

**TOWN OF CHARLOTTE
MARCH TOWN MEETING
MARCH 4, 2014**

APPROVED

MEMBERS PRESENT: Charles Russell, Chair; Eleanor Russell, Winslow Ladue, John Owen, Lane Morrison.

ADMINISTRATION: Dean Bloch, Town Administrator.

MODERATOR: Jerry Schwarz.

Mr. Schwarz, Moderator, called the 2014 March Town Meeting to order at 9:00 a.m.

Article 1: To hear the reports of the Town officers and to act upon the same.

MOTION by Frank Reynolds, seconded by Nancy Rosenthal, to hear the reports of the Town officers and to act upon the same.

DISCUSSION:

Alan Hughes read sections of a Town/CVFRS Memorandum of Agreement (MOA), and asked for clarification regarding the intent of the MOA. Was the Town transferring \$1,450,000 of value in equipment and buildings to CVFRS, which was a private corporation, asked Mr. Hughes. Mr. Russell explained that the five year audit by Batchelder and Associates recommended an MOA between the Town and CVFRS. The MOA was to include two attachments; one for a land and building schedule, and the second for a schedule of equipment. In researching titles, it was discovered that the Town didn't own the building. There was correspondence to the Town Attorney to a former Selectboard that said the Town could bond for a building that the Town didn't own. The Town does hold title to three of the vehicles, all others were owned by CVFRS. The MOA does include Section 9 that says CVFRS assets paid by the Town would return to the Town should CVFRS dissolve, said Mr. Russell.

Mr. Hughes asked where in the document does the Town convey ownership. Mr. Russell replied that the document was silent to that. Section 9 covered the eventuality of dissolution and assets, and was already in law as per the IRS, said Mr. Russell.

Mr. Hughes asked why the Selectboard moved Town assets to a private corporation without bringing the matter before the Town voters. What was the agreement, and why was it not printed in the Town Report, or left on the chairs. It was a dereliction of Selectboard duties, stated Mr. Hughes. Mr. Russell replied that there were things that the Town had authority for and the Selectboard had authority for. Legal agreements fell under the preview of the Selectboard, said Mr. Russell.

Mr. Hughes read Section 8, page 5, of the MOA and asked what were the documents referred to. Mr. Russell explained that it was a general term that if the Town needed

to execute something then we could. For example, the two lease agreements, which went away, said Mr. Russell.

Mr. Hughes asked if the Selectboard had plans to execute more documents, such as a quit claim to complete the Fire and Rescue ownership. For example, Fire and Rescue has rights to sewage capacity for the fire station, said Mr. Hughes. Mr. Russell said that it was not an issue of ownership. The MOA says that the building would be turned over to the Town, Mr. Russell.

Robert Mesaros noted MOA, page 54, and asked if the vehicles were purchased through the Vermont Municipal Loan Bank. Mr. Russell replied yes. Mr. Mesaros asked if there was a transfer of assets from the Town to CVFRS. Mr. Russell replied no. In the case of the building the Town checked to see if the Town could get a bond for a building it didn't own and the answer was yes. The pumper truck was titled to the Town, said Mr. Russell.

Ben Pualwan, Community Safety Committee (CSC) member, reviewed a CSC Report and options.

Stephany Hasse, Spear Street resident, said that the report didn't address vehicular speeding on Spear Street. The posted mph has not gone down from 50 to 45. She has never seen any police enforcement on Spear Street, said Ms. Hasse. Mr. Pualwan said that the committee was not tasked with looking at speed limits, which were best done by a traffic engineer.

Ms. Hasse said that the state had done a study and said that the limit should be 45 mph. When would that happen, asked Ms. Hasse. Mr. Russell explained that the traffic engineer said that the limit could not go down lower than 45 mph. There have been discussions at Selectboard meetings recently regarding traffic calming. Further efforts would happen this March. Talks have been on-going with Shelburne Police Department regarding patrols, said Mr. Russell. Ms. Hasse said that the police could park in her driveway.

VOTE on Article 1: carried unanimously by voice vote.

Article 2: Will the Town vote to have Property Taxes payable on or before November 17, 2014 and to have payments made to the Town Treasurer under 32 VSA § 4773?

