

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
OCTOBER 26, 2015**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Carrie Spear, Jacob Spell, Fritz Tegatz, Matthew Krasnow.

OTHERS: Vince Crockenberger, Ellie Russell, Lynne Jaunich, Christina Booher, Valarie Graham, Mary Mead, Charles Russell, John Snow, Robert Mack, Jenny Cole, Claudia Mucklow, David Kenyow, Kate Lampton, Jim Donovan, Stephen Brooks, Betsi Oliver, Betsy Tegatz, Dick St George, Chris Davis, Marty Illick, David Nichols, John Hammer, Charlotte News, and others.

5:30 PM Site Visit: for Aube Highway Access Permit application, 440 Dorset Street.

ITEMS TAKEN UP:

6:00 PM Second Hearing for Legislative Charter. Discussion only

6:35 PM Galbreath parcel—agricultural lease. Possible action: renew 5-year lease to Clark Hinsdale, III, Managing Partner, Nordic Holsteins, LLC

6:45 PM West Charlotte Village Wastewater Committee. Possible action: appoint for terms ending in October, 2017: David Kenyon, Terry Silva

7:05 PM George and Claire Aube —hearing to review an application for a Highway Access Permit (HAP-15-06) for an access to a proposed building site on an existing building lot. Possible action: approve

7:10 PM CVFRS quarterly report and budget review. Discussion only

7:30 PM CVFRS capital funding request. Possible action: approve

7:40 PM Budget Review. Discussion only

Charlotte Land Trust—7:40 PM

Conservation Fund (presented by Charlotte Land Trust)—7:55 PM

Board of Listers—8:15 PM

Charlotte Park & Wildlife Refuge Oversight Committee—8:25 PM

8:40 PM Jim Donovan and Marty Illick — regional planning issues. Discussion only

8:55 PM Donation to Front Porch Forum. Possible action: approve

9:00 PM Animal Control Officer Compensation. Possible action: approve payment of mileage

9:05 PM Appeal by Scott Hardy (122-10-15 Vtec). Possible action: authorize Town Attorney to make an appearance

9:10 PM Town Report printing. Possible action: approve quote

9:00 PM Employee Performance Reviews. Possible Executive Session

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:06 p.m.

SECOND HEARING FOR LEGISLATIVE CHARTER. Discussion only

Mr. Morrison suggested setting up informational meeting dates, and a communications plan. A potential 3rd hearing on Tuesday, December 15th at 2:00 p.m. at the Senior Center could be a forum to inform people what the Legislative Charter was and did, and then those people could tell others about it, said Mr. Morrison.

Mr. Russell said that a 2:00 p.m. meeting time was a concern and the Senior Center hearing should be informational versus a hearing. Mr. Morrison said that when the charter was submitted to the Legislature it was conveyed that the more hearings held the better. A February hearing could be scheduled, suggested Mr. Morrison. Ms. Mead suggested holding an informational meeting the Monday before Town Meeting day when the School held their meeting.

There was further discussion regarding a communication plan that included informational articles posted on Front Porch Forum, letters and articles in the Charlotte Citizen and Charlotte News, and a direct mailing; and the Selectboard collaborating with the committee to identify concerns/issues regarding a charter.

Mr. Crockenberg asked what the committee could do to help the Selectboard understand the Charter. What were the Selectboard members' objections, or understanding of the charter, asked Mr. Crockenberg.

Mr. Tegatz said that he didn't think it is a lack of understanding. It is a chipping away of the democratic processes, suggested Mr. Tegatz. Ms. Spear agreed and said that people understood it. It is education and personal preferences, said Ms. Spear. Mr. Morrison clarified that people see it as a threat to Town Meeting as we understand it. They may not come to Town Meeting if the budget was voted by Australian ballot, said Mr. Morrison.

Ms. Graham said that three fourths of New Hampshire towns use a two-step model already. It is a dual process and their Town Meetings are doing well, said Ms. Graham.

Ms. Mead noted that the same small group of people attended Town Meetings. Someone should write an article and keep writing it regarding the process: that there will be Town Meeting, there would be a budget discussion on the floor, the budget could be adjusted and the budget would be voted on from the floor. Then that budget would be adopted by Australian ballot at another time. They need to understand the process and exactly what is expected of them, said Ms. Mead.

