

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
MARCH 14, 2016**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Carrie Spear, Fritz Tegatz, Jacob Spell (arrived at 6:52 p.m.). **ABSENT:** Matthew Krasnow.

ADMINISTRATION: Dean Block, Town Administrator.

OTHERS: Walter Gates, Beth Merritt, Jane Kiley, Puspa Luitel, Gary Pittman, Dale Knowles, Vanessa Crowley, Sue Smith, Robert Mack, Janet Morrison, Joe Shriner, Jenny Cole, Mary Mead, Charles Russell, Ellie Russell, Christina Booher, Peter Trono, David Miskell, Robin Reid, Clark Hinsdale III, Suzanne Hinsdale, Stephen Brooks, Susan Ohanian, Viki Zulkoski, Cheryl Waller, Jason Pidgeon, Robert Buhr, Jessie Bradley, Charles Mandel, Linda Hamilton, John Hammer, Charlotte News; and others.

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

ITEMS TAKEN UP:

6:15 PM Senior Center addition—acceptance of revised proposal by NECCO

6:50 PM Interview Jane Kiley for appointment to the Thompson's Point Design Review Committee

7:15 PM Town Clerk/Treasurer pay issues

7:30 PM Amend Salary Administration Policy to clarify cost of living metric to incorporate recent changes to Table 1 for non-COLA percent increases to clarify first step increase on pay - chart for new employees

7:45 PM UVM Cycling Team—use of parking at Town Hall, Library and Senior Center on ____

7:55 PM Cemetery Commission—budget and long-term planning issues

8:15 PM Job Description for Beach Attendants

8:20 PM Lake Champlain Committee Paddlers' Trail Site Use Agreement for the Town Beach

8:25 PM Thompson's Point Wastewater System—approve fees for not providing access to meters (\$200) and for winter construction (\$200)

8:35 PM Town Hall and Library water system—approve new sampling plan

8:40 PM Amendment to application to VLCT for Equipment Grant

8:45 PM Spear's Corner Store, Inc.—request for renewal of Second Class Liquor License (to be approved by the Liquor Control Board)

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:31 p.m.

SENIOR CENTER ADDITION—ACCEPTANCE OF REVISED PROPOSAL BY NECCO

MOTION by Mr. Tegatz, seconded by Ms. Spear, to accept the revised proposal by NECCO for the Senior Center Addition, subject to drafting a contract, and review and approval of final construction documents.

DISCUSSION:

Mr. Pittman explained a cost of \$1,900 for performance and process bonds to make sure subcontractors were paid. Mr. Morrison asked of the Senior Center was proceeding with a bond. Mr. Pittman replied that the contractor did not include the purchase of bonds in the estimate. If the Town could buy the bonds it brings the cost up to \$163,000. Mr. Tegatz explained the \$161,000 quote was a preliminary number. He could review the documents and plans again, said Mr. Tegatz.

Mr. Morrison noted that the Senior Center is a town building and the project should include a bond. The Senior Center is paying for the project, said Mr. Morrison. Mr. Tegatz said that the motion was to approve the project.

Mr. Pittman said the plans were approved by the Senior Center Board and he will talk to the contractor.

Mr. Morrison asked what the architect's role was. Mr. Pittman replied that the architect had an overseer role. They would be on-site once a week. May 1st is the start date with a July completion date. He didn't think that the Senior Center would be closed, except for a day or two. The contractor had good references, said Mr. Pittman.

Mr. Bloch said for the contract documents the architect would need a set of plans with all the changes so that a state building permit could be applied for.

VOTE: 3 ayes, 2 absent (Mr. Spell, Mr. Krasnow); motion carried.

INTERVIEW JANE KILEY FOR APPOINTMENT TO THE THOMPSON'S POINT DESIGN REVIEW COMMITTEE

MOTION by Ms. Spear, seconded by Mr. Tegatz, to appoint Jane Kiley to the Thompson's Point Design Review Committee for a term ending April 2019.

VOTE: 3 ayes, 2 absent (Mr. Spell, Mr. Krasnow); motion carried.

ADJUSTMENTS TO THE AGENDA

None.

PUBLIC COMMENT

Ms. Smith reviewed that there was discussion regarding Town volunteers at the 2016 March Town Meeting related to the cost of a Volunteer Recognition Party. It was not necessary to spend money on a party. Volunteer's just want respect, stated Ms. Smith.

