

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
APRIL 24, 2017**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Fritz Tegatz, Frank W. Tenney, Carrie Spear (arrived 8:06 p.m.). **ABSENT:** Matthew Krasnow.

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: David Pill, Judy Hill, Matt Zucker, Robin Coburn, Jill Lowrey, Chris Davis Wes Snyder, Jim Urquhart, Chris Ouellette, Kevin Bessette, Abby Foulk, and others.

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

ITEMS TAKEN UP:

- 7:15 PM Waitsfield Champlain Valley Telecom—petition for installation of underground cable on Lake Road and Whalley Road
- 7:25 PM Cycle 4 CMT—application for bicycling fundraiser—August 27th
- 7:30 PM National Multiple Sclerosis Society—application for bicycling fundraiser, August 5th
- 7:35 PM Green Mountain Bicycle Club—application for time trials—May 18, June 22, August 3
- 7:40 PM Interviews: David Pill, reappointment to the Energy Committee, for term ending April 30, 2019 Judy Hill, reappointment to the Recreation Commission, for term ending April 30, 2020 Matt Zucker, reappointment to the Zoning Board of Adjustment, for term ending April 30, 2020 Robin Coleburn, reappointment to the Design Review Committee (for Thompson’s Point), for term ending April 30, 2020 Jill Lowrey, for Trustee of Public Funds, for term expiring on March Town Meeting, 2019—appointment to be until March Town Meeting, 2018 Chris Davis, reappointment as Emergency Management Director, for term expiring on April 30, 2018
- 8:10 PM Approve updated Local Emergency Operations Plan
- 8:15 PM Exemption from Act 148 (requirement for waste haulers to offer food waste collection by July 1, 2017)
- 8:20 PM Paul Arthaud’s appeal of Zoning Board’s denial of conditional use permit on Lot 128— appoint Selectboard member to represent the town at mediation
- 8:30 PM Town contracts—which FY18 contracts should be put out to bid
- 8:45 PM Contract with Kathlyn Furr to be Recording Secretary for Selectboard, Planning Commission, and Zoning Board for the remainder of FY17 and for all of FY18
- 8:50 PM Town Administrator job description—update

CALL TO ORDER

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

ADJUSTMENTS TO THE AGENDA

None.

PUBLIC COMMENT

None.

SELECTBOARD UPDATES

Mr. Tegatz reported that the CAF Pumper Truck RFP spec sheet will be completed shortly. Mr. Bloch said that the Town staff will deal with the Bond Bank for the new pumper truck.

Mr. Morrison asked Mr. Tegatz to give a short presentation regarding the pumper truck to the Town.

Mr. Morrison reported that the Senior Center is exploring heating/cooling options veto replace the current fuel oil tank. Mr. Tegatz said that David Pill will have information on energy efficient systems.

Mr. Morrison reported that the TDI cable mediation is proceeding. No action has been taken, said Mr. Morrison.

WAITSFIELD CHAMPLAIN VALLEY TELECOM – PETITION FOR INSTALLATION OF UNDERGROUND CABLE ON LAKE ROAD AND WHALLEY ROAD

Jim Urquhart, Waitsfield Champlain Valley Telecom representative, explained a petition for the installation of an underground fiber optic cable on Lake Road and Whalley Road, which requires Selectboard approval. The cable will be installed under portions of roads, or will parallel roads in the Town rights-of-way and on private properties, said Mr. Urquhart.

Mr. Tegatz asked if the cable will be installed along private driveways. Mr. Urquhart replied yes. The project will start in early May. The installation will be bored under paved roads. They will try not to bore under gravel roads, except for Whalley Road. Road crossing locations were reviewed by the Charlotte Road Commissioner, and the company will be following the Road Commissioner's recommendations. He will follow up with the Road Commissioner regarding Whalley Road, said Mr. Urquhart.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve a Waitsfield Champlain Valley Telecom petition for installation of underground cable on Lake Road and Whalley Road, as per the project summary, dated 02/23/2017, page 1, as follows:

Waitsfield and Champlain Valley Telecom proposes to place conduit for underground fiber optic cable along Whalley Road for 1256, 955 and 957 Whalley Road and Lake Road for a private driveway for 2579 Lake Road. It

also proposes to bore or trench across town roads as follows: 1735, 2800, and 3965 Lake Road; 187 Holmes Road; 2518 Ferry Road; 1415 Converse Bay Road.

DISCUSSION:

Mr. Bloch suggested that Mr. Urquhart coordinate cable locations on Town trails with the Trails Committee Co-chairs. Mr. Urquhart said that there are a few places on the trail on Lake Road where they will work around the paths.

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

The Selectboard members present signed the document.

CYCLE 4 CMT – application for bicycling fundraiser – August 27th

Chris Ouellette, Cycle 4 CMT representative, reviewed a request to use Town roads for a Cure for CMT fund raising event on August 27, 2017.

