

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
NOVEMBER 18, 2013**

APPROVED

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

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: Robert Mack, Hugh Lewis Jr, Stephen Brooks, Tim McGinnley, Sue Smith, Jenny Cole, Moe Harvey, Carrie Spear, Nancy Wood, Betsy Tegatz, Betsi Oliver, Gary Pittman, David Nichols, John Hammer, Charlotte News; Chris Preston, Charlotte Citizen; and others.

ITEMS TAKEN UP:

- **VACE Insurance Program**
- **Sid Armell – offer to paint sign for the Quinlan Bridge indicating the dates of construction and reconstruction – action item**
- **Richard Corley, 257 Thompson’s Point Road, request to allow construction of a barn within an area under the jurisdiction of a Grant of Development Rights and Conservation Restrictions – action item**
- **Charlotte Park and Wildlife Refuge chainsaw class – action item**
- **Appeals by Leonard A. Duffy Jr and Carolyn B. Duffy, and Peter C. Holmberg and Denise T. Durling from decisions by the Board of Civil Authority dated August 7, 2013 – Executive Session**
- **Acceptance of Quinlan Bridge rehabilitation project – action item**
- **Lighting project at the Senior Center – action item**
- **Draft Audit Report for year ending June 30, 2013 – action item**
- **HVAC preventive maintenance contract – action item**
- **Planning & Zoning proposed budget for FY15 – discussion only**
- **Bridges 14, 30 & 31 – planning for repairs – discussion only**
- **Eyemed Vision Plan – action item**
- **Job description for Town Administrator – action item**
- **Selectboard meetings – procedure – discussion only**
- **Minutes – November 4**

CALL TO ORDER

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

ADJUSTMENTS TO AGENDA

Add: VACE insurance program discussion.

PUBLIC COMMENT

None.

VACE INSURANCE PROGRAM

Mr. Bloch reviewed that employees encountered some issues when attempting to sign up for Vermont Health Connect. A VACE Insurance program coverage election form received by the Town this date would allow employees enrollment options. The form would be filled out by the Town. Employees could sign up with BC/BS directly. Staff would find out the number of employees that successfully signed up on-line by Thursday, the cost for sign up via the VACE form, and if enrollment was extended by a month, said Mr. Bloch.

SID ARMELL – OFFER TO PAINT SIGN FOR THE QUINLAN BRIDGE INDICATING THE DATES OF CONSTRUCTION AND RECONSTRUCTION – action item

Mr. Russell noted that Sid Armell had not appeared at the meeting to discuss an offer to paint a sign for the Quinlan Bridge.

Mr. Morrison suggested that Mr. Armell should provide a sample of his work. There was a bronze plaque at the bridge already. Was Mr. Armell's sign in addition to that, asked Mr. Morrison. Mr. Russell replied yes.

Mr. Morrison would contact Mr. Armell and work with him regarding the sign offer.

RICHARD CORLEY, 257 THOMPSON'S POINT ROAD, REQUEST TO ALLOW CONSTRUCTION OF A BARN WITHIN AN AREA UNDER THE JURISDICTION OF A GRANT OF DEVELOPMENT RIGHTS AND CONSERVATION RESTRICTIONS – action item

Mr. Bloch explained that the Vermont Land Trust owned the development rights and the Town held easements on the Corley property. The proposed barn was on the east side of the existing driveway close to the edge of a wetland. It was not on agricultural land. A zoning permit was not needed. The Vermont Land Trust and the Town would need to sign documents that approved the barn structure, which was allowed under the grant agreement, said Mr. Bloch.

Tim McGinnley, representative for Richard Corley, reviewed a proposal to build a two story barn structure on property owned by Mr. Corley that has Vermont Land Trust and Town easement restrictions. The intended use was as a goat barn in back, equipment stored in front and storage on the upper floor. A car may be stored in the barn for winter, said Mr. McGinnley.

There was discussion regarding an area where trees were cut as shown in submitted photographs. Mr. McGinnley said that improvements were done in the wood lot the last two years, which was in Current Use. The area where the barn would be built has been cleared. The state reviewed the site and noted that the barn would be 13' too close to the wetland, said Mr. McGinnley.

Ms. Russell read the Grant Agreement language related to uses "...for agricultural, animals, or forestry purposes exclusively." She questioned a mention of storing a car in the barn, said Ms. Russell. Mr. McGinnley replied that he thought it would be for winter storage only, he was not sure.

Ms. Smith, Conservation Commission member, expressed concerns that runoff from the goats could go into the west branch of the Thorpe Brook. Mr. Bloch said that the Agency of Natural Resources didn't raise that as a concern.

