spelling out a level of service in the MOA.
- Change the 3<sup>rd</sup> paragraph, page 2, from “10 days” to “30 days”.

Ms. Mead, Town Treasurer, explained that there was a question of how to make a Fire and Rescue quarterly payment in July.

Ms. Russell suggested that a quarterly payment could be paid at the end of the quarter. Ms. Machavern said that money needs to be transferred over to the TD Banknorth account and expended in that quarter, or the amount could be proportioned out monthly, said Ms. Machavern.

Mr. Mack said that as per the budget report there was no money at this point to transfer over.

Mr. Trono asked what the down side of making monthly payments through the year versus quarterly would be. Ms. Machavern said the problem was that their budgeting doesn't hit the same amount month to month. If funds were appropriated over a 10 month period versus 12 months then you could take the full amount and divide that by 10 months. Fire and Rescue would receive more each month that way. Then come May they could approach the Town for the final payment, suggested Ms. Machavern.

Mr. Russell questioned if the Selectboard wanted to get into the details of the Fire and Rescue budget every month or quarterly.

Ms. Mead expressed concern that this methodology would encourage over-budgeting by Fire and Rescue. If they presented a \$1 million dollar budget and they only used \$800,000 then they have \$200,000 to carry over. How would that \$200,000 come back to the taxpayers, asked Ms. Mead. Ms. Russell replied that Fire and Rescue would own both surpluses and expenses. Ms. Mead stated that they should only spend what was needed.

Ms. Machavern suggested saying that "...any surplus remaining would go into the Capital fund." A formula would be needed to carry an amount forward and identify disbursement of funds at the end of the year. At Town Meeting the voters could take \$180,000 out of the surplus and put that into the Capital fund and lower the tax rate, suggested Ms. Machavern.

Ms. Woods said that one wild card was patient revenue, which fluctuated year to year. That could throw off a surplus, said Ms. Woods. Mr. Russell said that if Fire and Rescue owned all surpluses and deficits and if the budget was padded then the budget appropriation could be lowered.

Mr. Mack said that according to the budget report Fire and Rescue was operating on a deficit mode now. They were still making purchases over the last two weeks they didn't have to make. A question was who managed the budget the last 30 days when they made those purchases. A concern was that the deficit would continue to grow. The Town adds \$158,000 every year. The Town should look at the end of year when Fire and Rescue was creating a deficit, said Mr. Mack.

Mr. Russell suggested continuing the discussion at the end of the meeting if time allowed.

**ADJUSTMENTS TO AGENDA**

None.

**PUBLIC COMMENT**

Ms. Mead read into the record a Town Treasurer memo to the Selectboard, dated July 8, 2013, regarding a notice from Fire and Rescue that they would be taking back the bookkeeping on Thursday, 07/11/2013, and that the Fire and Rescue were over budget having spent \$536,813.56. There were outstanding bills and checks waiting to go out. She was looking for direction from the Selectboard on what should be done, said Ms. Mead.

Mr. Russell asked if any of the Fire and Rescue expenses were adjusted for the year that just ended. Ms. Mead replied that all adjustments had been made for the year just ended. She had transferred \$24,000 to the Fire and Rescue TD Banknorth account. Gloria Warden and she were paid for Fire and Rescue bookkeeping and administrative services out of the Town budget, but the line items were shown in the Fire and Rescue expense budget, explained Ms. Mead. Ms. Russell said that Fire and Rescue were proposing to pay the Town \$6,500 out of their budget for the administrative and bookkeeping services.

Ms. Mead said that the Fire and Rescue total allocation was \$479,871 for last year. Fire and Rescue's budget included three line items for 'professional services' for Gloria and her. The 2013 Town Report, page 10, budgeted a Town appropriation of \$457,450, and on page 6 the 'professional services' line items totaled \$7,936, which added to the Town appropriation of \$457,450 equaled \$479,871, explained Ms. Mead.

Mr. Russell suggested using \$14,485 to pay the rest of the Fire and Rescue bills from a surplus created when Kay Gault left. Ms. Mead clarified that the Selectboard wanted her to transfer more money into Fire and Rescue's account. She would suggest that they put some of their Special Funds into their bank account instead, said Ms. Mead.