Mr. Bloch said that the Recreation Commission had no concerns

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve an application by Cycle 4 CMT for a bicycling fundraiser on August 27, 2017 as presented.

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

NATIONAL MULTIPLE SCLEROSIS SOCIETY—APPLICATION FOR BICYCLING FUNDRAISER, AUGUST 5TH

Wes Snyder, National MS Society Development Manager, reviewed an application for a bicycling fundraiser on August 5, 2017.

Mr. Tegatz asked if the event sponsor will provide police control for a left turn onto Route 7 and a left turn onto Mt Philo Road. Mr. Snyder replied that he will review the request and will make sure that the route maps are accurate.

MOTION by Mr. Tenney, seconded by Mr. Tegatz, to approve an application by the National Multiple Sclerosis Society for a bicycling fundraiser on August 5, 2017, as presented.

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

GREEN MOUNTAIN BICYCLE CLUB—APPLICATION FOR TIME TRIALS—MAY 18, JUNE 22, AUGUST 3

Kevin Bessette, Green Mountain Bicycle Club representative, reviewed a request to use Greenbush Road for three weekly time trials. The event has been held for 30 years with no issues. The event is open to everyone at no charge, said Mr. Bessette.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve a Green Mountain Bicycle Club application for three time trials on May 18, June 22, and August 3, 2017, as presented.

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

INTERVIEWS:

DAVID PILL, REAPPOINTMENT TO THE ENERGY COMMITTEE, FOR TERM ENDING APRIL 30, 2019

The Selectboard reviewed the applicant's qualifications.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to reappoint David Pill to the Energy Committee for a term ending April 30, 2019.

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

JUDY HILL, REAPPOINTMENT TO THE RECREATION COMMISSION, FOR TERM ENDING APRIL 30, 2020

The Selectboard reviewed the applicant's qualifications.

MOTION by Mr. Tenney, seconded by Mr. Tegatz, to reappoint Judy Hill to the Recreation Commission for a term ending April 30, 2020.

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

MATT ZUCKER, REAPPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT, FOR TERM ENDING APRIL 30, 2020

The Selectboard reviewed the applicant's qualifications.

MOTION by Mr. Tenney, seconded by Mr. Tegatz, to reappoint Matt Zucker to the Zoning Board of Adjustment for a term ending April 30, 2020.

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

ROBIN COLEBURN, REAPPOINTMENT TO THE DESIGN REVIEW COMMITTEE (FOR THOMPSON'S POINT), FOR TERM ENDING APRIL 30, 2020

The Selectboard reviewed the applicant's qualifications.

MOTION by Ms. Spear, seconded by Mr. Tenney, to reappoint Robin Coleburn to the Design Review Committee, for Thompson's Point, for a term ending April 30, 2020.

VOTE: 4 ayes, 2 absent (Mr. Krasnow); motion carried.

JILL LOWREY, FOR TRUSTEE OF PUBLIC FUNDS, FOR TERM EXPIRING ON MARCH TOWN MEETING, 2019—APPOINTMENT TO BE UNTIL MARCH TOWN MEETING, 2018

The Selectboard reviewed the applicant's qualifications.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to appoint Jill Lowrey as the Trustee of Public Funds for a term expiring on the date of the March Town Meeting, 2019, and the appointment to be until the March Town Meeting, 2018.

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

CHRIS DAVIS, REAPPOINTMENT AS EMERGENCY MANAGEMENT DIRECTOR, FOR TERM EXPIRING ON APRIL 30, 2018

The Selectboard reviewed the applicant's qualifications.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to reappoint Chris Davis as the Emergency Management Director, for a term expiring on April 30, 2018.

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

APPROVE UPDATED LOCAL EMERGENCY OPERATIONS PLAN

Chris Davis, Charlotte Emergency Management Director, reviewed a written Local Emergency Operations Plan. Digital copies will be helpful as a check list and a contact list, explained Mr. Davis.

Mr. Tenney asked if copies are sent out to Charlotte residents. Mr. Davis replied that the plan is more administrative/governmental. He could do a presentation at a Selectboard meeting and submit an informational article in the Charlotte News, suggested Mr. Davis.

Ms. Foulk suggested linking the digital version to the Town and school websites. Mr. Davis said that the plan is linked to the CVFRS website currently.

MOTION by Mr. Tegatz seconded by Ms. Spear, to approve the updated Local Emergency Operations Plan, dated April 22, 2017.

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

EXEMPTION FROM ACT 148 (REQUIREMENT FOR WASTE HAULERS TO OFFER FOOD WASTE COLLECTION BY JULY 1, 2017)

Abby Foulk, Charlotte's Chittenden Solid Waste District representative, explained that ACT 148, a recycling law, requires haulers to start accepting food scraps and organics in outlying towns starting July, 2017. A town is exempt if it is within 10 miles of a drop off center. Charlotte is not eligible for exemptions except in certain area to the north. She is recommending accepting a no exemption status. A concern is the expense to use haulers, said Ms. Foulk.

