

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
DECEMBER 11, 2017**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Carrie Spear, Fritz Tegatz, Frank W Tenney, Matthew Krasnow.

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Mary Mead, Sue Smith, Bill Stuono, Christina Booher, Robin Pierce, John Limanek, Lisa Kiley, Isaiah Kiley, Marty Illick, Gerald Bouchard, Peter Joslin, Mark Moser, Tim Adler, Laurie Thompson, Nancy Wood, Charlie Pughe, Clark Hinsdale III, Suzanne Hinsdale, Rebecca Foster, Ronda Moore, Beth Merritt, Michael Russell, Margaret Russell, Robert Mack, Susan Crockenberg, Charlotte News; and others.

AGENDA ITEMS:

- 6:00 PM Budget reviews Town Clerk Selectboard
- 7:05 PM Town Plan—1st public hearing on proposed amendment
- 8:00 PM Town Plan—discussion; or FY19 Budget discussion
- 8:20 PM Senior Center Director—approve offer of employment and starting wage-rate
- 8:25 PM Zoning Administrator—next step
- 8:35 PM Approve Certificate of Adoption pertaining to the 2017 County and Town All-Hazard Mitigation Plans
- 8:40 PM Thompson’s Point leases Lot 122 at 906 Flat Rock Road—approve/renew a 20 year lease to Richard M. Detwiler and Sandra F. Detwiler Lot 58 & ½ Lot 61 at 192 Flat Rock Road—approve/renew a 20 year lease to Donald S. Bicknell Lot 127 at 1002 Flat Rock Road—terminate lease to Norman Ernsting (deceased) & Nina Cucchiari Lot 127 & ½ Lot 128 at 1002 Flat Rock Road—approve a 20 year lease to Nina Cucchiari

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:00 p.m.

BUDGET REVIEWS

Town Clerk

Mary Mead, Charlotte Town Clerk, reviewed proposed Town Clerk and Treasurer budget revenues and expenses for FY2018/2019. The Thompson’s Point reappraisal is completed, which will decrease rents 13 percent. A non-residential tax rate is not known at this time, and the state is estimating a 9.4 cent increase for the educational tax rate, explained Ms. Mead.

Mr. Morrison asked if the consolidated school district has reduced the tax impact. Ms. Mead suggested that the Selectboard contact the Champlain Valley School District.

Ms. Mead said that she is recommending increasing Thompson's Point rent revenues to \$805,000 versus \$780,000 to account for the state educational tax increase of 9.4 cent at.

Following a question regarding the auditor contract, Mr. Morrison asked staff to check if they are in year two, or three of the contract.

There was discussion regarding the timing disconnect between setting the Thompson's Point rents at a time when the tax rate is unknown. Ms. Mead pointed out that the leases are set in January and taxes are due in November. The Town doesn't get a precise non-residential tax rate until April 2018, clarified Ms. Mead.

Mr. Krasnow suggested placing an 8 month freeze on the rents and then mirroring last year's set rate to determine the rents so the predictive aspect doesn't need to be done. This could be done in a year where there is no huge tax increase. A change would state in the last three months of the 12 month period, explained Mr. Krasnow.

Ms. Mead reviewed revenues, a town clerks request to the Legislature to increase recording fees for 2018, a recommendation to place \$15,000 in the Reappraisal Fund Transfer line item, expenses that include a \$200 increase for the Delinquent Tax Collector, an estimated 1.9 percent COLA increase for employee benefits for a total payroll of \$556,919, and health insurance benefits.

Ms. Mead pointed out that the Selectboard needs to make decisions for the following budget items:

- Address a request for orthodontic rider added to the dental insurance at a cost \$576
- Health Officer stipend (\$1,300 per year)
- Animal Control Officer (\$3,000 per year plus mileage)

Ms. Mead asked if the Computer Service line item should include software. Mr. Morrison said that the Selectboard will meet with SymQuest in January.