Identified tasks:

- Resurrect the Selectboard's Corner in the Charlotte News.
- Create a bulleted facts sheet.
- A direct mailing.
- Craft a one-page article, with borders, for the Town Report.

Mr. Krasnow said he supported a direct mailing to citizens for the purpose of education. Mr. Morrison said that he would work on a fact sheet with other interested parties.

Mr. Russell noted that at the last Selectboard meeting two Selectboard members didn't appear comfortable with the Charter process and they supported a sunset provision. Mr. Tegatz said his personal view was that he liked Town Meeting as is. As a Selectboard member he had to follow citizen requests to put it forward, said Mr. Tegatz.

Mr. Yantachka said that meetings should be informational. Individuals could write letters and take as many opportunities to talk to people as possible; for example, have house parties, or speaking at other events. He would get back to the committee regarding details for a presentation at the Senior Center on Tuesday, December 15th, said Mr. Yantachka.

Mr. Crockenberg said that he was still at 'sea' regarding Selectboard objections to the charter. Matt wanted a sunset provision at the last meeting. He hasn't heard anything substantive from Jacob, or Fritz, said Mr. Crockenberg.

Mr. Spell stated that he had no position at this point. It appeared that 4 percent of Town voters vote at Town Meeting, which was a low percentage. There was a lack of legal or legislative comments and open ended questions:

1. There would always be a Town Meeting, voters could change the Town budget from the floor, and two weeks later would vote on it by Australian ballot. Someone could lobby to change line items, and that could make it more difficult.
2. Changes town government was a substantial change to the state statutes and how the town runs. What can be changed is a serious question with no answers. Two hundred years ago the people talked a long time – worst case scenarios and best case scenarios.
3. He had a lot of questions for the committee that needed to be discussed. Professionals should be brought.
4. People that vote already know how they want to vote in a booth.
5. A communication plan should be looked at as a group.

Ms. Jaunich suggested that Mr. Spell write down his questions so the answers could be found. Mr. Spell stated that when he makes a decision it'll be in the best interests of the people.

Ms. Graham reviewed that a proposed budget is presented in the Town Report. People read it in advance and think about it. They vote on it at Town Meeting, which is a final vote. If people don't go to Town Meeting they can't vote on it. The charter will keep Town Meeting, but everyone gets to vote later by Australian ballot, explained Ms. Graham. Mr. Spell said that was one example of what he's talking about. He can't determine if it can happen, or not. He was elected eight months ago, and as a new Selectboard member he is being asked to make changes to a 250 year old voting process. We are experimenting, said Mr. Spell. Ms. Graham replied that it would become clear after an Australian ballot vote at Town Meeting. Then you'll know where people stand, said Ms. Graham.

Ms. Russell stated that the idea for a charter came from the public, not this committee. There had been a request to consider the change to the way we vote at Town Meeting and the committee responded, said Ms. Russell.

Mr. Yantachka said that Town Meetings are direct democracy. People had the time to come to Town Meeting, analysis and debate items and vote. Society is different now. People work, and have child issues. A small percentage of voters do attend Town Meeting. The original initiative was to vote a Town budget via Australian ballot the same way the school votes on its budget. Only a few dozen people go to the school meeting. The charter model seeks to keep a strong attendance at Town Meeting, have a debate, and give more people the opportunity to vote on a Town budget later. It was a question on how to get more people to vote, said Mr. Yantachka. Mr. Spell replied that in this day and age we can use median of various forms. For example, video recording, live streaming, etc., to increase people's participation in meetings.

Mr. Hammer clarified that there was a motion made on the floor at Town Meeting to vote the Town budget by Australian ballot. There was a debate and the motion was tabled. This committee was formed to explore how to keep Town Meeting and vote a Town budget by Australian ballot. There is no way to know if that movement would come again. If so, then we would lose Town Meeting. With a charter as proposed it is a way to keep Town Meeting, said Mr. Hammer.