(NOTE: Mr. Spell arrived at 6:52 p.m.)

MINUTES: March 7

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the Charlotte Selectboard minutes of 03/07/2016, as written, with edits:

- **Page 4, line 141 – change to read “Mr. Spell pointed out that there...”;**
- **Page 5, line 223 – replace the word “Selectboard” with “CVFRS”;**
- **Page 7, line 292 – change to read “...that the village...”.**

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

TOWN CLERK/TREASURER PAY ISSUES

Ms. Mead read a prepared statement regarding a salary calculation for the Town Clerk/Town Treasurer combined positions.

Ms. Mead noted that the town clerk and town treasurer jobs changed at the whim of the legislature. There were legal requirements to address. For example, the vote tabulator required that she train in its use and to trouble shoot the machines. There were reporting changes for health care, Thompson’s Point rents and inputting data into NEMRC. She worked on the salary policy updates with the Selectboard. She did not revise her job description with every change, stated Ms. Mead.

There was lengthy discussion regarding the various tasks of a town clerk and town treasurer, which was governed by state statute and legislative laws; a town clerk/treasurer position and salaries based on a process and data gathered for similar positions in similar sized towns state; state statutes, Title 24, Subchapter 937, that town clerks could work as many hours as it took to accomplish the job; job descriptions drafted by the individual town employees; the process followed to develop the current Charlotte Salary Administration Policy; a salary step and Cost of Living Adjustment (COLA) grid used internally use to determine Town employees placement on the grid, which used hourly wage rates; and a differences between elected officials versus hired “at will” employees.

Mr. Tegatz recused himself due to a conflict of interest during a discussion of elected lister’s hours and pay rates. Mr. Tegatz rejoined the Selectboard when debate ceased.

Mr. Russell explained that Mary Mead’s salary was set at Town Meeting when the voters accepted the Town budget. It was not the Selectboard’s role to set her hours or salary, said Mr. Russell.

Mr. Hinsdale suggested that Selectboard address concerns to solve the problem and move forward. It might take an amendment regarding unique individuals with years of experience to allow the Selectboard to stray from the policy, said Mr. Hinsdale.

MOTION by Ms. Spear, seconded by Mr. Spell, to accept Mary Mead’s salary calculation and return the Town Clerk/Treasurer pay rate to \$34.06 per hour, and further adjusted by the agreed upon 2 percent increase for longevity to \$34.74 per hour starting immediately, but not retroactively.

DISCUSSION:

Ms. Cole said that the main reason the Board of Auditors had supported Mary Mead’s request for time on the Selectboard agenda was to allow her the opportunity

to ask the Selectboard questions regarding the 35/40 hour per week issue. Ms. Cole expressed concern Board of Auditors were now asked to support a pay increase. There is a process to request a reevaluation and to appeal the salary issue, said Ms. Cole.

Ms. Spear said that this has been an issue since January 2014.

Ms. Cole said that she was having a hard time with the direction that this was going. Mr. Russell said the issue is the hourly rate; it should be to set a yearly salary. The Selectboard can't set an hourly rate. He was not disagreeing with the motion, clarified Mr. Russell.

Mr. Tegatz noted that he was not willing to approve anything without the participation of Matt Krasnow, who had spent time and effort researching the wage issue. As per state statute the Selectboard was not responsible for setting an hourly rate, said Mr. Tegatz.

AMENDMENT by Mr. Spell, seconded by Ms. Spear, to set the Charlotte Town Clerk/Town Treasurer salary at \$72,259.20.

DISCUSSION:

Ms. Russell said that regarding Jenny Cole's point, this was not a warned action item as a salary issue.

Mr. Morrison explained that the Selectboard had a past discussion regarding agendas topics. The agenda topics are not identified as action items, or not. He believed the Selectboard could take action, said Mr. Morrison.

Ms. Spear said she would like to take action even without Matt Krasnow.

VOTE on amended motion: 2 ayes, 2 nays (Mr. Morrison, Mr. Tegatz), 1 absent (Mr. Krasnow); motion failed.

Ms. Mead said that she would tender a resignation.

Mr. Hinsdale encouraged the Selectboard to put a town clerk/treasurer next steps discussion on the next Selectboard agenda where a full board could have input.

