

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
OCTOBER 24, 2016**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Carrie Spear, Fritz Tegatz, Matthew Krasnow (arrived 6:54 p.m.), Jacob Spell (arrived 7:14 p.m.).

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Jim Ouimette, Allen Karnatz, Mary Mead, Hank Kaestner, Sue Smith, Jenny Cole, Robert Mack, Jon Davis, Mark Dillenbeck, Chris Davis, Charles Baker, Richard Tonino, Lynn Montz, Charlotte News; and others.

Site visit: Flat Rock Road near intersection with Thompson's Point Road—to view proposed osprey nesting pole/platform

ITEMS TAKEN UP:

- 6:51 PM Quitclaim Deed from the Town of Charlotte to Clark W. Hinsdale, III for lease lands (aka "glebe lands") on the former Roby/Dike farm
- 7:05 PM Installation of osprey nesting pole & platform in field off of Flat Rock Road & Thompson's Point Road, Thompson's Point
- 7:10 PM Selectboard updates 7:20 PM CVFRS quarterly report; discussion of purchase of a pumper
- 7:45 PM Interview Mark Dillenbeck for appointment as Tree Warden for term ending in March, 2017
- 7:50 PM Budget Review 7:50 PM—Charlotte Park & Wildlife Refuge Oversight Committee 8:05 PM—Tree Warden
- 8:15 PM Charlie Baker, Executive Director of Chittenden County Regional Planning Commission—annual meeting with Selectboard
- 8:30 PM Letter to Vermont Transportation Board regarding transportation policy associated with hazardous material storage and crossings
- 8:45 PM Village Wastewater System—schedule meeting to review policy issues
- 9:00 PM Selectboard schedule for November and December

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:50 p.m.

QUITCLAIM DEED FROM THE TOWN OF CHARLOTTE TO CLARK W. HINSDALE, III FOR LEASE LANDS (AKA "GLEBE LANDS") ON THE FORMER ROBY/DIKE FARM

Jim Ouimette and Allen Karnatz, Vermont Land Trust representatives (VLT), reviewed a history of glebe lands that are a perpetual land lease and organizations that would benefit. Lots were set aside across the state at a \$5-20 per year rent for as "long as the water runs and trees grow". After the Revolution the legislature turned the leases over to the towns and the rents were to be credited against property taxes paid. VLT, conservation boards,

and USDA that provide funding for affordable housing developments and conservation projects require a quit claim deed to transfer ownership from a town to the land owner. In Charlotte if is the Bean Farm, said Mr. Ouimette.

Ms. Spear asked how many lease lands are in Charlotte. Mr. Ouimette replied it was hard to determine. A release is needed on the Bean Farm for the project to go forward. It is in a title chain of claim on the Clark Hinsdale III lands from his father, Clark Hinsdale Jr, explained Mr. Ouimette.

Mr. Tegatz asked if the land he purchased from Clark is a leased land. Mr. Ouimette said that Mr. Tegatz purchased his land from Clark Hinsdale Jr, not Clark Hinsdale III. Mr. Tegatz may need a release, said Mr. Ouimette.

Ms. Spear asked what the town is giving up. Mr. Ouimette replied that the Town would need to locate original lease language. Rents will not be an issue since the rents are folded into the property taxes. A lease is in perpetuity, reiterated Mr. Ouimette. Mr. Morrison clarified that this is just a formality to clear the title.

Mr. Krasnow asked if there were any towns that have not signed releases. Mr. Karnatz reviewed that he has researched and cleared 20-30 titles in Addison and Chittenden counties without an issue.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a Quit Claim deed from the Town of Charlotte to Clark Hinsdale III for lease land, or Glebe lands, on the former Roby/Dike farm, and to authorize the Charlotte Selectboard Chair to sign the documents on behalf of the Town of Charlotte.

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

ADJUSTMENTS TO THE AGENDA

Add: CSWD survey release pending any further comments and review and approval by Carrie Spear regarding the survey language.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve release of a Chittenden Solid Waste District survey pending any further comments, and review and approval by Carrie Spear regarding the survey language.

