

**CHARLOTTE SELECTBOARD  
MINUTES OF MEETING  
TOWN HALL  
JUNE 27, 2016**

**APPROVED**

**SELECTBOARD MEMBERS:** Lane Morrison, Chair; Carrie Spear, Matthew Krasnow, Jacob Spell, Fritz Tegatz (via telecommunication at 9:40 p.m.).

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

**OTHERS:** Lucy Gibson, Mary Mead, Moe Harvey, Arthur Peterson, Geeda Searfoorce, Norman Ernsting, Valarie Biebuyck, Frank Tenney, Gary Farnsworth, Peter Keating, Hugh Lewis Jr., Janet Morrison, Melody Danaher, Michael Russell, Margaret Russell, Christina Booher, David Marshall, Matt Burke, Troy Tsounis, Mark Dillenbeck, Peter Carreiro, and others.

**ITEMS TAKEN UP:**

7:20 PM Waitsfield and Champlain Valley Telecom—project on Thompson’s Point Road from Lake Road to Deer Point Road

7:30 PM Park & Ride alternatives presentation

7:50 PM Troy Tsounis—options for e-mail and applications for the Town Office

8:15 PM Mark Dillenbeck—preparing for Emerald Ash Borer outbreak

8:25 PM Turn the Town Teal

8:30 PM Trail Scoping Project—appoint committee to review proposals

8:35 PM Employee pay-rates and hours for FY17: Approve pay-rates and hours for FY17, Approve 1st pay period for the fiscal year

8:45 PM Old Lantern mediation—select representative

8:50 PM Edgewater mediation—select representative

**CALL TO ORDER**

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

**ADJUSTMENTS TO THE AGENDA**

None.

**PUBLIC COMMENT**

Ms. Biebuyck, Flat Rock Road, requested that a past Selectboard decision made years ago to subdivide a Thompson’s Point lot into two separate lease holds be rescinded. Subdividing Thompson’s Point lots is a violation of the Charlotte zoning bylaws. She sent a letter to the Town several weeks ago and did not receive a response. She has submitted a packet of background materials starting with the first recorded lease in 1939 regarding that parcel. Her concern involves a current Conditional Use application on Lot 128 and how the violation would interface with the ZBA deliberative process, said Ms Biebuyck.

Mr. Bloch said that the ZBA process needs to be completed. The Selectboard may need legal advice on a decision made a several years ago. There were two existing houses on the MacIntosh Survey on one lease hold. The research done by Ms. Biebuyck could go to the Town Attorney for review, suggested Mr. Bloch.

Ms. Spear stated that she would need to read the research packet before making any decisions.

Ms. Biebuyck said that the ZBA hearing was closed on June 8, 2016, and the ZBA has 45 days to issue a decision. It is a question of abandonment of a guest house that has had nothing done to it in the last 20 years. A question is if it can be renovated or a new complete construction. The ZBA deliberations should be suspended if the subdivision is voided, suggested Ms. Biebuyck.

Following further discussion, the Selectboard asked Frank Tenney, Zoning Board of Adjustment Chair (ZBA), where in the process the ZBA was in considering the application. Mr. Tenney explained that the ZBA had 45 days after closing the application hearing to issue a decision, which might occur in mid August or before then. The deliberation is on a time frame and can't be stopped as per state statutes. If a reason is brought to the ZBA for further reconsideration that could occur after the decision is issued. The ZBA looked at the application 'as today' as a single lease hold. There can't be two primary residences on a Thompson's Point lot. Each lot is unique, said Mr. Tenney.

Ms. Biebuyck explained that she had attended the hearing to preserve her rights in the process and is waiting for an answer to this.

Mr. Morrison said that the Town would make sure that the Town Attorney receives a copy of Ms. Biebuyck's packet and will get an opinion.

Mr. Krasnow asked if the Zoning Office has contacted the Town Attorney. Mr. Tenney replied no; the ZBA is working on what was presented during the application hearings. The ZBA doesn't accept any materials after closing a hearing, clarified Mr. Tenney.

Mr. Harvey asked for an update regarding the start of the Route 7 reconstruction project. Mr. Morrison replied that a July 1<sup>st</sup> is the start date.

Mr. Harvey asked when the upper bridge, Seguin Covered Bridge, would be closed. Mr. Bloch replied that it could be this week.

Mr. Harvey noted that he had asked when the Town's speed cart would be put out,. It was not put out yet. He was concerned regarding heavy traffic on side roads once the Route 7 reconstruction project started, said Mr. Harvey. Mr. Krasnow said that he would ask the Fire Department when the cart could be towed out of storage. Ms. Spear said that Chad Clark had volunteered to trailer the cart out.

**MINUTES: June 13, 2016**

Approval of the June 13<sup>th</sup> minutes was deferred.