**MOTION by Ms. Russell, seconded by Mr. Ladue, to allocate to CVFRS their entire operating budget of \$479,871.**

**DISCUSSION:**

**Mr. Ladue asked if Ms. Russell was saying that Fire and Rescue could spend the \$38,000 in the TD Banknorth account in addition to the Town allocation. Ms. Russell replied yes.**

**Mr. Russell asked how this would affect the Fire and Rescue FY2013-14 budget.**

**Mr. Morrison asked how the overrun was handled if the allocated amount was \$479,871, and \$494,000 has been spent. Ms. Russell replied with the bank account and Special Funds.**

**Ms. Woods clarified that the total amount allocated and an additional amount of \$14,484.38 in administrative funds would be given. There was \$9,000 left in the bank account after the bills were paid, and with the additional amount that equaled a**

**\$23,000 +/- balance. There was not a \$38,000 balance in the bank since it has already been spent. So the budget has been overspent, said Ms. Woods. Mr. Russell replied yes. Ms. Woods clarified that the Selectboard was authorizing a \$14,484.38 payment into the bank account. Mr. Russell replied yes.**

**Mr. Mack expressed concern regarding transparency of service at the end of the year. Someone was buying/creating expenses at the Fire and Rescue that he didn't think Ed Sulva knew about. There was dialog between Ms. Russell and Fire and Rescue and then Ms. Russell reported back to the Selectboard. That was a concern, said Mr. Mack.**

**VOTE: 5 ayes; motion carried.**

Ms. Mead stated that the Fire and Rescue audit was not completed yet. The random e-mail she received from Fire and Rescue that they would take over the books on Thursday has not been addressed yet. The Selectboard has put her in the middle of the issue. The voters did not tell her to take over the books at Town Meeting so the Selectboard can not say that, said Ms. Mead.

Mr. Bloch pointed out that the issue was not warned on the Selectboard agenda. A special Selectboard meeting could be warned in order to discuss the topic, suggested Mr. Bloch.

Ms. Mead reported that on another topic, several of the Town employees have requested a meeting between the Selectboard and all employees to discuss the changes and effects of the recent employee vacation/holiday policies. Mr. Russell said that the Selectboard had planned on meeting with employees within the next few weeks, including on how to fill out time sheets.

#### **MINUTES**

No action was taken.

#### **JUVENILE DIABETES RESEARCH FOUNDATION'S RIDE TO CURE DIABETES ON SATURDAY JULY 27<sup>TH</sup> – action item**

**MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a route and organizational plan for a Juvenile Diabetes Research Foundation's Burlington Vermont Ride to Cure Diabetes on Saturday, July 27, 2013, from Burlington to Middlebury, Vermont.**

#### **DISCUSSION:**

**Mr. Derichie, Juvenile Diabetes Research Foundation representative, explained that 250 riders were expected. The event riding time was from 9:00 a.m. to 2:00 p.m. Three state police officers, EMT's and an ambulance would be on the course, said Mr. Derichie.**

**Mr. Fraser-Harris, Recreation Commission representative, said that the Recreation Commission had not reviewed the application. There had been no issues in the event in the past. The date did not conflict with any other event, said Mr. Fraser-Harris.**

**VOTE: 5 ayes; motion carried.**

**SCOTT AND AMANDA LABERGE – REQUEST FOR HIGHWAY ACCESS PERMIT FOR A NEW DRIVEWAY ON THE SOUTH SIDE OF LIME KILN ROAD – action item**

Mr. Russell briefly reviewed that the 350' sight distances for a 35 mph road were adequate.

**MOTION by Ms. Russell, seconded by Mr. Owen, to approve a Highway Access Permit, HAP-13-07, request by Scott and Amanda Laberge for a new driveway on the south side of Lime Kiln Road, with an 18" X 30' culvert installed.**

**VOTE: 5 ayes; motion carried.**

**RAYNE HERZOG, RACEVERMONT.COM – REVISE ROUTE FOR CHARLOTTE COVERED BRIDGES HALF MARATHON – action item**

**MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a proposed re-routing of the Charlotte Covered Bridges Half Marathon to follow a route along Orchard Road, Lake Road, through the Lake Road Covered Bridge, and Lake/Converse Bay roads, and to return in reverse order as presented.**

**VOTE: 5 ayes; motion carried.**

Mr. Herzog thanked Mr. Bloch for his efforts on the revised route.