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

PUBLIC COMMENT

Mary Mead asked for clarification of two invoices. One is for the installation of a filter at the Senior Center for the amount of \$1,777.76. A question is what line item the funds should come from. In June, 2016, the Selectboard approved a motion to authorize Fritz Tegatz to spend \$1,200 from the Charlotte Operating Budget, clarified Ms. Mead.

Mr. Tegatz explained that the Senior Center kitchen required a filter for the wastewater system. Bids were requested and the town received one bid, said Mr. Tegatz. Ms. Mead

asked if the Selectboard put money in the budget for that item. Mr. Tegatz replied no. It can be paid out of the FY2017 Maintenance Reserve fund, suggested M. Tegatz.

Ms. Mead asked if the second invoice was for work performed by Mow, Mow, Mow in the amount of \$75. Mr. Morrison replied yes.

INSTALLATION OF OSPREY NESTING POLE & PLATFORM IN FIELD OFF OF FLAT ROCK ROAD & THOMPSON'S POINT ROAD, THOMPSON'S POINT

Hank Kaestner, Thompson's Point summer resident, reviewed a proposal to install a GMP utility pole at the corner of Flat Rock Road and Thompson's Point Road on Town owned land for the purpose of an Osprey nest platform. Mr. Morrison said that GMP has offered to install the pole. A site visit was conducted this evening, reported Mr. Morrison.

Mr. Tegatz asked if the installation would miss the force main septic lines. Mr. Kaestner explained that he and Steve Williams had reviewed the site and septic line locations.

MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve the installation of a Osprey nesting pole and platform by Green Mountain Power in a field off of Flat Rock Road and Thompson's Point Road, on Thompson's Point.

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

SELECTBOARD UPDATES

Mr. Tegatz asked for an update regarding a proposed retaining wall on Lot 160, Thompson's Point Road. Mr. Bloch said that the applicant was asked to add the wall details and location and riprap outfall drainage details on the site map.

Mr. Bloch reported that the Peck Electric solar installation hearing is scheduled for the end of November.

Mr. Bloch reported that Mr. Spell and the Town Attorney had attended a mediation meeting regarding the Old Lantern. No settlement was reached after 9.5 hours of negotiation. The talks will continue and if no resolution is reached then the matter will go to trial, said Mr. Bloch. Mr. Morrison said that going forward there is no need for the Town Attorney to attend.

Mr. Krasnow said that he was waiting to hear back from Captain Major regarding additional police services. Mr. Spell spoke in support of issuing speeding tickets and fines versus a softer approach. Let law enforcement do their jobs and that will stop speeding, said Mr. Spell.

Mr. Krasnow said that ticketing is supported and he has directed the patrols to do so.

CVFRS QUARTERLY REPORT; DISCUSSION OF PURCHASE OF A PUMPER

Fritz Tegatz reviewed a CVFRS quarterly Financial Management (Operating) FY2017 report and a Budget versus Actuals FY2017 report. The state legislature approved a 3.75 percent tax on net insurance billing revenue on the Rescue side, reported Mr. Tegatz.

Mr. (Jon) Davis, CVFRS Vice President, clarified that the state was not taxing the Town appropriation. The insurance revenue tax is to offset Medicare/Medicaid payment deficiencies throughout the state. Mike Yantachka was told that the tax would not benefit Charlotte. An estimated \$100,000 of billing insurance receivables taxed at 3.75 percent comes to a \$4,000 tax, said Mr. Davis.

There was further discussion regarding a Spill or Pay Ordinance that will allow the Town to bill for hazardous material cleanup; CVFRS Financial Management/Special Funds income and potential expenses; and a purchase of a used Coast Guard boat for rough water operations paid out of Special Funds and a donation.

In response to questions, Mr. Davis explained that the new boat would provide a capability not provided elsewhere on the lake. CVFRS would try to recoup some of the expenses. The Burlington based Coast Guard has offered training of the boat operators. Dick St George and Rob Mullin are planning on an informational presentation, said Mr. Davis.