**WAITSFIELD AND CHAMPLAIN VALLEY TELECOM—PROJECT ON THOMPSON’S POINT ROAD FROM LAKE ROAD TO DEER POINT ROAD**  
**MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve a Waitsfield and Champlain Valley Telecom petition to use the public rights-of-ways for “Project 15-105 Charlotte VT” on Thompson’s Point Road from Lake Road to Deer Point Road as presented.**

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

The Selectboard members present signed the document.

**PARK & RIDE ALTERNATIVES PRESENTATION**

Ms. Gibson, DuBois and King representative, reviewed a Charlotte/Route 7 Park and Ride Feasibility Study that was focused on the West Charlotte Village, sites A-G, and summarized the final three top sites by ranking as Site C – behind the Town Hall; Site E-CITGO station, and Site G-Flea Market, with estimated construction costs of \$550,000, \$1.4 million (includes purchase price), and \$518,000 respectively.

Mr. Krasnow asked if a purchase price or lease cost had been factored into the Town owned land sites. Ms. Gibson replied no. A lot of town sites are done by the town versus VTrans. VTrans preference is to buy the land, but might consider a lease. The gas station site is private property, which boosted the cost higher, clarified Ms. Gibson.

Mr. Spell asked if there has been feedback from the community. Ms. Gibson explained that public hearings were held. Concerns included buses coming into the village. VTrans preference is to stay out by Route 7. There is community support, said Ms. Gibson.

In response to questions, Ms. Gibson explained that pedestrian facilities included sidewalks, road crossings, bike racks and bus stations. Regarding a site at the Charlotte train station off Ferry Road, Ms. Gibson explained that it was further from Route 7, more remote and there were concerns related to safety of persons. Distance is an issue for that site, said Ms. Gibson.

Mr. Morrison asked if anyone could park at a park and ride site. Ms. Gibson replied that there were no restrictions. A park and ride is intended for the commuter. A larger lot would be required if a community use was wanted, said Ms. Gibson.

Ms. Booher pointed out that three years ago Charlotte voters voted down a sidewalk referendum in the West Village. Would there be items in the plan for Charlotte to vote on, or not, asked Ms. Booher. Ms. Gibson said that if VTrans has a plan and if it was voted down then it wouldn’t be built. Sidewalks were not necessary at the gas station site, said Ms. Gibson. Mr. Bloch said that if it is on Town property then that would require Selectboard approval and opens it up to public comment. If it is on private property then the Town would have no voice, said Mr. Bloch.

Mr. Keating, Chittenden County Regional Planning (CCRPC), said that Town preferences are a part of the process. Park and ride lots are a state-wide priority, and the state tries to do one state project per year, said Mr. Keating. Mr. Morrison asked if the project would go in the FY18 budget. Mr. Keating replied that there was no hurry. There can be further dialog, said Mr. Keating.

Mr. Krasnow asked if the study looked at sites in North Ferrisburgh, Ferrisburgh, Shelburne or South Burlington. Mr. Keating said that the CCRPC did a regional park and ride plan several years ago. The state said to look at Charlotte to fill the gap from Vergennes to Burlington, said Mr. Keating.

Ms. Russell, Charlotte Trails Committee member, said that the Town has potential trails planned behind the Town Hall and across Route 7. She did not support the gas station plan, said Ms. Russell.

Mr. Carreiro, resident, asked if the proposed park and ride was a 'build it and they will come' project. There was no enforcement at the Richmond park and ride and people over-night park there, said Mr. Carreiro.

Ms. Searfoorce, resident, asked if the ice cream building would remain. Mr. Farnsworth, VTrans representative, said that the purchase price for the property included the buildings. Mr. Krasnow suggested that the building could be a public restroom, although there may be a septic issue.

Mr. Marshall, resident, said that a Charlotte park and ride could alleviate some of the Shelburne traffic pressure. The Ferry Road/Route 7 corner is a convenient site, however the town has identified that site as a vibrant commercial space, said Mr. Marshall.

Mr. Spell pointed out that the commuter rail station already had parking spaces available. The lot could be made safe and secure, suggested Mr. Spell.

Mr. Harvey, resident, said that in 1996-7 the state identified where the Town could build a town hall on this lot and would never allow anything beyond the small strip of lawn due to sensitive wetlands. The Town was told that a wetlands permit wouldn't be issued, said Mr. Harvey.

Ms. Russell said that the Trails Committee has sited possible Town trails on the two Town sites, and asked if VTrans was aware of that. The Town Link Trail and the '250 loop' access was on the Flea Market parcel, said Ms. Russell.

