

**CHARLOTTE SELECTBOARD  
MINUTES OF MEETING  
TOWN HALL  
JUNE 13, 2016**

**APPROVED**

**SELECTBOARD MEMBERS:** Lane Morrison, Chair; Carrie Spear, Fritz Tegatz, Matthew Krasnow, Jacob Spell, (arrived 7:50 p.m.).

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

**OTHERS:** Bob LaFont, Dick St George, Hugh Lewis Jr., Janet Morrison, Ellie Russell, Robin Reid, Margaret Russell, John Liminek, Jenny Cole, Dan Morris, Bill Fraser-Harris, Kate Lampton, Clark Hinsdale III, Roel Boumans, Christophe Lissarrague, Glenn Deruchie, Dylan Preston, Ward Preston, Allen Karnatz, Wilma Preston, Richard Preston, Chelsea Kaigle; John Hammer, Charlotte News; and others.

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

**6:40 PM SITE VISIT FOR APPLICATION FOR HIGHWAY ACCESS PERMIT  
AT 700 MT. PHILO ROAD, 1/8 MILE SOUTH OF LIME KILN ROAD**

**ITEMS TAKEN UP:**

7:05 PM Opening of paving bids, and awarding of paving contract

7:15 PM Selectboard updates

7:25 PM Dan Morris—request for a Highway Access Permit for driveway to serve a single family dwelling at 700 Mount Philo Road

7:30 PM Juvenile Diabetes Ride to Cure—July 9, 2016

7:35 PM Lake Champlain Open Water Swim Race—September 11, 2016

7:40 PM Interviews for committee/official appointments Roel Boumans—for reappointment to the Conservation Commission for term ending 4/30/2020 John Limanek—for reappointment to the Trails Committee for term ending 4/30/18

7:50 PM Request for use of the town's Conservation Fund for land conservation projects Town of Charlotte for Burns property project with the Vermont Land Trust; Charlotte Land Trust and Vermont Land Trust for Hinsdale project

8:10 PM Maintenance of wastewater system serving town buildings

8:20 PM Waive penalty for late filers of Homestead Declaration

8:30 PM Sullivan, Powers & Co., PC—Scope of Services for FY16 audit

8:35 PM Add Vermont State Police to the Preferred Vendor List

8:40 PM Contract with Vermont State Police for FY17

8:45 PM Burns property—approve agricultural lease

8:50 PM Comfort Hill Kennel—renew Animal Control Housing Agreement

8:55 PM RFP for cleaning the Town Hall

9:00 PM Selectboard schedule for July and August

**CALL TO ORDER**

Mr. Morrison, Chair, called the meeting to order at 7:07 p.m.

**ADJUSTMENTS TO THE AGENDA**

None.

**PUBLIC COMMENT**

Ms. Reid announced that there is a meeting on June 14, 2016, at 6:00 p.m. at Kingsland Bay State Park regarding a new land addition to the Mount Philo State Park. Mr. Krasnow said that he would attend the meeting.

**OPENING OF PAVING BIDS, AND AWARDING OF PAVING CONTRACT**

Mr. Morrison opened three paving bids, and announced the following bids:

- Pike Industries for hot mix asphalt at \$56.40 per ton
- D & F Excavating and Paving at \$58.50 per ton
- S D Ireland Brothers at \$56.64 per ton

Mr. Krasnow asked Mr. LaFont, Pike Industries representative, if the bid is a total price for the 2,817 tons of hot mix. Mr. LaFont explained that he has worked closely with the Town in the past. That is the total price per ton, said Mr. LaFont.

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to award a Paving Contract for hot mix asphalt paving to Pike Industries at \$56.40 per ton.**

**VOTE: 3 ayes, 1 abstention (Mr. Tegatz), 1 absent (Mr. Spell); motion carried.**

**SELECTBOARD UPDATES**

Mr. Morrison reported that written testimony regarding the proposed Peck Electric Solar Farm south of Mt Philo and east of Route 7 was submitted to the Public Service Board. Clark Hinsdale III and Charlie Pughe and the Town Attorney would represent the Town of Charlotte at the PSB hearing, said Mr. Morrison.

Mr. Morrison reported that Charlotte Solar Farm, LLC, has filed testimony today regarding landscaping and non-compliance issues. A PSB hearing is scheduled for June 20<sup>th</sup>. Mr. Bloch, Mr. Pughe and the Town Attorney would appear on behalf of the Town, said Mr. Morrison.

Mr. Tegatz reported that he will attend a Seguin Bridge pre-construction meeting with the state tomorrow. Mr. Bloch said the state was asking the Town to do a traffic control plan.

Ms. Spear reported that she toured the Disk Golf course at the Town Beach.