Mr. Krasnow said that he would like factual information on why to vote for a charter. Look at the 75 percent of New Hampshire towns that use this model and bring in data for an apples-to-apples comparison, said Mr. Krasnow. Ms. Jaunich said that New Hampshire towns moved their Town Meetings to January and then vote later by Australian ballot. We would keep Town Meeting the same so it would not be an apples-to-apples comparison. There were only 338 people who voted to switch the school budget adoption by Australian ballot, pointed out Ms. Graham.

ADJUSTMENTS TO AGENDA

Add: Selection of December Selectboard dates.

PUBLIC COMMENT

Ms. Booher asked the Selectboard to consider the following:

- hire a new janitor for cleaning the Town Hall;
- appoint a Selectboard member to sign payroll warrants while the Selectboard Chair was absent; and
- a discussion regarding the use of agenda wording of "action items" or "discussion only".

Mr. Russell, a former Selectboard member, explained that he and Dean Bloch decided to use the distinction for transparency to inform the public what would be an action item, or a discussion item. It would allow people to decide if they wanted to, or needed to attend a Selectboard meeting, or not, said Mr. Russell.

Ms. Russell said that it came about because the public wanted to know when the Selectboard was going to vote on an agenda item. They wanted input before a vote, clarified Ms. Russell.

Ms. Cole suggested that the Selectboard create a new Town Green Committee. Everything was looking good and there was more work to do. Additional plantings next spring, for example, said Ms. Cole. Mr. Morrison asked Ms. Cole to draft a list. Mr. Bloch said that committee positions would be advertised town-wide before making appointments.

GALBREATH PARCEL—AGRICULTURAL LEASE. Possible action: renew 5-year lease to Clark Hinsdale, III, Managing Partner, Nordic Holsteins, LLC
MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to renew a five year agricultural lease of the Galbreath Parcel to Clark Hinsdale, III, managing partner, Nordic Holsteins, LLC., for a term ending December 31, 2020.

DISCUSSION:

Mr. Spell asked why the lease wasn't included with the Park agricultural lease. Ms. Cole explained that the Galbreath parcel was Town owned land located across the road and separate from the Park land. The Park Oversight Committee wasn't involved in the Galbreath lease, said Ms. Cole.

VOTE: 5 ayes; motion carried.

WEST CHARLOTTE VILLAGE WASTEWATER COMMITTEE. Possible action: appoint for terms ending in October, 2017: David Kenyon, Terry Silva

Ms. Spear said that a West Charlotte Wastewater Committee should be formalized, the number of committee members identified, and that openings should be advertised.

Mr. Tegatz said that as the Selectboard liaison to the committee he felt that the 'scope' was sketchy. He has talked to David Marshall about a committee. A mission and goals needed to be identified first, said Mr. Tegatz. Mr. Bloch reviewed that committee goals were discussed at a September 14, 2015 Selectboard meeting. Four objectives were identified: to develop; prioritization; financing and develop an ordinance.

Mr. Morrison asked Mr. Spell and Mr. Tegatz to review a scope of work, decide on a number of members, and then staff would advertise the committee openings.

Action on the West Charlotte Village Wastewater Committee was deferred to a future Selectboard meeting.

GEORGE AND CLAIRE AUBE —HEARING TO REVIEW AN APPLICATION FOR A HIGHWAY ACCESS PERMIT (HAP-15-06) FOR AN ACCESS TO A PROPOSED BUILDING SITE ON AN EXISTING BUILDING LOT. Possible action: approve

MOTION by Ms. Spear, seconded by Mr. Krasnow, to approve a request by George and Claire Aube for a Highway Access Permit, HAP-15-06, for an access to a proposed building site on an existing building lot.

DISCUSSION:

Mr. Tegatz said that the proposed driveway was 100' south of the access depicted on the site plan. Mr. Krasnow explained that the access was discussed at the site visit conducted this date. There were better sight distances 100' further to the south and closer to a hedgerow than the originally proposed location, said Mr. Krasnow.

Mr. Bloch pointed out that the Charlotte Road Commissioner had reviewed the site and that a 15"x30' culvert was needed.

VOTE: 5 ayes; motion carried.

CVFRS QUARTERLY REPORT AND BUDGET REVIEW. Discussion only

Mr. Snow and Mr. St George, CVFRS representatives, appeared before the Selectboard.