Mr. Marshall said that the Flea Market site is Town land. What can the Town do regarding the Burns property – were there any limitations, asked Mr. Marshall. Mr. Krasnow replied that the Flea Market parcel was excluded from the Burns property easement. There is 900 gallon of septic capacity there, said Mr. Krasnow.

Mr. Bloch asked if the commuter car lot could accommodate commuter bike and pedestrians. Ms. Gibson replied that if people could walk or ride a bike yes, especially to the bus station.

The Selectboard thanked Ms. Gibson for the presentation.

### **TROY TSOUNIS—OPTIONS FOR E-MAIL AND APPLICATIONS FOR THE TOWN OFFICE**

Troy Tsounis, Quantus Works representative, reviewed potential solutions for the Town's e-mail office programs that included Microsoft Office 365 E-4 and Google Apps. The Town should define current needs, such as remote e-mail access, and list objectives, said Mr. Tsounis.

Mr. Morrison said that the Selectboard were minimal users of e-mail and the Town Administrator, Town Clerk and Town employees should identify specific needs.

Mr. Krasnow asked if it was possible to archive Town records and e-mails in the "Cloud" and if the Town can access those records. Mr. Tsounis replied that from an archive stand point, the Town has Barracuda currently, which goes to the Cloud. Records can be accessed three years back, but the records go to the year 2015 only. The Town system has one backup for every month and one every day for the week in place now. One is e-mail specific. For the current Town system in place MS Office 365 E-4 would have more granularity. Both solutions offer access for anyone with access to the Cloud and could be shared with anyone you choose, said Mr. Tsounis.

There was discussion regarding program compatibility; for example, with a Mac computer. Mr. Tsounis explained that regarding Mac compatibility, he uses Office 365 and Google Apps with no issues. MS Office applications might require a conversion process for Google Apps. That is easy to do. Currently the Town has 20 'mail boxes', said Mr. Tsounis.

Mr. Tsounis explained compatibility, exchange conversion processes for MS Word versus Google Apps, which is something to consider. Since the Town offices uses MS software then Office 365 would be better for simplicity. Google Apps installation is in the "Cloud". Office 365 would be installed at every work station. A benefit is that Office 365 can continue to operate if the Cloud is off-line. The estimated cost for Office 365 excluded the Selectboard members, who would have e-mail access only, said Mr. Tsounis.

Mr. Krasnow asked staff to find out the total number of e-mails needed including all Town committees. Mr. Bloch said that he would research the number needed.

Mr. Bloch pointed out the current Town server system is 6 years old and replacement costs were needed for budgetary purposes. Mr. Tsounis said that he would look into it. A fire wall should be put in place and there are options to consider. A firewall is

independent of the discussion at a \$2,000-3,000 cost for more malware protection, said Mr. Tsounis.

Mr. Bloch reported that Troy did security training that went well

### **MARK DILLENBECK—PREPARING FOR EMERALD ASH BORER OUTBREAK**

Mark Dillenbeck, Charlotte Deputy Tree Warden, reviewed a proposal to prepare for the appearance of the Emerald Ash Borer beetle in Vermont. Options included:

- Selectboard endorsement to allow the Charlotte Tree Wardens to develop an Ash tree inventory in public rights-of ways and property
- Develop a preparedness plan, including the removal of Ash trees on public property and rights-of-way
- Apply a pesticide on trees on public property via a hired arborist at a potential cost of \$120 for treatment of prized Ash trees

Ms. Spear asked if the inventory could include the Reutter Funded trees planted in Town.

Mr. Krasnow said that he would like to review a plan and costs before approving a plan, and to explore opportunities to manage the beetle.

Mr. Dillenbeck suggested one option would be to invite local wood dealers to harvest Ash trees in advance of the beetle arriving in Vermont.

**MOTION by Mr. Krasnow, seconded by Mr. Spell, to endorse the Charlotte Tree Warden to work with the State of Vermont to inventory Ash trees on Charlotte public lands and rights-of-ways, and to draft a Preparedness Plan for Selectboard review.**

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

### **TURN THE TOWN TEAL**

Melody Danaher, event organizer, reviewed a fundraising awareness project regarding ovarian cancer.

**MOTION by Mr. Spell, seconded by Mr. Krasnow, to approve authorization to tie teal ribbons along Ferry Road for a “Turn the Town Teal” event.**

#### **DISCUSSION:**

**Mr. Morrison noted that the Kelly Brush ride would be held at the same time, and suggested that the two groups collaborate. Ms. Danaher explained that her organization was raising awareness of ovarian cancer as an outreach project.**

**Ms. Spear asked Ms. Danaher to tie ribbons in East Charlotte Village from the Hinesburg Road intersection south to the church on Spear Street as well.**

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

**TRAIL SCOPING PROJECT—APPOINT COMMITTEE TO REVIEW PROPOSALS**

Mr. Bloch reviewed that three RFP's were received regarding a Trail Scoping project. A committee to review and rank the RFP's was needed. Trails Committee members were interested in serving on the committee and the Town Planner and Town Administrator would provide staff support, said Mr. Bloch.