MOTION by Frank Reynolds, seconded by Nancy Rosenthal, to have Property Taxes payable on or before November 17, 2014 and to have payments made to the Town Treasurer under 32 VSA § 4773.

VOTE: carried unanimously by voice vote.

Article 3: Will the Town adopt the Selectboard's budget of \$3,280,504 for the fiscal year July 1, 2014 to June 30, 2015 less anticipated revenues?

MOTION by Frank Reynolds, seconded by Nancy Rosenthal, to adopt the Selectboard's budget of \$3,280,504 for the fiscal year July 1, 2014 to June 30, 2015 less anticipated revenues.

DISCUSSION:

Mr. Russell briefly explained changes to the Selectboard budget to the Library line item, bridge issues, an increase to the Traffic Enforcement line item, and \$90,000 added to the Charlotte Land Trust for the conservation fund.

Mr. Ladue reviewed FY2014 Town Report budget line item changes that included the Bridge Grant line item, page 7, that would be zeroed out and the Highway Fund transfer reduce from \$150,000 to \$77,500, and page 10, Bridge Reconstruction line item would be reduced \$205,600 versus \$283,100. Major construction would be delayed for one year on the Carpenter Road and Seguin bridges. The Carpenter Road Bridge would require either a deck repair or replacement, and changes to the west approach. The Town would submit a grant for that work. The Seguin Bridge had carpenter ant infestation. VTrans estimated that the bridge rot could be repaired for \$100,000, or a complete repair done with a 95 percent state grant for \$600,000, said Mr. Ladue.

Betsi Oliver asked if the Town would need to budget a \$30,000 Town match for the 95 percent state grant for next year. Mr. Ladue said that the 95 percent state grant would be for the FY2016 budget. The Spear Street guard rail replacement cost was \$35,000, and \$25,000 for the Holmes bridge repair. The Seguin Bridge would be treated for insects, said Mr. Ladue.

Mary Bayliss asked that the current traffic signage blocked the view of the covered bridge. Photographers liked to take photographs and the signs made it hard for them, said Ms. Bayliss.

AMENDMENT to Article 1 by Mr. Russell, and seconded, to reduce the Selectboard's budget total by \$35,000 with changes: page 7, zero out line item Bridge Grant, change Highway Transfer line item from \$150,000 to \$77,500, page 10 reduce the Bridge Reconstruction line item by \$77,500, and page 13, add \$40,000 to the Traffic Enforcement line item.

DISCUSSION:

Dan Rosen stated that the Town budgeted \$25,000 for traffic enforcement and spent \$29,000. Why was traffic enforcement increasing from \$30,000 to \$70,000, asked Mr. Rosen. Mr. Owen explained that the Shelburne Police had raised rates. For 80 hours of service that translated into 8.5 hours per week. The CSC report had indicated that traffic calming was an effective method. For example, the Town would try to implement traffic calming to reduce speed on Spear Street, said Mr. Owen.

Mr. Rosen asked if the extra funds would go for traffic calming. Mr. Owen reviewed three options that included legally posting signage, traffic calming, and increased police presence. The Selectboard has approved extending the charge of the CSC to continue researching the most effective methods, said Mr. Owen.

Mr. Rosen asked how many speeding tickets were issued per week and did the revenue come to the Town. Mr. Russell referred to page 7 of the 2013 Town budget, Court Fines that showed \$4,254 in revenue, and to date was \$6,178.

Ms. Mead, Town Treasurer, pointed out that the figures presented by Mr. Russell were in error and said that the total decrease in expenses was \$205,600 for Bridge Reconstruction and an increase of \$40,000 for Traffic Enforcement. The figures should not include revenue. The vote was on the total expenditures, said Ms. Mead. Mr. Russell said that he was projecting lower revenue. The net was \$35,000 less for a total budget of \$3,245,504, said Mr. Russell.

Ms. Mead explained that the total budget in the article was \$3,280,504, plus \$40,000 for traffic enforcement, minus \$205,600 for bridge reconstruction for a total budget of \$3,114,904. Expenses were separate from revenue and it was the expenses that the Town was paying for, clarified Ms. Mead.