Mr. Morrison outlined questions as follows:

- an overview of the proposed CVFRS operating budget;
- any changes to a capital projects projection, and how that would affect the budget; and
- what employees might hire.

Mr. Snow answered that

- a budget could not be presented until it was approved by the CVFRS membership as per the bylaws. It would take a few more weeks to analyze quarterly updates regarding possible changes, such as insurance costs. There was not anything in the current experience to cause us to believe the budget would be materially different from last year. Last year the worker's compensation was a surprise.
- Regarding hiring, it is big moving piece – compensation and benefits of EMS staff. Certification rates were being re-crafted. Recue had to fill 28 slots a week. The target was for 6-7 shifts a week. District 3 requirements were more stringent than other districts. Turnover in paramedics was high.
- Pre-diems are hired. There were currently 2-3 shifts per week. There are three volunteer members signed off to drive an ambulance. Of the 28 slots, 25 were paid. There was one full time person covering three shifts, and that person does managerial and administrative tasks as well. The Corporate Board has established an HR Committee. One more full time EMS would give more shift coverage and contain benefit costs. The service was trying to avoid overtime costs.
- Regarding hourly rates, an EMR gets \$12_± per hour, EMT's at \$14-15 per hour, and a paramedic at \$18_± per hour.

Mr. Krasnow asked if a full time paramedic was salaried. Mr. Snow replied no; it is hourly.

Ms. Mead asked for a copy of overtime data for FY14/15 - July 1 to October 31, 2015. Mr. Tegatz said he would get the information to Ms. Mead.

Mr. Mack asked how the Town and CVFRS benefit package compared. Mr. Russell replied that the CVFRS was 100 percent versus 90 Percent. Mr. Snow clarified that an

amount of money was set aside based on a BCBS plan that an employee could use. There were 2 people eligible for health and retirement benefits, with only one person participating. There is an open enrollment period coming up, said Mr. Snow.

Mr. Snow reviewed a one page operating management financial report - revenues and expenses. Mr. Davis noted that fire vehicles were included in the Repair and Maintenance expense line item, and only two of the vehicles were for Rescue.

Mr. Spell asked for a copy of an equipment inventory. Mr. Tegatz would provide that and a maintenance schedule.

Mr. Mack asked if the financial report was a unified budget. Mr. Russell replied it was the operating budget, which was for the Town appropriation.

Ms. Mead said that it would be easier and more consistent to have a management financial report that was modeled on the CVFRS report in the Town Report, and it should include monthly reports. Mr. Tegatz would provide month end reports from the Quickbooks program.

Mr. Krasnow asked if Mr. Russell could prepare last years' financials in an Excel spreadsheet. Mr. Russell replied could run a Quickbooks report to compare this year to last year.

CVFRS CAPITAL FUNDING REQUEST. Possible action: approve

Mr. Morrison asked for a summary of capital expenditures. Mr. Snow said that anything over \$5,000 has to come before the Selectboard. There were three capital items to consider: bunker gear at \$3,000 each. A question was if it was looked at as 3 individual costs, or a total of \$9,000; a thermal imaging camera; and an IV pump at less than \$3,000.

Mr. Morrison said to submit a request to the Selectboard at the next Selectboard meeting.

Mr. Russell said that the CVFRS auditor has requested a note from the Town that nothing was owed to the Town. Mr. Morrison asked Mr. Russell to send the document to the Town for signature.

Mr. Mack asked if David Stewart was compensated when he was terminated, and where the funds came from. Mr. Snow replied that the compensation came out of the operating budget, payroll line item.

Mr. Mack asked what the total amount was for the overtime and compensation to David Stewart. Mr. Tegatz would provide the requested information. Mr. Snow stated that CVFRS could not discuss individual compensation.

There was discussion regarding replacement of a thermal imaging camera that had a life span of 7 years; a lost camera that was covered by insurance; and a proposal to purchase two demonstration cameras for a price slightly above a new camera cost.

Mr. Snow explained that the HR Committee was looking at salary scales and hourly rates. There were no automatic cost of living increases. Volunteer numbers in Rescue were down, Fire was fine, said Mr. Snow.