**DANA HANLEY – REQUEST TO USE TOWN BEACH FOR PRIVATE PARTY ON JULY 20, 2013 – action item**

Dana Hanley, resident, explained a request to hold a 50<sup>th</sup> birthday party for a friend. Fritz Mitchell has offered to apply and pay for liability insurance to service alcohol. She has discussed alternatives for serving alcohol with the Selectboard Assistant. If a caterer was not purchasing or serving the alcohol then liability insurance with a list of servers was required. She would provide a Certificate of Liability coverage to the Town, said Ms. Hanley.

There was discussion regarding a lack of a private party policy in the Town ordinances, the number of cars expected and parking issues, impacts the party would have on residents using the park at the same time, where to locate a tent, access of electricity to power a music band and lights at the tent, and a time frame on the party length.

Ms. Hanley said that she was meeting with the Vermont Tent Company on Wednesday and hoped to pitch a 30' X 30' tent in the middle of the picnic area. The tent would be set up the day of the party. Power was located at the beach house. The tent could have string lighting. Fritz was proposing to have a beer keg for the party, explained Ms. Hanley.

Mr. Owen expressed concern that Ms. Hanley had not indicated an end time for the party, addressed music noise levels, and that residents would have access to the beach at the same time as the party.

Mr. Fraser-Harris suggested that the tent would need to be closer to the beach house for a shorter tie-in to electricity. Then the public area at the beach and water would stay open for other users of the beach, said Mr. Fraser-Harris.

Ms. Hanley offered to pay the Town \$1 per person to stay in the public area as proposed. Out 140 invitations sent she expected that maybe 85 people would attend the party with 50 cars +/-, said Ms. Hanley.

The Selectboard noted the following items:

- The party hours, starting and ending times, needed clarification.
- A location of the tent needed identification.
- Fritz Mitchell should appear before the Selectboard for discussion of serving alcohol.

Mr. Fraser-Harris said that he would meet with Ms. Hanley and the Vermont Tent Company regarding a tent location. Parking at the ball field gravel lot could handle 25 cars and overflow parking at the beach parking lot, suggested Mr. Fraser-Harris.

**MOTION by Mr. Ladue, seconded by Ms. Russell, to approve a July 20, 2013, private party request by Dana Hanley at the Town Beach, and to delegate details to Bill Fraser-Harris, Recreation Commission Chair, regarding a tent location, use of electricity and the logistics of parking, with the party hours of 5:30 p.m. to 10:00 p.m., and that a Certificate of Liability Insurance would be submitted to Dean Bloch for a BYOB situation.**

**DISCUSSION:**

**Mr. Bloch noted that a BYOB situation would be covered by the liability insurance. A beer keg would require a caterer's license, said Mr. Bloch.**

**Mr. Ladue asked that the locations and effects on neighbors be taken into consideration, and that the party goers be mindful of the general public access. He was concerned regarding music noise levels on area residents, said Mr. Ladue.**

**Ms. Hanley asked if there was a Town noise ordinance. Mr. Russell replied that there was a state statute regarding decibel levels.**

**AMENDMENT TO THE MOTION by Mr. Ladue, seconded by Ms. Russell, to allow for a caterer's license if the party organizers wanted a beer keg.**

**VOTE: 5 ayes; motion carried.**

**QUINLAN SCHOOL HOUSE ROOF REPAIR – action item**

Robert Chutter reviewed two bids received for a proposed Quinlan School House roof repair project.

**MOTION by Mr. Ladue, seconded by Mr. Owen, to award a contract to repair the roof of the Quinlan School House to Daniel L Ahearn Contracting for an amount not to exceed \$6,326.20 as presented.**

**VOTE: 5 ayes; motion carried.**

**QUINLAN BRIDGE – action item**

**MOTION by Ms. Russell, seconded by Mr. Owen, to select the color of mat black for the Quinlan Covered Bridge standing seam roof.**

**DISCUSSION:**

**Mr. Ladue asked if there was a more historical roof color. Mr. Lewis said that the covered bridge was well ventilated. The other covered bridges roof color was mat black, pointed out Mr. Lewis.**

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

**COMMUNITY SAFETY COMMITTEE – INTERVIEW OF APPLICANTS – discussion only**

The Selectboard interviewed the following candidate for the proposed Community Safety Committee:

- Bonnie Christie
- Mike Yantachka
- Mike Priest

Mr. Bloch handed out copies of an e-mail from P. Brian Machanic, dated 07/03/2013, as a candidate for the Committee Safety Committee.