**DAN MORRIS—REQUEST FOR A HIGHWAY ACCESS PERMIT FOR DRIVEWAY TO SERVE A SINGLE FAMILY DWELLING AT 700 MOUNT PHILO ROAD**

Dan Morris, owner, appeared on behalf of a Highway Access Permit request.

Mr. Bloch reported on a site visit that Ms. Spear, Mr. Tegatz, Mr. Krasnow and he had attended this date. The Charlotte Road Commissioner had reviewed the site and

determined that there are 500' of sight distance each way and that a 15" x 30' culvert is needed, said Mr. Bloch.

Ms. Spear noted that trees to be removed were discussed at the site visit.

**MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a request for a Highway Access Permit, HAP-16-02, by Dan Morris for a driveway to serve a single family dwelling at 700 Mt. Philo Road.**

**FRIENDLY AMENDMENT by Mr. Tegatz, to change the address from 700 Mt. Philo Road to 904 Mt. Philo Road as the E-911 address as determined by the Charlotte Zoning Administrator.**

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

#### **JUVENILE DIABETES RIDE TO CURE—JULY 9, 2016**

Glenn Deruchie, Juvenile Diabetes Ride to Cure representative, reviewed that this is the 7<sup>th</sup> year the ride would pass through Charlotte. The event has a scheduled rest stop at the Charlotte baseball field, there will be crews on the road to support the participants and the Vermont State Police will be patrolling the road for safety. The event is a recreational fundraising ride, said Mr. Deruchie.

Mr. Krasnow asked if Mr. Deruchie has contacted Abby Foulk regarding recycling of materials. Mr. Deruchie replied yes.

Mr. Fraser-Harris, Charlotte Recreational Committee member, asked Mr. Deruchie to contact him, or the Charlotte Recreation Coordinator, for a key to the baseball fields the day before the race. There is a blind corner going to and out of the fields and that is a concern, said Mr. Fraser-Harris. Mr. Deruchie said that there will be two people at the rest stop and volunteers to monitor the access.

**MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve a proposed Juvenile Diabetes Ride to Cure on Saturday, July 9, 2016.**

#### **DISCUSSION:**

**Mr. Tegatz asked if the event sponsors had contacted Charlotte Volunteer Fire and Rescue Services (CVFRS). Mr. Deruchie said that he would send a route map and road course spread sheet to CVFRS. There will be an ambulance and EMT on course, stated Mr. Deruchie.**

**Mr. Tegatz asked that the event request an acknowledgement from CVFRS.**

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

#### **LAKE CHAMPLAIN OPEN WATER SWIM RACE—SEPTEMBER 11, 2016**

Christophe Lissarrague, Lake Champlain Open Water Swim Race representative, explained that the open water swim race went from Essex, NY to the Charlotte Town Beach on Sunday, September 11, 2016, with 60-80 swimmers expected. The event would start at 10:30 a.m. and end at 2-2:30 p.m. A rain date is set for the following weekend. The sponsors will have three motor boats and 16 kayakers for swimmers' support and

rescue boats will be provided by NY and Charlotte Rescue. The event has a doctor and EMS on staff. A Coast Guard permit was required and requested. The event is a Lake Champlain clean-up fundraiser, said Mr. Lissarrague.

Mr. Morrison noted that the Town required a non-profit fee of \$100 for facility use. Mr. Krasnow suggested using the town fee for beach use as a \$100 donation to the event in the name of the Town of Charlotte.

Mr. Fraser-Harris said that the Town would reserve the right to pull the docks in the event of a storm.

Mr. St George, CVFRS member, explained that a Coast Guard Safety Plan required one kayak per swimmer for safety in open water. He was requesting that the event pay for the fuel for the rescue boats at \$75 per boat and for ferry tickets for kayakers to cross the lake. The Rescue crew donated their time. At the last event there were 5-6 rescue boats, said Mr. St George.

**MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve a proposed Lake Champlain Open Water Swim Race on Sunday, September 11, 2016, or on a rain date for Sunday, September 18, 2016, with the following conditions:**

- **In lieu of paying a required Town fee of \$100 that the event donate \$100 to the Lake Champlain Clean Up fund raiser in the name of the Town of Charlotte**
- **Coordinate with the Charlotte Volunteer Fire and Rescue Services for the cost of fuel for the use of the Rescue boats needed for the event and ferry tickets for kayakers to cross the lake as necessary.**

**FRIENDLY AMENDMENT by Mr. Tegatz, and subject to approval by the U.S. Coast Guard.**

**DISCUSSION:**

**Ms. Spear asked for clarification regarding the use of rescue boats. Mr. St George explained that water rescue groups and volunteer organizations provide coverage for the open water swim. If there are 60-80 participating swimmers then he would need to reach out for more rescue boats. There are three crew members per main rescuer boat and two crew members on the zodiac. Shelburne and Ferrisburgh water rescue will be the same numbers. He will arrange for fire and ambulance mutual aid services for the day of the swim, said Mr. St George.**

**Mr. Krasnow suggested that the event could provide real time live training. Mr. St George replied that he just wants to cover expenses of the boat fuel.**

**Mr. Lassarrague thanked everyone for their service.**

**Mr. St George asked the event sponsors to send a notice to CVFRS and we will send a return acknowledgement so everyone will know it is done.**

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

**INTERVIEWS FOR COMMITTEE/OFFICIAL APPOINTMENTS**

- **ROEL BOUMANS—FOR REAPPOINTMENT TO THE CONSERVATION COMMISSION FOR TERM ENDING 4/30/2020**

The Selectboard interviewed the candidate.