The Selectboard thanked the CVFRS representatives for their report.

BUDGET REVIEW. Discussion only

- Charlotte Land Trust—7:40 PM

Ms. Lampton reviewed a request for \$5,000, which was a reduction of \$500 from the previous year. The expenses were \$1,845 year-to-date, said Ms. Lampton.

- Conservation Fund (presented by Charlotte Land Trust)—7:55 PM

Ms. Lampton noted that the current 10-year period was coming up. A suggestion was one-cent on the tax rate, which was about \$90,000. The fund would have a \$550,000 balance after Mary Mead updates the account in November. A Charlotte Land Trust yearly report and an 18-month potential priority list would be presented to the Selectboard. The funds provided match money for federal and state grants; for example, \$1.4 million in matching funds translates into \$7 million of total project costs, said Ms. Lampton.

Ms. Mead recommended no funding this year. Two of the projects on the list did not go through. There will be a balance of \$553,000. If all the projects were funded this year there would still be a \$43,000 balance. This year is a reappraisal year and the Grand List may go down, said Ms. Mead.

Mr. Morrison said he would review the projects list and fund balance.

- Board of Listers—8:15 PM

Ms. Tegatz and Ms. Oliver, Board of Listers, explained that salaries were expected to stay the same as last year. An outside appraiser was contracted for an amount of \$25,000. A total budget of \$63,209 was proposed.

Ms. Mead noted that a cost of living increase needed to be calculated in the salary line item. State funding should be listed as revenue/income. The Selectboard has typically taken \$15,000 of the Listers' revenue and should take zero or \$5,000, said Ms. Mead

Mr. Morrison asked staff to research the Town Meeting budget vote regarding the \$15,000 transfer. Salaries should be done as hours and the Selectboard would translate that into dollar amounts, said Mr. Morrison.

- Charlotte Park & Wildlife Refuge Oversight Committee—8:25 PM

Ms. Cole, Charlotte Park and Wildlife Refuge Oversight Committee member, reviewed a proposed budget of \$13,950, which was the same as last year.

In response to questions, Mr. Krasnow noted that it is a level funded budget. The number of volunteer hours was a large added value, said Mr. Krasnow. Ms. Smith explained that there were 500 volunteer hours of physical labor in the park per year.

Ms. Mead asked if the brush hogging at the Park should be included in the Town's budget under Land Maintenance contracts. Ms. Cole explained that a lot of the mowing and brush hogging decisions in the Park were based on specific needs and timing, such as the Wild Parsnip mowing in July. It was better for the Park Committee to control what need to be done and when, and what equipment was required, said Ms. Cole.

Mr. Mack asked if the Land Maintenance contracts fell under the Town's Purchasing Policy. Mr. Krasnow said that if mowing exceeded \$5,000 then it fell under the Purchasing Policy. Mr. Mack said that when the Town was drafting its Land Maintenance budget double dipping should be taken into account. Regarding a Park scope of work, the Town could specify when and where work should be done, and still take advantage of good pricing, said Mr. Mack.

Mr. Spell suggested adding the Park money into the Land Maintenance budget to get a better bid and that that he would work with the Park Oversight Committee.

JIM DONOVAN AND MARTY ILLICK — REGIONAL PLANNING ISSUES.

Discussion only

Mr. Donovan and Ms. Illick, Charlotte's Chittenden County Regional Planning Commission representatives, reported that Charlotte projects have been added to the CCRPC work plans, an update on storm water management schedules, and that the Town Planner and Town Administrator were working on Charlotte projects that were compatible with CCRPC resources.

Mr. Tegatz said that the Charlotte Road Commissioner has completed a road inventory and had concerns on how it should be presented related to the new dirt road state standards. Ms. Illick said that there was no process on paper yet. Mr. Donovan said that he would talk to Charlie Baker and staff at the next meeting – what to put on the list that's reasonable.

There was discussion regarding limitations of the CCRPC staff (Ms. Illick suggested that if the staff didn't have 'expertise' then it should be subbed out.); and the under water cable issue. Mr. Spell explained that the submerged acreage was identified using CCRPC maps. Latitude and Longitude were needed to pin point two lake boundary points. A Charlotte resident has volunteered to help with that. Language for a license agreement was needed, said Mr. Spell.