Mr. Krasnow volunteered to serve on the Committee.

**MOTION by Mr. Morrison, seconded by Mr. Spell, to appoint Matt Krasnow and the Trails Committee members to a Trails Scoping Committee to review and rank RFP's, with the Town Planner and Town Administrator as support.**

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

**EMPLOYEE PAY-RATES AND HOURS FOR FY17: APPROVE PAY-RATES AND HOURS FOR FY17, APPROVE 1ST PAY PERIOD FOR THE FISCAL YEAR**

The Selectboard briefly discussed an FY17 Employee Pay Rate and Hours spread sheet developed by Mary Mead and the Town Administrator.

**MOTION by Mr. Spell, to approve the Employee Pay Rates and Hours effective the first full pay period for FY17. Following a discussion Mr. Spell withdrew his motion.**

There was lengthy discussion regarding proposed corrections to the pay rate and step grade for Christina Booher, Assistant Town Clerk/Treasurer. Mr. Krasnow calculated that Ms. Booher should be at Step 7 for a \$17.44 per hour pay rate.

In response to a question related to a recent elected official position Palmer Evaluation review, Mr. Krasnow said that the evaluation process was halted due to a Vermont Department of Labor wage claim. The state may make a determination regarding the job rating and pay rate for that position, which the Selectboard would wait upon, said Mr. Krasnow.

**MOTION by Mr. Morrison, seconded by Mr. Krasnow, to approve Employee Pay Rates and Hours for FY17 as presented, effective at the first full FY17 pay period, with an adjustment for the Assistant Town Clerk/Treasurer as follows:**

- **At a pay rate of \$17.44 per hour and at Step 7, effective at the first full pay period of FY17.**

**VOTE: 2 ayes, 2 nays (Mr. Spell, Ms. Spear); motion failed.**

Ms. Booher noted that the first full pay period for FY17 starts on July 2nd and ends July 15<sup>th</sup>. Pay checks would be cut July 20<sup>th</sup>, said Ms. Booher.

Fritz Tegatz joined the meeting via telecommunications at 9:40 p.m.

Mr. Tegatz stated that he was watching the meeting via VCAM live streaming, which has a broadcast delay built in. He was up to date on the pay rate and hours issues, said Mr. Tegatz.

**MOTION by Mr. Krasnow, seconded by Mr. Morrison, to approve Employee Pay Rates and Hours for FY17 based on the worksheet, with the exception of the Assistant Town Clerk/Treasurer at Step 7 and at \$17.44 per hour, and that the pay rates will be effective the first full pay period of FY17.**

**DISCUSSION:**

**Mr. Spell objected to the proceedings and that Mr. Morrison had contacted Mr. Tegatz by telephone for a vote.**

**Mr. Tegatz reiterated that he was watching the VCAM live streaming, which was at the Mark Dillenbeck presentation. There was a lag in the streaming, but he was up to speed on the pay rate issue, said Mr. Tegatz.**

**Mr. Krasnow asked Mr. Tegatz if he was comfortable voting on the issue. Mr. Tegatz replied that he was. He had the paperwork and that the Assistant Town Clerk/Treasurer grade step and pay rate doesn't match where she should be at, and that the motion corrected the job step and hourly wage, making it effective the first full pay period in FY17.**

**VOTE: 3 ayes, 2 nays (Mr. Spell, Ms. Spear); motion carried.**

**OLD LANTERN MEDIATION—SELECT REPRESENTATIVE**

Mr. Spell volunteered as the Selectboard representative regarding the Old Lantern mediation, with Mr. Morrison as the Selectboard alternate representative.

**EDGEWATER MEDIATION—SELECT REPRESENTATIVE**

Mr. Morrison and Ms. Spear volunteered as Selectboard representatives regarding the Edgewater Center LLC mediation.

**SELECTBOARD UPDATES**

Mr. Krasnow reported on a State Parks meeting held at the Kingsland State Park regarding the Mt Philo State Park.

Mr. Morrison asked to have a hardcopy of Valarie Biebuyck's Thompson's Point research packet available at the Town Hall for review.

Mr. Spell announced that he may be resigning from the Selectboard due to a potential job assignment.

Mr. Morrison noted that the Town Administrator would be on vacation and returning Monday, July 11<sup>th</sup>. The next Selectboard meeting is scheduled for Thursday, July 14, 2016.

**APPROVE WARRANTS TO PAY BILLS**

The Selectboard reviewed and signed warrants to pay bills.

**ADJOURNMENT**

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

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

The meeting was adjourned at 9:55 p.m.

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