FRIENDLY AMENDMENT by Mr. Russell, and seconded, to reduce the proposed Selectboard's budget by \$165,600 for a total budget amount of \$3,114,904.

AMENDED by Jennifer Chiodo, seconded by John Rosenthal, to vote on each line item change, page 10, Bridge Reconstruction and page 13, Traffic Enforcement, separately.

VOTE on the amendment to vote the two line items separately was too close to call by voice vote, division of the house vote; ayes – 88, nays – 105; Amendment failed.

DISCUSSION on the Friendly Amendment to reduce the proposed Selectboard's budget by \$165,600 for a total budget amount of \$3,114,904:

Mr. Rosen expressed concern that the Town was leaving traffic enforcement up to the CSC to determine how the \$70,000 would be spent. The committee was not an elected committee. Charlotte was a rural town and self governing. There should be police presence, said Mr. Rosen. Mr. Russell said that it was the Selectboard who decided how funds were spent. Ed Cafferty, committee member, explained that the CSC report included a statement that Charlotte was lucky that there had been no spike in the crime rate. The Town did experience crime and there was a traffic problem, which was not every road, but where it did occur there was a bad speeding issue. Vehicles were driven 70-80 mph on Spear Street. An 8.5 hour per week contract with Shelburne Police was not much. There were three state troopers for all of Chittenden County. The CSC gathered data and talked with Charlotte residents who want stepped up police presence. Mr. Cafferty listed the members of the CSC.

In response to a question, Mr. Russell explained that the committee was appointed by the Selectboard. The committee held open meetings for those interested in attending, said Mr. Russell. Ms. Christie, committee member, explained that the committee was composed of a good cross section of opinions and ideas, and reviewed the committee's charge. The committee didn't make recommendations, but presented options, said Ms. Christie.

Richard Weed called the question, which was seconded.

VOTE to call the question: carried by voice vote.

VOTE on the Friendly Amendment to reduce the proposed Selectboard's budget by \$165,600 for a total budget amount of \$3,114,904: carried unanimously by voice vote.

DISCUSSION:

Jill Lowrey expressed concern regarding Library budget increase of 11 percent in FY12/13 and 11 percent in FY13/14. What was the difference between library salaries versus the Senior Center and Town Clerk salaries, asked Ms. Lowrey

There was discussion regarding across the board cost of living increases at 1.5 percent, increased salaries due to expanded hours, a proposed Senior Center part time assistant, and a library budget based on what library patrons and voters wanted related to library services and programs. Ms. Christie, Library Trustee, explained that staff salary increases were not pay increases, but an increase of hours. For example, the Library Director was working over 40 hours per week for 35 hours of pay, the Youth Librarian hours were increased, and demand for programs has exploded. Three hours per week have been added for existing staff for a History Research program, said Ms. Christie.

Ms. Russell said that the Selectboard was exploring a re-evaluation of the salary program on each job and parameters. Ms. Lowrey suggested that the Selectboard hire an HR person to assist in salary administration. She felt that Mary Mead and Sharron Balaban were being discriminated. There may be legal action, stated Ms. Lowrey.

Mr. Russell said that Richmond used a salary step system in ranges. That may be one approach. Regarding recreation salaries, the budget was paid for through program fees. The Senior Center representatives asked that the cost of the program not increase because they were on fixed incomes. The Senior Center has come up with a way to pay for one-half of the Volunteer Coordinator salary. State statutes calls for salaries to be set by the Selectboard, or town voters at Town Meeting. This was the town's chance to make budget changes, said Mr. Russell.

Ms. Russell said that the Selectboard would look into a salary step system and would seek professional advice.

Frances Foster said that she was confused by the prepared salary spreadsheets found on the seats. The Selectboard sheet discusses salaries of clerk/treasurer's across the state, and Mary's was a salary comparison, noted Ms. Foster.

Ms. Mead said that the Selectboard handout took her by surprise. Her handout regarding job duties as treasurer had been shared with the Selectboard. She used VLCT's compensation book for job comparisons. She does the town clerk job and all financials for the Town. That included the taxes, delinquent tax collection, bookkeeping, etc. Dean Bloch's salary was placed in her office budget and it shouldn't be there, stated Ms. Mead.