Mr. Tegatz said that a FY2016 post audit Surplus Calculation requires Selectboard approval.

MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve an FY2016 post audit CVFRS Surplus Calculation of \$9,575.17 as presented.

DISCUSSION:

Mr. Spell asked if CVFRS bank statements for the last two years have been forwarded to the Town for review. Mr. Tegatz replied no.

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

INTERVIEW MARK DILLENBECK FOR APPOINTMENT AS TREE WARDEN FOR TERM ENDING IN MARCH, 2017

The Selectboard interviewed Mark Dillenbeck for the position of Charlotte Tree Warden.

MOTION by Mr. Spell, seconded by Ms. Spear, to appoint Mark Dillenbeck as the Charlotte Tree Warden for a term ending in March, 2017.

DISCUSSION:

Mr. Tegatz asked if the Emerald Ash Tree Borer has been found in Charlotte yet. Mr. Dillenbeck replied not that he is aware of.

Ms. Spear asked to have dead trees in the Town rights-of-way cut down. Mr. Dillenbeck suggested that Ms. Spear contact the Charlotte Road Commissioner.

Mr. Mack asked to have overhanging tree limbs in the road travel way cut back to a height of 14'.

VOTE: 5 ayes; motion carried.

The Selectboard thanked Mr. Dillenbeck for his many volunteer hours, and stated that Larry Hamilton will be very much missed.

Mr. Krasnow suggested posting a notice of the Charlotte Tree Warden appointment on Front Porch Forum.

BUDGET REVIEW

TREE WARDEN

Mr. Dillenbeck reviewed a FY2017 budget request of \$1,500. The increase is due to increased transportation mileage expenses, said Mr. Dillenbeck.

Ms. Spear asked if the increased mileage expenses could be covered through the Reuter Fund. Mr. Dillenbeck said that will require a review of the fund language.

Ms. Smith, Charlotte Deputy Tree Warden, said that the Tree Warden puts on a lot of mileage for GMP, Thompson's Point, resident and Town requests. Ms. Mead said that the Reuter Fund is a Town fund for planting trees. The fund could be used for whatever the Town wants. There is a fund balance in the \$4,000 range, said Ms. Mead.

Mr. Mack asked if the Tree Warden stipend is paid by the Selectboard. Mr. Krasnow replied that the stipend is one-third of the \$1,500 budget. Mr. Dillenbeck explained that a financial report in the form of an Excel spreadsheet is submitted to the Town Treasurer.

Mr. Dillenbeck said that the Tree Warden has the latitude to appoint a second Deputy Tree Warden position. He would forward an appointment to the Selectboard, said Mr. Dillenbeck.

CHARLOTTE PARK & WILDLIFE REFUGE OVERSIGHT COMMITTEE

Sue Smith and Jenny Cole, Charlotte Park and Wildlife Refuge Oversight Committee representatives, reviewed a proposed Fy2017/2018 budget of \$14,900, of which \$2,700 was included for an Ahead of the Storm erosion control construction project.

There was discussion regarding brush hogging at the Route 7 Overlook area; FY2016/2017 expenses versus actuals (Ms. Cole handed out an Excel spreadsheet for Selectboard review); offset revenues from chainsaw safety courses, agricultural lease revenue of \$3,200, and a grant of \$1,000 for planting Elm trees; and a Selectboard request that the Park Oversight Committee submit a break down of expenses/revenues as back up documentation for a proposed budget.

Mr. Mack asked if the Selectboard required a detailed Scope of Work for mowing and brush hogging bids at the Park so that comparable bids are submitted. Ms. Cole stated that the mowing and maintenance projects follow the Town's bidding process. People are selected based on hourly rates, costs, type of equipment needed for a project, and quality

of work. The Park Oversight Committee provides written reports with quoted prices and documentation, explained Ms. Cole.

Mr. Tegatz said that the independent auditors are looking at Purchasing Policy compliance. A break down of individual projects and costs should be presented during the budget discussions, said Mr. Tegatz. Ms. Cole said that she would e-mail copies of a spread sheet report to the Selectboard.