There was discussion regarding a TIP charge to haulers by Green Mountain Compost in Williston; potential for residents to compost on their properties, or to use food scraps and organics in anaerobic digesters to produce power, which is done in Massachusetts and California; and harm in landfills as a leachate.

It is the consensus of the Selectboard members to support the recommendation by Abby Foulk to accept a "no exemption" status related to ACT 148.

PAUL ARTHAUD'S APPEAL OF ZONING BOARD'S DENIAL OF CONDITIONAL USE PERMIT ON LOT 128— APPOINT SELECTBOARD MEMBER TO REPRESENT THE TOWN AT MEDIATION

Mr. Morrison noted that the Superior Court is ordering the Town and Paul Arthaud to mediate the Arthaud appeal of the Charlotte Zoning Board of Adjustment's denial of a Conditional Use permit for Lot 128, Thompson's Point. A Charlotte Selectboard member needs to be appointed as the Town representative, said Mr. Morrison.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to recess the regular meeting and enter Executive Session to discuss a Legal Matter related to the Paul Arthaud appeal, and to invite the Town Administrator to attend.

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

The regular meeting was recessed and the Selectboard entered Executive Session at 8:40 p.m.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to adjourn Executive Session and reconvene the regular meeting.

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

The Selectboard adjourned Executive Session and reconvened the regular meeting at 9:02 p.m. No action was taken in Executive Session.

MOTION by Mr. Tenney, seconded by Ms. Spear, to nominate Fritz Tegatz as the Charlotte Selectboard representative regarding the Paul Arthaud appeal mediation.

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

TOWN CONTRACTS—WHICH FY18 CONTRACTS SHOULD BE PUT OUT TO BID

Mr. Bloch briefly reviewed a previous discussion regarding contractors and Preferred Vendors. The Preferred Vendor list has been updated. No decisions are required regarding contracts at this time, said Mr. Bloch.

Additions to the Preferred Vendor list:

- Cleaners for the Town Hall, Library, Senior Center
- Lincoln Applied Logics – Landfill and Town Hall and Library water systems and Town Beach
- Vermont State Police
- NEMREC related to the Listers' office/reassessments
- P & P Septic – leave as is
- Clark Septic – leave as is
- Remove Jeannine McCrumb as the Planning Consultant

The following contracts will go out to bid:

- Casella
- Trash

TASKS:

- Staff to update the Preferred Vendors list

Ms. Spear said that Peter Trono suggested putting the selection of a Town Attorney firm out to bid. Mr. Morrison explained that the current attorney's are familiar with on-going

issues, such as the TDI cable issue, and should be retained for institutional memory. Other issues could be put out to bid as necessary, said Mr. Morrison.

CONTRACT WITH KATHLYN FURR TO BE RECORDING SECRETARY FOR SELECTBOARD, PLANNING COMMISSION, AND ZONING BOARD FOR THE REMAINDER OF FY17 AND FOR ALL OF FY18

MOTION by Mr. Tegatz, seconded by Mr. Tenney to approve a contract with Kathlyn Furr as the Recording Secretary for the Charlotte Selectboard, Planning Commission and the Zoning Board of Adjustment for the remainder of FY17 and for all of FY18.

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

TOWN ADMINISTRATOR JOB DESCRIPTION—UPDATE

The Selectboard reviewed a draft Town Administrator job description.

There was discussion regarding a definition of a salaried position versus an hourly paid position; a Selectboard suggestion to use the words "...normal business hours..." versus "hourly" for calculating a salaried position on the pay grid and the Palmer Analysis job evaluation for determining internal equity.

Mr. Tegatz stated that salaried employees understand that they are salaried and are expected to work until a job is completed. At times that would mean working 50 hours per week, or less than 40 hours per week. A salaried position is exempt from overtime, and is stated in the SAP and job descriptions, said Mr. Tegatz.

Ms. Spear questioned the need to have the Town Administrator oversee the Senior Center Program Director and Volunteer Coordinator.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the draft Town Administrator Job Description, with the following change:

- **Last page, Hours – change to read "...full-time salaried position...".**

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

MINUTES: April 6 and 10, 2017

Approval of the Charlotte Selectboard minutes of April 6, 2017 was deferred due to a lack of a quorum.

MOTION by Mr. Tenney, seconded by Mr. Tegatz, to approve the Charlotte Selectboard minutes of April 10, 2017, as written, with an edit:

- **Page 3, line 101 – delete the word "plus" and replace with "includes".**

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

APPROVE WARRANTS TO PAY BILLS

The Selectboard members reviewed and signed warrants to pay bills.

ADJOURNMENT

**MOTION by Mr. Tegatz, seconded by Mr. Tenney, 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.