MOTION by Mr. Morrison, seconded by Mr. Owen, to approve a request by Richard Corley to allow construction of a barn within an area under the jurisdiction of a Grant of Development Rights and Conservation Restrictions, property located at 257 Thompson's Point Road.

VOTE: 5 ayes; motion carried.

CHARLOTTE PARK AND WILDLIFE REFUGE CHAINSAW CLASS – action item

Mr. Russell reviewed a request by the Charlotte Park and Wildlife Refuge Committee to approve a contract for a chainsaw training and maintenance course.

Mr. Morrison asked if the costs for the course were net neutral for the Town. Ms. Cole explained that the course fees paid for the Northeast Woodland Training instructors.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a service contract with Northeast Woodland Training, Inc. for a chainsaw training course, and to authorize the Charlotte Selectboard Chair to sign the document.

DISCUSSION:

Ms. Cole explained that Northeast Woodland Training, Inc. would provide instructors and insurance. The course would be held in the park. The Park Oversight Committee would choose trees to be cut in the park to train on, which would be a benefit, said Ms. Cole.

Mr. Bloch asked if a cancellation fee would be assessed if a minimum number of participants hadn't signed up for the course. Ms. Cole said that the course limit was 10 people. A minimum number was 8. The course would be held in April. Three people already expressed interest, said Ms. Cole.

Mr. Brooks asked if the fees would be paid out of the Park budget, and if there was risk exposure to the Town. Ms. Cole replied that paying the course fees out of the budget had not been discussed.

Mr. Brooks asked if any amount due would come from the park budget. Mr. Russell replied yes.

Mr. Brooks pointed out that the UVM Extension Service advertised a certified chainsaw course for free. UVM could be contacted to do a course in Charlotte, suggested Mr. Brooks.

Ms. Cole said that the Vermont League of Cities and Towns had a scholarship program available. At this point she would like to move forward with the proposal. She would consider other options for a future time, said Ms. Cole.

Mr. Nichols noted that Northeast Woodland was holding the same course in Bristol. Ms. Cole replied yes. The Bristol course was filling up, said Ms. Cole.

Mr. Nichols asked if the Town had insurance in the event someone got hurt at the Park. Mr. Russell explained that the Town would be covered under the insurance plan provided by Vermont League of Cities and Towns. Ms. Cole said that the property where the course would be held could be an added insurer and she has requested that.

VOTE: 5 ayes; motion carried.

APPEALS BY LEONARD A. DUFFY JR AND CAROLYN B. DUFFY, AND PETER C. HOLMBERG AND DENISE T. DURLING FROM DECISIONS BY THE BOARD OF CIVIL AUTHORITY DATED AUGUST 7, 2013 – Executive Session

MOTION by Mr. Ladue, seconded by Ms. Russell, to enter Executive Session for the purpose of discussing matters of pending litigation, which might place the Town at a disadvantage, and to invite Moe Harvey, Betsy Tegatz, Betsi Oliver and the Selectboard Assistant to attend.

VOTE: 5 ayes; motion carried.

The regular meeting was recessed and the Selectboard entered Executive Session at 7:35 p.m.

MOTION by Mr. Ladue, seconded by Ms. Russell, to adjourn Executive Session and reconvene the regular meeting.

VOTE: 5 ayes; motion carried.

The Selectboard adjourned Executive Session and reconvened the regular meeting at 7:46 p.m.

Mr. Russell reported that no action was taken in Executive Session.

ACCEPTANCE OF QUINLAN BRIDGE REHABILITATION PROJECT – action item

MOTION by Mr. Owen, seconded by Ms. Russell, to approve acceptance of the Quinlan Bridge rehabilitation project letter as presented.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Ladue, seconded by Ms. Russell, to authorize the Charlotte Selectboard Chair to sign the Quinlan Bridge rehabilitation project acceptance letter on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

LIGHTING PROJECT AT THE SENIOR CENTER – action item

Mr. Russell briefly reviewed an invoice from Peck Electric Company regarding installation of lights at the Senior Center parking lot. There was a question if the payment would come out of the Senior Center budget versus the Town's Repair and Improvement fund, said Mr. Russell.

Mr. Ladue noted that Selectboard minutes indicated that the project would be paid from the Senior Center budget. What was the \$12,855 amount for, asked Mr. Ladue. Mr. Bloch replied that it was the total project cost. The invoice to date was \$10,284. The balance would be paid upon completion of the project, said Mr. Bloch.

Following further discussion, Mr. Russell referred to the 2013 Town Meeting report that the voters approved payment from the Repair and Improvement fund.