**MOTION by Mr. Tegatz, seconded by Mr. Spell, to reappoint Roel Boumans to the Conservation Commission for a term ending April 30, 2020.**

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

- **JOHN LIMANEK—FOR REAPPOINTMENT TO THE TRAILS COMMITTEE FOR TERM ENDING 4/30/18**

The Selectboard interviewed the candidate.

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to reappoint John Limanek to the Trails Committee for a term ending April 30, 2018.**

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

**REQUEST FOR USE OF THE TOWN'S CONSERVATION FUND FOR LAND CONSERVATION PROJECTS: TOWN OF CHARLOTTE FOR BURNS PROPERTY PROJECT WITH THE VERMONT LAND TRUST; CHARLOTTE LAND TRUST AND VERMONT LAND TRUST FOR HINSDALE PROJECT**

Ms. Lampton, Conservation Committee member, reviewed that a \$10,000 request from the Charlotte Conservation Fund included stewardship fees for a Burns Property easement.

**MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to authorize a request for \$10,000 from the Town's Conservation Fund to finalize a land conservation easement for the Burn's Property.**

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

Ms. Lampton reviewed a 101 acre agricultural conservation project for property owned by Clark Hinsdale III on the corner of Guinea and One Mile roads. Dylan and Ward Preston will purchase the farm property. The Vermont Land Trust is the lead applicant for an agricultural hay use and trail easement to Charlotte. The Charlotte Land Trust and Vermont Land Trust have drafted a proposed Condition of Approval document, said Ms. Lampton.

Ms. Lampton reported that one 30-acre piece was currently in an Open Space Agreement, which would be converted to a conservation easement tailored to an "option to purchase at an agricultural value" benefit, which keeps the land affordable for future farmers, explained Ms. Lampton.

Ms. Lampton thanked Clark Hinsdale and the Preston family for making the project feasible.

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve the expenditure of \$90,000 from the Conservation Fund, as requested by the application of the Charlotte Land Trust and Vermont Land Trust for the Hinsdale/Preston project, with the following conditions:**

**1. A trail easement burdening the Project, in a location as described below or as agreed upon by the landowner and Town of Charlotte, in favor of the Town of Charlotte will be executed at or prior to the closing on the conservation easement. The locations under consideration are:**

from Guinea Road westerly across the northern boundary of the project parcel, then southerly across the western boundary of the "Titus" parcel to One Mile Road (the Eastern option);

from Guinea Road westerly across the northern boundary of the project parcel and the northern and western boundary of the "Krasnow" parcel, including the right of way out to One Mile Road (the Western option).

**2. No public access will be allowed until a route is selected, provided that the Trails Committee may elect the Eastern Option at any time.**

**3. Only one route will be chosen.**

**4. The trail easement will include protocols that promote public access use compatibility with continued agricultural use of the easement area, including the right of the farmer to temporarily close the trail due to agricultural practices that would be detrimental to trail users.**

**DISCUSSION:**

**Mr. Spell asked Ms. Dylan Preston to volunteer monthly at the Charlotte Town Hall.**

**Mr. Preston said that he would consider the best trail easement route that would work for himself and the Town.**

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

Mr. Tegatz explained that he abstained since he is an adjoining land owner.

Ms. Lampton pointed out that Clark Hinsdale has given a large charitable gift regarding the project.

**MAINTENANCE OF WASTEWATER SYSTEM SERVING TOWN BUILDINGS**

Mr. Bloch reviewed that the Town building wastewater system had \$1,200 in maintenance funds budgeted for this year in the Town Operating budget, which did not carry over to the fiscal year, and \$3,300 in the Repair and Maintenance Fund, which did carry over. A repair and maintenance scope of work has been created for the system. Three firms were given a tour this morning regarding short term tasks. A motion was needed to designate Fritz Tegatz to work with David Marshall to review bids and accept the best value scope, said Mr. Bloch.

Mr. Spell suggested holding off until the following year in order to do an assessment of the wastewater system. Mr. Tegatz replied that an assessment has been done. The operating budget funds will not carry over until next year, said Mr. Tegatz.

**MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to authorize Fritz Tegatz to review bids for repair/maintenance of the Town of Charlotte wastewater system for FY15-16, for an amount not to exceed \$1,200 from the Charlotte Operating budget.**

**DISCUSSION:**

**Mr. Morrison said that if it is discovered that there is more work necessary, then it could be done next year.**

**Mr. Spell asked if the \$1,200 would pay for an assessment of the system. Mr. Tegatz reiterated no. The funds would be used for the scope of work. An assessment was done today and there is a guide of what to look at, said Mr. Tegatz.**

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

**WAIVE PENALTY FOR LATE FILERS OF HOMESTEAD DECLARATION**

**MOTION by Ms. Spear, seconded by Mr. Tegatz, to approve waiver of penalty for late filers of the Homestead Declaration for FY16/17 as presented.**

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

**SULLIVAN, POWERS & CO., PC—SCOPE OF SERVICES FOR FY16 AUDIT**

**MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the proposed Sullivan, Powers and Company, PC, Scope of Services for an FY16 Audit as presented.**

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

The Selectboard asked staff to add a discussion of placing Sullivan, Powers and Company on the Preferred vendor list on the next Selectboard meeting agenda.

**ADD VERMONT STATE POLICE TO THE PREFERRED VENDOR LIST**

**MOTION by Ms. Spear, seconded by Mr. Krasnow, to add the Vermont State Police to the Preferred Vendor List.**

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

**CONTRACT WITH VERMONT STATE POLICE FOR FY17**

Mr. Krasnow briefly reviewed changes to the Vermont State Police contract for FY17.

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve an FY17 Vermont State Police contract as presented, with an hourly rate of \$68.35 per hour not to exceed \$30,210.70.**

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

**BURNS PROPERTY—APPROVE AGRICULTURAL LEASE**

Mr. Morrison briefly reviewed an agricultural lease of the Burn's property for an agricultural hay use only. Robert Mack has read the document, said Mr. Morrison.

**MOTION by Ms. Spear, seconded by Mr. Tegatz, to approve an agricultural lease for the Burn's property awarded to the Mack Farm, and that the term of the lease shall be 5 growing seasons ending December 31, 2020; and to authorize the Charlotte Selectboard Chair to sign the agreement on behalf of the Town of Charlotte.**

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

Mr. Krasnow thanked the Town Administrator for drafting the document.

**COMFORT HILL KENNEL—RENEW ANIMAL CONTROL HOUSING AGREEMENT**

**MOTION by Ms. Spear, seconded by Mr. Krasnow, to approve renewal of the Animal Control Housing Agreement with Comfort Hill Kennel for one year; and to authorize the Charlotte Selectboard Chair to sign the agreement on behalf of the Town of Charlotte.**

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

**RFP FOR CLEANING THE TOWN HALL**

Ms. Spear asked if the Assistant Town Clerk had reviewed the RFP scope of work. Mr. Bloch replied yes.

Mr. Krasnow suggested changing the contract start period to July 25, 2016.

**MOTION by Ms. Spear, seconded by Mr. Tegatz, to release a proposed Request For Proposals for cleaning the Charlotte Town Hall and Town offices with the following edit of "July 25, 2016" to match the bid opening date of July 25, 2016.**

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

**SELECTBOARD SCHEDULE FOR JULY AND AUGUST**

The following dates were discussed:

- July 11, 2016 - changed to July 14, 2016, at 7:00 p.m.
- Possible Special Meetings TBD

**MINUTES: MAY 23, MAY 26, JUNE 6**

(NOTE: the Selectboard approved minutes at 7:26 p.m. prior to the arrival of Mr. Spell)

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve the Charlotte Selectboard minutes of May 23, 2016, as written with edits:**

- Page 3, line 101 – replace “between them” with “among several parties”;
- Page 3, line 108 – replace the word “would” with “will”;
- Page 3, line 123 – change to read “...so he will get 1/7's of the cost”;
- Page 5, lines 209 and 213 – replace “?” with “Bob Giknis”;
- Page 5, line 227 – change to read “...Administrator does not have the authority...”;
- Page 6, line 261 – add “a \$45,000 total grant” and line 266 – change to read “...in around \$50,000.”;

- Page 7, line 295 – change to read “...he would correct the VLT Schedule A language...”;

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

**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve the Charlotte Selectboard minutes of May 26, 2016, as written.**

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

**MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve the Charlotte Selectboard minutes of June 6, 2016, as written with edits:**

- Page 2, line 69 – replace the words “the jobs” with “her time”;
- Page 2, line 86 – replace “impartial” with “...the Selectboard hired a mutually agreed upon”;
- Page 2, line 89 – insert “regarding the Town Clerk/Treasurer’s wage rate” between “made” and “and”.

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

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

The Selectboard reviewed and signed warrants to pay bills.

#### **ADJOURNMENT**

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

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

The meeting was adjourned at 8:46 p.m.

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