AMEND SALARY ADMINISTRATION POLICY TO CLARIFY COST OF LIVING METRIC TO INCORPORATE RECENT CHANGES TO TABLE 1 FOR NON-COLA PERCENT INCREASES TO CLARIFY FIRST STEP INCREASE ON PAY - CHART FOR NEW EMPLOYEES

Mr. Morrison briefly reviewed draft amendments, shown in red on the draft document, to the existing Salary Administration Policy.

Ms. Reid asked if the Selectboard included opportunities to make exceptions to the rules. Was an elected official the same as an employee, asked Ms. Reid. Mr. Tegatz explained that elected officials were different from hired employees. If there was a distinguished

employee then the town voters could acknowledge that during the Town Meeting, said Mr. Tegatz. Mr. Morrison said that the salary policy applied to all 20 Town employees.

Ms. Spear asked for clarification on the April 1st date as a cut off for a step increase for new hires. Ms. Mead suggested that January 1st as a cut off date that would be fairer than the April 1st date. Mr. Morrison said that a January 1st option wouldn't impact the policy.

There was lengthy discussion regarding a 6 month probationary period related to a wage step increase date for new hires; the total number of Town employees that could be up to 25-26 during the summer months; the four elected officials that consisted of the Town Clerk/Town Treasurer and three Listers; and clarifying the probationary period and step increase cut off date for new hires.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to adopt the Salary Administration Policy draft revisions, dated March 14, 2016, with a change on page 3, 1st paragraph, to replace the date of "April 1st" with "January 1st".

VOTE: 3 ayes, 1 nay (Mr. Spell), 1 absent (Mr. Krasnow); motion carried.

UVM CYCLING TEAM—USE OF PARKING AT TOWN HALL, LIBRARY AND SENIOR CENTER ON ____

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the use of the Town Hall, Charlotte Library and Senior Center parking lots by the UVM Cycling Team on Sunday, April 10, 2016, as long as there was no interference at the Charlotte Fire and Rescue Service station.

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

CEMETERY COMMISSION—BUDGET AND LONG-TERM PLANNING ISSUES

Mr. Brooks, Cemetery Commission representative, presented a written long term plan, dated March 14, 2016, and noted that #7 dealt with a need for additional commission members.

Mr. Trono, Board of Auditors, said that the auditors had asked Mr. Brooks for information regarding cemetery plot deeds and mapping. Until that work was produced there should be nothing done regarding the cemetery. There were still some people without deeds for plots purchased, said Mr. Trono.

Mr. Tegatz asked if there was a need for more burial plots in Town. He would like to see the cemetery mapping issues addressed first, said Mr. Tegatz.

Mr. Morrison noted that the Cemetery Commission was unique in that the commission reported to the Board of Auditors. The Selectboard had no role other than budgetary. There should be a full commission. A one person commission isn't appropriate, said Mr. Morrison.

There was further discussion regarding advertising for additional commission members

Mr. Brooks stated that the as per the proposed plan, #7, seeks additional commission appointments. People don't want to serve. Dan Cole was a single cemetery commissioner in the past. Susan Ohanian has asked to serve and he was looking to get another volunteer member. He would like to have a meeting shortly to approve Ms. Ohanian, said Mr. Brooks.

Mr. Morrison reiterated that there were open issues with the auditors and the Selectboard had no role.

Mr. Brooks explained that the Town Attorney dropped the ball six months ago regarding the two outstanding plot deeds. The Board of Auditors wanted him to get a legal opinion, which has been done. Getting cemetery mapping done is another element of discussion,

Mr. Brooks reviewed additional costs up to \$2,400 for items outside of the approved cemetery budget, including \$1,500 for legal fees. There were 'casual' labor tasks, such as stone repair, that could be done in-house that did not lend itself to a bidding process, said Mr. Brooks. Mr. Morrison suggested that Mr. Brooks work with the elected Board of Auditors regarding requests, and the auditors would advise the Selectboard regarding the \$2,400 items. As an individual Selectboard member, he would support that process, said Mr. Morrison.

Mr. Brooks introduced potential cemetery volunteers Viki Zulkoski, Cheryl Waller, Linda Hamilton and Susan Ohanian would like to work on a committee.

Following further discussion regarding state statutes related to cemetery commissions, open meeting laws, and a requirement that cemetery commissions prepare financial reports for Board of Auditors, Mr. Brooks said that he would tender a resignation tomorrow.