Mr. Russell said that the Town budget was put together in December. Mary had asked for a \$15,000 raise and \$8,000 raise for the assistant. There was no analysis for the request. The Board asked for more information. The VLCT comparison book was used and data from towns of similar size population and a clerk/treasurer position was reviewed. The VLCT book was confusing. Better information was obtained by talking directly to the towns. Stowe was eliminated since the population demographics were different. Some towns listed a clerk/treasurer as just a "clerk". The Town Attorney was consulted and Mary's position was shown as a Clerk/Treasurer line item in the budget. Lane had sat down with Mary to explain this. The Town Administrator's salary was not added to the office budget. The \$10,000 added was for a CPA who comes in to assist the bookkeeper, said Mr. Russell.

Mr. Morrison reviewed the Selectboard's handout, noting that the average for a clerk/treasurer for 18 towns was \$51,046 versus Mary's salary of \$67,511, which was the second highest salary. It was common to have a clerk/treasurer/delinquent tax collector as one position. Years of service were important as well. Charles and Ellie had contacted many towns, and he had called towns for information. Mary and Sharron were dedicated and he felt they were being paid fairly. The voters could make a change if that was what they wanted to do today, said Mr. Morrison.

Mr. Russell briefly reviewed a conversation with Colleen Haag, Shelburne Town Clerk, regarding what the Town Clerk's duties were when Colleen had first started 30 years ago. Colleen said that back then she did all the same duties that Mary did now. There was a shifting of some of the duties to the Shelburne Town Manger's office and Colleen's hours went from 60 hours per week to 40 hours per week, said Mr. Russell.

In response to a question regarding decreases to the bridge fund and traffic enforcement increase, Mr. Russell explained that the \$150,000 bridge fund approved at the 2013 Town Meeting was reduced due to delays and new grant opportunities.

Gordon Brown asked when the Town Clerk/Treasurer office last received a raise. Mr. Russell explained that an across the board increase occurred in FY07/08, and FY08/09. In FY00/01 the Clerk/Treasurer position had a 10.81 percent increase and a 3.1 percent cost of living increase in FY11/12, said Mr. Russell. Ms. Mead stated that she received a cost of living increase only, except in 1996 she had a merit raise. AMENDMENT to the amended Article 3 by Valerie Graham, seconded by Ms. Perkins, to add \$4,500 to the Selectboard's budget to hire a mediator to work out differences between the Town office and the Selectboard for a total budget amount of \$3,119,404.

DISCUSSION:

Jane McCullough, a professional mediator, said that both parties need to agree to mediate, or it doesn't matter how much money you add to the budget.

Mr. Morrison said that there was a good chance that there would be some new people on the Selectboard after the elections. The Board would review goals and assignments and the adversarial situation could work itself out, suggested Mr. Morrison.

Robert Chutter called the question, seconded by Wally Gates.

VOTE to call the question: carried by voice vote.

VOTE on the amendment to add \$4,500 to the budget: failed by voice vote.

Robert Chutter called the question, and seconded, to cease debate on the amended Article 3 to adopt a Selectboard budget of \$3,114,904.

VOTE to call the question: carried by voice vote.

VOTE on the amended Article 3 to adopt a Selectboard budget of \$3,114,904: carried by voice vote.

Article 4: Will the Town vote to authorize the Selectboard to borrow money by issuance of bonds or notes not in excess of anticipated revenues for the next fiscal year?

MOTION by Frank Reynolds, seconded by Nancy Rosenthal, to authorize the Selectboard to borrow money by issuance of bonds or notes not in excess of anticipated revenues for the next fiscal year.

VOTE: carried unanimously by voice vote.

Article 5: To transact any other business proper to come before said meeting.

ADVISORY MOTION by Vince Crockenberg, seconded by Dorrice Hammer, shall the voters of the Town of Charlotte adopt their town budget article or articles by Australian ballot not sooner than five weeks after the selectboard has been advised by the voters at the annual Town Meeting of any desired changes to the proposed budget.