MOTION by Mr. Morrison, seconded by Mr. Ladue, to approve payment of \$10,284 for the lighting project at the Senior Center from the Improvement and Repair fund.

VOTE: 5 ayes; motion carried.

DRAFT AUDIT REPORT FOR YEAR ENDING JUNE 30, 2013 – action item

Mr. Russell reviewed that the draft audit report for the year ending June 30, 2013, included changes made by Batchelder Associates and language suggested by Nancy Wood, Town Auditor.

Ms. Wood suggested the following:

- Show \$15,000 as a transfer to the reappraisal fund as revenue versus as a transfer of revenue in NEMRC.
- The restoration fund should come in as revenue to the General fund.
- Page, 7, delete subtotals.
- Page 43, add a note to clarify the \$15,000 transfer.
- Page 21, increase the number of 14 Special revenue funds to 16.

MOTION by Ms. Russell, seconded by Mr. Owen, to approve the draft Audit Report for the year ending June 30, 2013, with the following exceptions:

- **Show \$15,000 as a transfer to the reappraisal fund as revenue versus as a transfer of revenue in NEMRC.**
- **The restoration fund should come in as revenue to the General fund.**
- **Page, 7, delete subtotals.**
- **Page 43, add a note to clarify the \$15,000 transfer.**
- **Page 21, increase the number of 14 Special revenue funds to 16.**

VOTE: 5 ayes; motion carried.

HVAC PREVENTIVE MAINTENANCE CONTRACT – action item

MOTION by Mr. Ladue, seconded by Mr. Owen, to award Climate System Inc. a two times per year contract at \$1,090 for cooling and air preventive maintenance, and to Patterson Fuels for a heating system preventive maintenance contract at \$85 per hour with a 10 percent discount on parts and materials.

VOTE: 5 ayes; motion carried.

PLANNING & ZONING PROPOSED BUDGET FOR FY15 – discussion only

Mr. Bloch reviewed a proposed \$29,670 Planning and Zoning budget for FY2014-2015 that included funds for consultant studies and a computer software GIS upgrade, and potential savings that could result with a combined salary for a new Town Planner/Zoning Administrator position.

BRIDGES 14, 30 & 31 – PLANNING FOR REPAIRS – discussion only

Mr. Ladue handed out copies of a 2013 AOT bridge inspection report and table, the engineering consultant's report for bridges 14, 30 and 31, dated April 2013, and computer screen views of bridge conditions for Selectboard review.

Mr. Ladue explained repairs needed for the wooden covered bridges 28 and 30. A bid could be put out over the winter regarding deck and bearing repairs and replacement of posts to Bridge 30, suggested Mr. Ladue.

Mr. Ladue reviewed that Bridge 27 needed additional riprap, which the Charlotte Road Commissioner could do. There was no engineering report for Bridge 27. The Town could post a request for quotes, said Mr. Ladue.

Mr. Russell noted that the cords on the covered bridge were rotting and asked if the roof was leaking. Mr. Lewis said that new roofs were put on 3-4 years ago. The rotting could have happened prior to the repairs, said Mr. Lewis.

Mr. Brooks thanked Mr. Ladue for his efforts regarding the bridges, and asked if there was a protocol to clean the inside of the covered bridges. Mr. Lewis explained that the Town vacuumed the bridge decks twice a year to clean the three covered bridges.

Ms. Spear asked if the lower bridge had black top approaches. Mr. Lewis explained that there was a black top approach on the Spear Street side only. The state may allow 100' approaches on either side to prevent the snow plows from digging up the approaches, said Mr. Lewis.

There was further discussion regarding an existing steep hill and curve on the roadway to Bridge 30 that had been discussed in the past, if more funds to address re-alignment of the roadway should be brought up at the next Town Meeting, and estimated costs of \$740,000 for replacement of the Carpenter Road Bridge. Mr. Lewis said that the guard rails were to be fixed this year. A southwest corner cement post clipped by tractor trailers was an issue. It was the length of the trailers that was the problem, said Mr. Lewis.

Mr. Russell asked staff to add the suggested bridge repairs to a future Selectboard meeting, including bid for quotes for bridges 28 and 30.

Mr. Ladue noted that the Holmes Bridge had a broken knee brace. Mr. Lewis explained that the roof would need to be lifted to repair the knee brace, and suggested installing a 4x4.

EYEMED VISION PLAN – action item

MOTION by Mr. Morrison, seconded by Mr. Ladue, to approve the pro-ration of Eyemed Vision Plan benefits for employees who work between 20 and 30 hours per week as approved for the health insurance benefits.