Ms. Smith said that there was interest in having a new 'green' burial ground in Town. We have heard that burial plots were limited in Charlotte. This was something that needs to be worked, said Ms. Smith.

JOB DESCRIPTION FOR BEACH ATTENDANTS

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a job description for Beach Attendants as presented.

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

LAKE CHAMPLAIN COMMITTEE PADDLERS' TRAIL SITE USE AGREEMENT FOR THE TOWN BEACH

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a Lake Champlain Committee Paddlers' Trail Site Use Agreement for the Charlotte Town Beach, dated March 8, 2016, for a one year renewal.

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

THOMPSON'S POINT WASTEWATER SYSTEM—APPROVE FEES FOR NOT PROVIDING ACCESS TO METERS (\$200) AND FOR WINTER CONSTRUCTION (\$200)

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve Thompson's Point Wastewater System fees as follows:

- A fee of \$200 for not providing access to meters
- A fee of \$200 for winter construction.

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

TOWN HALL AND LIBRARY WATER SYSTEM—APPROVE NEW SAMPLING PLAN

MOTION by Ms. Spear, seconded by Mr. Tegatz, to approve a new sampling plan for the Town Hall and Library water system as presented.

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

AMENDMENT TO APPLICATION TO VLCT FOR EQUIPMENT GRANT

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve an amendment to the application to the Vermont League of Cities and Towns for an equipment grant from \$395 each to \$790 total.

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

SPEAR'S CORNER STORE, INC.—REQUEST FOR RENEWAL OF SECOND CLASS LIQUOR LICENSE (TO BE APPROVED BY THE LIQUOR CONTROL BOARD)

Ms. Spear recused herself due to a conflict of interest.

MOTION by Mr. Tegatz, seconded by Mr. Spell, to recess the regular meeting and convene as the Charlotte Liquor Control Board.

VOTE: 3 ayes, 1 recused (Ms. Spear), 1 absent (Mr. Krasnow); motion carried.

MOTION by Mr. Spell, seconded by Mr. Tegatz, to approve a request by the Spear's Corner Store, Inc, for a renewal of a Second Class Liquor License.

AMENDMENT by Mr. Spell, seconded by Mr. Tegatz, and to authorize the Charlotte Selectboard Chair to sign the document on behalf of the Town of Charlotte.

VOTE: 3 ayes, 1 recused (Ms. Spear), 1 absent (Mr. Krasnow); motion carried.

MOTION by Mr. Tegatz, seconded by Mr. Spell, to adjourn as the Charlotte Liquor Control Board and reconvene as the Charlotte Selectboard.

VOTE: 3 ayes, 1 recused (Ms. Spear), 1 absent (Mr. Krasnow); motion carried.

Ms. Spear rejoined the Selectboard.

SELECTBOARD UPDATES

Mr. Spell asked for clarification regarding a warrant related to VTrans charges on a \$38,000 note for the Seguin Bridge project. Mr. Bloch explained that the Town paid 2.5

percent of the engineering costs. He had talked with Mark Sergeant regarding the monthly charges. The Town was committed to paying a total of \$3,400, said Mr. Bloch. Mr. Tegatz said that the state was providing design work and the Town pays 2.5 percent of the design fee.

Ms. Spear pointed out that there was a serious situation with Mary Mead and Stephen Brooks. Mr. Tegatz noted that Clark Hinsdale has said that after the 15th step salary cap it should be up to the Selectboard to decide any increases. It was worth thinking about – rewarding longevity. The one week extra vacation many not be enough. The discussion should continue when Matt Krasnow was here, suggested Mr. Tegatz.

Following further discussion Mr. Morrison said that he would like a compromise and bring the issue to the next Town Meeting.

Mr. Spell responded to a recent incident between a committee member and the Assistant Town Clerk, noting that any such issues should be brought to the Selectboard for rectification.

Mr. Spell asked if there was a plan in place to support the Assistant Town Clerk if there was the potential of opening the Town offices without a town clerk tomorrow. Mr. Morrison replied yes, there was a plan. Discussion should take place in Executive Session, said Mr. Morrison.

Mr. Morrison reviewed that the recently approved Town Charter included the following language "...and related articles...". There were concerns to discuss at a future Selectboard agenda, said Mr. Morrison.

APPROVE WARRANTS TO PAY BILLS

The Selectboard signed warrants to pay bills.

ADJOURNMENT

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

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

The meeting was adjourned at 9:31 p.m.

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