The Selectboard interviewed Mr. Machanic.

**ROBERT BLOCH – PROTEST OF THOMPSON’S POINT WASTEWATER USAGE FEE**

Removed from the agenda.

**MUNICIPAL POLICIES AND CODES, AND DRUG-FREE WORKPLACE POLICY – REQUIRED FOR THE VERMONT COMMUNITY DEVELOPMENT PROGRAM GRANT FOR THE HABITAT FOR HUMANITY PROJECT ON ALBERT’S WAY – action item**

**MOTION by Mr. Owen, seconded by Ms. Russell, to approve the Municipal Policies and Codes, and Drug-free Workplace Policy as required for the Vermont Community Development Program Grant for the Habitat for Humanity project on Albert’s Way.**

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

**WORKPLAN UPDATE – discussion only**

The following was discussed regarding additions/updates to the Selectboard Workplan:

- Charlotte entrance/welcome signs – Mr. Russell to coordinate the signs, Mr. Lewis to install.
- Health insurance for Town employees – invite a Vermont League of Cities and Towns representative to explain the insurance – Mr. Bloch to contact. Tag as a high priority.
- Create a water use agreement between the Town and Justin Wigeman.

- Re-evaluate Town employee performance, currently ranked as a “13” priority.

Selectboard Liaison list:

- School – Mr. Morrison
- Senior Center – Mr. Morrison
- Recreation Commission – Mr. Owen
- Planning and Zoning – Mr. Russell
- Road Commissioner – Mr. Owen
- Library – Ms. Russell
- Park Oversight Committee – Mr. Ladue
- Conservation Commission – Mr. Owen

### **COMMITTEE UPDATES**

Ms. Russell reported that the Library Trustees minutes of meetings had been circulated to the Selectboard for review.

Ms. Russell reported that there might not be enough funds in the Capital projects fund to pay for a new ambulance. Mr. Russell suggested using Town surplus funds versus borrowing money. Ms. Russell would ask Rescue when the ambulance would be delivered.

There was a brief discussion regarding the collection of property taxes, currently due by November 15<sup>th</sup>. Mr. Trono suggested changing the once a year collection practice to more than once a year.

Ms. Russell reported that the Fire and Rescue departments have interviewed two candidates for a bookkeeper position.

Ms. Russell reported that the Town Attorney would review the proposed personnel policy. Topics for discussion with the Town employees were: time sheet changes, and vacation/holiday times.

Next agenda items:

- CVFRS bookkeeping issues: complete the audit, handover of the accounting, paying up-coming Fire and Rescue bills through the TD Banknorth account, and to change the draft MOA to reflect monthly Fire and Rescue financial reporting.
- Consider a private party policy at the Town Beach
- Draft CVFRS MOA
- Schedule a meeting with Town employees regarding time sheets, vacation/holiday policy changes

Mr. Russell suggested contacting Batchelder Associates for an opinion to either phase the Fire and Rescue accounting handover, or for both the Town and Fire and Rescue to have parallel accounting during the handover. The Town Attorney would review the revised draft MOA before parties signed the documents, said Mr. Russell.

Mr. Mack asked why handover the books. The MOA has been restructured into three documents and was not signed yet. He was concerned that Fire and Rescue was over budget, reiterated Mr. Mack. Ms. Russell stated that they have not overspent the Town allocated budget. They were given \$479,871 and a carry-forward, said Ms. Russell. Mr. Mack stated that the carry-forward should have reverted back to the taxpayer.

Mr. Trono asked if an equipment inventory has been completed. Ms. Russell said that a partial list has been done and should be completed before the document was signed.

#### **SELECTBOARD UPDATES**

A special Selectboard meeting was scheduled for Thursday, July 11, 2013, at 4:00 p.m. to 6:00 p.m.

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

The Selectboard members signed warrants.

Ms. Russell would ask Ed Sulva to pay Mary Mead and Gloria Warden out of the Fire and Rescue TD Banknorth account to reimburse the Town.

#### **ADJOURNMENT**

**MOTION by Mr. Owen, seconded by Mr. Morrison, to adjourn the meeting.**

**VOTE: 5 ayes; motion carried.**

The meeting was adjourned at 9:42 p.m.

Minutes respectfully submitted, Kathlyn Furr, Recording Secretary.