**DONATION TO FRONT PORCH FORUM. Possible action: approve
MOTION by Mr. Krasnow, seconded by Mr. Spell, to approve a donation of \$200 to the Front Porch Forum.**

DISCUSSION:

Mr. Spell suggested that the Selectboard consider a yearly donation to media outlets.

VOTE: 5 ayes; motion carried.

ANIMAL CONTROL OFFICER COMPENSATION. Possible action: approve payment of mileage

MOTION by Mr. Spell, seconded by Mr. Krasnow, to approve mileage at the standard rate for the Animal Control Officer.

VOTE: 5 ayes; motion carried.

APPEAL BY SCOTT HARDY (122-10-15 VTEC). Possible action: authorize Town Attorney to make an appearance

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to authorize the Town Attorney to enter an appearance on behalf of the Town of Charlotte regarding an appeal by Scott Hardy, 122-10-15 VTEC.

DISCUSSION:

Mr. Spell asked for clarification of the court appeal process. Mr. Bloch explained that each party made filings and arguments as memorandums.

Mr. Brooks stated that it was unvarnished litigation. How can the Selectboard make a decision when the members don't know the details of the appeal, asked Mr. Brooks. Mr. Morrison said that he had reviewed the materials and was familiar with the details.

Mr. Krasnow pointed out that if the Town didn't make an appearance then it was like the Town agreed with the litigant.

VOTE: 5 ayes; motion carried.

TOWN REPORT PRINTING. Possible action: approve quote

MOTION by Mr. Tegatz, seconded by Mr. Spell, to accept a quote by Repro as the printing contractor to print the Town Report for an amount of \$4,495.

VOTE: 5 ayes; motion carried.

MINUTES: October 19, 2015

MOTION by Mr. Spell, seconded by Mr. Tegatz, to approve the Charlotte Selectboard minutes of 10/19/2015 as written.

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

SELECTBOARD UPDATES. Discussion only

Selectboard meeting dates for December: December 14, 2015. The December 28th meeting date was changed to December 21, 2015.

Mr. Morrison asked Selectboard members to text or e-mail him if any member would not be at a meeting.

Mr. Tegatz reported on the following:

- CVFRS had approved a Purchasing Policy similar to the Town's policy.
- The Carpenter Road bridge would be open by the end of the week.
- A swale at the Town's mound system would be added to the brush hogging schedule.

Mr. Morrison reviewed that a prior Selectboard had added language to Selectboard agenda topics for "discussion only" or "action item", which defined possible action and made the Selectboard process more transparent for the public.

Ms. Booher suggested that the tag should be for "possible action" after each agenda topic versus a "discussion only". Mr. Bloch asked if it would be a 'possible action' for items such as an update by Jim Donovan and Marty Illick on the CCRPC. Mr. Hammer stated that he was fed up with coming to meeting after meeting where topics were discussed with little public participation, and then when an action was finally taken the citizens came in to discuss it yet again. Citizens don't come in during discussion items. He wouldn't distinguish anything in the agenda, said Mr. Hammer. Mr. Krasnow said that it would be helpful if staff added details in the Board packets with 'possible action' noted on the items.

Mr. Krasnow reported that the speed cart has been reprogrammed and was posted on Spear Street.

EMPLOYEE PERFORMANCE REVIEWS. *Possible Executive Session.*

Mr. Morrison briefly reviewed that employee performance reviews were completed via a three-step process. The Selectboard members had access to all the personnel files in the Town Administrator's office.

Mr. Tegatz said that he was not prepared to discuss the reviews.

Mr. Morrison asked staff to add an Employee Performance review to the next Selectboard meeting agenda on November 17, 2015, at 5:30 p.m., in a possible Executive Session.

APPROVE WARRANTS TO PAY BILLS

The Selectboard signed warrants to pay bills.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to appoint Jacob Spell to sign payroll warrants for the November 9, 2015 payroll.

VOTE: 5 ayes; motion carried.

ADJOURNMENT

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 10:01 p.m.

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