DISCUSSION:

Vince Crockenberg, Town Meeting Solutions Committee member, reviewed the committee's background and proposal to advise the Selectboard to call a Special Town Meeting in the 2014 Fall with a specific article to adopt a town budget as a two step process.

Mr. Schwarz asked if the proposal was for two separate Advisory Motions. Mr. Crockenberg replied that it was one Advisory Motion in two parts.

Martha Perkins asked why was there an Australian ballot. Mr. Crockenberg explained that the greatest number of voters used Australian ballots, for example; the school budget. There was concern that participation was limited at Town Meeting where the smallest number of people turned out. The two part process allowed a Town Meeting to discuss and make changes to the Town budget, and a revised Town budget would be voted on later by Australian ballot, said Mr. Crockenberg.

There was lengthy discussion regarding Town Meeting tradition related to direct democracy, concerns that the proposed change would make Town Meeting advisory, and how to keep participation in the Town Meeting process.

Debbie Ramsdell asked what the change would cost. Ms. Mead said that a Special Town Meeting was around \$1,000 and \$500-1,000 for an Australian ballot.

Ms. Graham pointed out that part of the proposal that was not a part of the Advisory Motion was to broaden participation in Town Meeting by moving the time and date to when the town's people could attend.

Jessie Bradley called the question, seconded by Mary Mead.

VOTE to call the question: failed by voice vote.

DISCUSSION:

John Hammer reviewed the two part Advisory Motion on the floor, and an opportunity to change the date and time of the Town Meeting.

Bill Harris stated that the school vote change to Australian ballot was a sterilization of the process, and suggested bringing the school vote back to Town Meeting.

In response to a question of what happened if a budget failed to pass by Australian ballot, Mr. Russell said that the Selectboard would revise the budget and hold another Australian ballot vote.

FRIENDLY AMENDMENT by Michael Russell, to change the word "advised" to "direct".

DISCUSSION:

Mr. Crockenberg said that changing the wording from "advised" to "direct" may be more complicated legally. Mr. Russell said that the Selectboard didn't receive an answer if a Charter change was needed to 'direct' the Board versus 'advise'.

FRIENDLY AMENDMENT by Michael Russell, to add: strike the word "desired" as well.

DISCUSSION:

Lynn Jaunich, committee member, said that there were less than 6 percent of voters at Town Meeting versus 68 percent that vote by Australian ballot. The committee was asking that the value of Town Meeting to continue, said Ms. Jaunich.

Catherine Hughes said a change to a Saturday would get the same number attending, but with different people. She was not sure that a Saturday, or Sunday was the answer, said Ms. Hughes.

Mr. Chutter called the question, seconded by John Snow.

VOTE to call the question: carried by voice vote.

VOTE on the amended Advisory Motion by voice vote was unclear. Division of the house vote: ayes – 99, nays – 42; carried.

Claudia Mucklow suggested an Advisory Motion that the \$45,000 that the Town paid to CVFRS in FY14 for the hire of a full time paid fire fighter be returned to the taxpayers

since the position was recently filled and the person would not start until April 2014. The motion failed due the lack of a second.

John Snow, CVFRS member, explained the status of the paid fire fighter and that under the MOA any budget surplus/deficit was subject to a process. CVFRS could retain or return the funds to the Town. The funds were voted on last year, but not for any specific line item. He realized that the Town did a line item for a fire fighter, but if it was a surplus then the MOA decided how it was treated, reiterated Mr. Snow.

Chris Davis, Charlotte Fire Chief, explained that the hiring and advertising process started in January. Five candidates were interviewed and the position was offered to one of the candidates. The soonest that person could start was in April. The budget cycle ends on June 30th, said Chief Davis.

The assemblage thanked the Fire and Rescue members for their service to the Town.

Michael Yantachka, State Representative, reviewed a legislative report.

MOTION made and seconded to adjourn the 2013 March Town Meeting carried by voice vote.

The 2014 March Town Meeting was adjourned at 12:37 p.m.

Minutes respectfully submitted, Kathlyn Furr, Recording Secretary.