VOTE: 5 ayes; motion carried.

JOB DESCRIPTION FOR TOWN ADMINISTRATOR – action item

Mr. Bloch departed the meeting at 8:47 p.m.

Following discussion, corrections/changes to the draft Town Administrator job description were suggested:

- Under Qualifications, correct the spelling for “NEMRC”.
- Specific duties and responsibilities, #1, rewrite that the Town Administrator enforces operations under the direction of the Selectboard.
- #5, change to read “..As the Selectboard’s agent will supervise...”
- #11, rewrite to read as “...coordinates annual performance evaluations...”
- #13, change to read “...arranges for minutes takers for the Selectboard...”

Mr. Brooks said that when the Town votes on its executives, such as Selectboard, doesn’t it follow that the Selectboard would do the job they were elected for. The idea appears that some portion of the executive authority/responsibility has been moved to someone else. It should go back before the voters if there was a sea change, said Mr. Brooks. Mr. Russell explained that the tasks in the draft were already being done by the Selectboard Assistant.

Mr. Mack said that the title should be a Town Manager versus a Town Assistant since it looks like a manager’s job. Ms. Russell stated it was not a Town Manager, who would have the authority to make decisions on their own. A Town Administrator was under the direction of the Selectboard, clarified Ms. Russell.

Ms. Spear asked if the applicant interviews would take place in open meetings. Mr. Russell replied in Executive Session.

Ms. Russell said that she would make the edits/changes and e-mail the revised draft to Selectboard members for feedback.

Ms. Russell read Employment Policy Section 3.1.8, page 8, regarding requirements to post a job description/opening.

MOTION by Mr. Morrison, seconded by Mr. Ladue, to post a Job Description for a Town Administrator in accordance with the Employment Policy, Section 3.1.8.

VOTE: 5 ayes; motion carried.

SELECTBOARD MEETINGS – PROCEDURE – discussion only

Mr. Morrison noted that to get productive work done regarding polices, job descriptions, etc, Executive Session was a way for the Selectboard to be productive. Public comments were appreciated during open meetings, but could become redundant at times. The Selectboard has to become more efficient. It was hard to comprehend all the word-smithing, said Mr. Morrison.

Mr. Russell read open meeting laws regarding public input, which were posted in the Town Hall. The Burlington Council takes public comment at the beginning of a meeting, and takes public comments for agenda topics. Public comments could be taken under advisement with less dialog, said Mr. Russell.

Mr. Mack expressed concern that the public doesn't receive documents until the evening of a meeting. Mr. Morrison pointed out that all documents were available prior to a meeting on the Town website under the Selectboard meetings, agenda tabs.

Mr. Russell clarified that this discussion concerned how the Selectboard would receive public comment and how to conduct a meeting. Should there be discussion throughout the meeting, at the beginning, or the end, asked Mr. Russell. Ms. Spear said the public was 'the customer' and the Selectboard has to listen to the customer.

Mr. Owen said that public input was fine. There shouldn't be arguing back and forth, which was counter-productive, said Mr. Owen.

Mr. Hammer explained that when he was a Selectboard member he learned to never argue from the table. Discussion was needed all through a meeting or topic. The Selectboard has an option to delay discussion on a thorny issue to later in a meeting, said Mr. Hammer.

Ms. Wood said that the Burlington Council provided a table in the meeting room with a binder that contained all the handouts and documents for the public to see. The Chair could limit discussion and have reasonable controls, could ask for public comments, and then the Council would have their discussion, explained Ms. Wood.

Mr. Lewis suggested that if the agenda was sent out by Friday night, then people could come in on Monday morning for the documents/information. Everyone could get one comment limited to 10 minutes, or the Selectboard could postpone any action until another meeting, said Mr. Lewis.

Mr. Morrison would report back regarding possible procedures after attending an Open Meeting Law work session put on by Stitzel, Page and Fletcher, attorneys.

MINUTES – November 4

MOTION by Mr. Owen, seconded by Ms. Russell, to approve the Selectboard minutes of November 4, 2013, with additions/corrections as follows:

- **Page 5, Selectboard updates, 4th paragraph, change to read “. That payroll checks would be issued.”**

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

COMMITTEE UPDATES

Mr. Morrison reported that he had talked with Carl and Gloria regarding a date for the Volunteer Appreciation Party. December 6th was selected. Little Market would cater the party and invitations would be sent out, said Mr. Morrison.

APPROVE WARRANTS TO PAY BILLS

The Selectboard signed warrants to pay bills.

ADJOURNMENT

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 9:43 p.m.

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