Ms. Smith suggested that the Town create a list of approved contractors that meet the Park's requirements for rates, equipment, and are licensed to work in rights-of-way. Mr. Krasnow said that the committee will work with staff to create a qualified vendor list.

CHARLIE BAKER, EXECUTIVE DIRECTOR OF CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION—ANNUAL MEETING WITH SELECTBOARD

Charlie Baker, Chittenden County Regional Planning Commission Executive Director (CCRPC), reviewed a power point presentation regarding an annual CCRPC report related to county and Charlotte specific projects. Other issues are water quality and transportation planning. In Charlotte there is a 'direct to lake' basin plan. The CCRPC would work with Charlotte to inventory roads and road erosion issues, said Mr. Baker.

Mr. Bloch asked if the state has created road erosion standards. Mr. Baker replied yes. The state is working on releasing a draft by December, said Mr. Baker. Mr. Tegatz pointed out that Charlotte has more private road erosion issues versus town road erosion issues. There are more safety issues on Town roads, such as dips, or blind spots, said Mr. Tegatz. Mr. Baker said that there is 100 percent federal funding for road safety; for example, high crash locations. The CCRPC can assist the Town sometime in November or December, said Mr. Baker.

Mr. Krasnow asked if transferable development rights are transferable between towns related to density build out. Mr. Baker replied that it didn't work well across towns. A problem is there needs to be low density where a higher density is wanted. You need to work with farmers in the rural areas where there is a lower density to transfer rights to where a higher density is wanted, said Mr. Baker.

Mr. Mack said that addressing road sides and ditches as per the water quality bill has a high cost associated with it. Mr. Baker replied that there is a \$70 million funding gap for the next 20 years. Property owners predating the stormwater permitting process will be hit with compliance and those costs. The separate agency permit silo's that exist are a policy challenge. The CCRPC will assist the Town with writing Better Back Roads grants, said Mr. Baker.

Following a brief discussion regarding a regional park and ride lot, Mr. Krasnow suggested adding it as a future actionable agenda item.

LETTER TO VERMONT TRANSPORTATION BOARD REGARDING TRANSPORTATION POLICY ASSOCIATED WITH HAZARDOUS MATERIAL STORAGE AND CROSSINGS

Chris Davis, Charlotte Emergency Management representative, reported on a Vermont Rail Plan; potential passenger rail and increased freight rail on the west side of the state; a Vermont Transportation Board, a quasi-independent fact finding board for the state legislature, that is taking comments from communities state-wide related to transportation issues and impacts, and a request for a letter outlining the Charlotte Selectboard comments/positions. The deadline for submitting a letter is November 30th, said Mr. Davis.

There was discussion regarding rail freight traffic that is composed of 70 percent through traffic; public safety and emergency response issues regarding major rail accidents; and potential solutions being researched by Lydia Clemmons and Mr. Davis.

Mr. Baker suggested that Charlotte share information with the Vermont Rail Council and surrounding communities.

NEXT STEPS:

- Lydia Clemmons to submit input and comments
- Chris Davis to coordinate with Lydia Clemmons
- Add: approve a draft Selectboard letter and release on the November 14th Selectboard agenda

Mr. Morrison thanked Mr. Davis for his comprehensive report.

VILLAGE WASTEWATER SYSTEM—SCHEDULE MEETING TO REVIEW POLICY ISSUES

Following a brief discussion, the Selectboard members spoke in favor of a Village Wastewater System policy work session starting at 6:00 p.m. on Monday, November 14, 2016, with David Marshall, Fritz Tegatz and Dana Hanley presenting.

MINUTES: October 13, 2016

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the Charlotte Selectboard minutes of October 13, 2016, as written.

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

Ms. Spear stated that she wanted to make it clear that there are no Town funds involved in the Tractor Parade.

SELECTBOARD SCHEDULE FOR NOVEMBER AND DECEMBER

- November 14 at 6:00 p.m. – West Village Wastewater work session
- November 28 at 6:00 p.m.
- December 12 at 7:00 p.m.
- December 19 at 7:00 p.m.

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 10:14 p.m.

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