Mr. Bloch reported that the Town has applied for a Back Roads Grant, which will need to be added to the revenue side and the Highway budget expense side if received.

The Selectboard thanked Ms. Mead for her presentation.

Selectboard

Deferred to the December 18, 2017 Selectboard agenda.

ADJUSTMENTS TO THE AGENDA

None.

PUBLIC COMMENT

Christina Booher reported that Steve Mack has line striped the town parking lots at no charge.

The Selectboard expressed gratitude and thanks to Steve Mack for voluntarily line striping the town parking lots.

TOWN PLAN—1ST PUBLIC HEARING ON PROPOSED AMENDMENT

Mr. Morrison briefly reviewed a process for taking public comments/input regarding the draft Town Plan amendments. This is the first of two public hearings, said Mr. Morrison.

PUBLIC COMMENTS

Clark Hinsdale III read written comments into the record regarding the following points:

- Page 1-4, Charlotte Tomorrow, related to the East Charlotte Village designation. The 2010 East Charlotte Village Study should be emphasized more, and Wastewater Committee language should be enhanced and added in the East Charlotte Village sections so that land owners would know what they can do with their land.
- Map 12, page 1-25, has East Charlotte Village boundaries that don't correlate with the 2010 study. A specific map based on Town policies should replace the draft development Map 12.
- The Strategy section, page 1-52, should say "...implementing the study is a high priority" and then the Town can work on zoning after a new Town Plan is approved.

Mr. Tenney noted that Map 11 has totally different East Village boundaries marked. It has yellow bars that includes Sheehan Green, up to the swamp, and up Jackson Hill Road. There are inconsistencies in mapping, said Mr. Tenney.

Mr. Hinsdale read page 1-19, Agriculture, Strategy #10 into the record. At the public hearing regarding Mt Philo hops farm and agricultural practices the Selectboard brought Department of Agriculture experts, neighbors and farmers together. The Town Plan says it sees the Town as a partner in agricultural practices development. This should not be in the Town Plan since the Town has no jurisdiction, stated Mr. Hinsdale. Mr. Morrison agreed that the state over rules the Town regulations regarding development of agricultural practices.

Mr. Hinsdale said that page 1-17, Key Planning Consideration #2, is not true. The #1 reason of reduced agricultural is abandonment of animal grazing on pastures, which doesn't happen anymore. Residential subdivisions can stay in, but say "...residential subdivisions and abandoned pastures."

Mr. Tegatz said there is nothing to tell how to use the maps. In the past the linkage habitat maps were notated that the map was for advisory/informational purposes only. For example, Map 6, should be notated on how to use it as "funding development, or prohibit development" as a general rule, suggested Mr. Tegatz. Marty Illick explained

that the habitat map is an advisory planning overlay map, and is descriptive for use by the Planning Commission for site visits.

Bill Stuono, resident, pointed out that the East Charlotte Village north of Hinesburg Road, Sheehan Green, is well developed. Across the road is a working farm. A question is do we want to allow develop of that farm. There may be reasons why the village boundaries do not include areas to the north, suggested Mr. Stuono.

Mr. Joslin said that Map 12 is generally more representative of the study. The Planning Commission will look at the other maps, said Mr. Joslin.

Mr. Hinsdale reviewed a brief history of the Sheehan Green development with covenants/declarations of subdivision development controls. Many of the earlier lots were 2-acres and later when the land use regulation were changed the later lots were 1.5 acres. The newer regulations are better then the older. The farmer across the road is Steve Denton's excavation business that supports the farm. Steve doesn't want out of the East Charlotte Village district. His 3-acre corner is commercially zoned and that is why he can have a commercial business there, said Mr. Hinsdale.

Michael Russell, resident, said that pages 1-30-31, Chapter 1, 1.9, Economic Development Strategies and Progress should be titled "Economic Stagnation". If the goal is to maintain the status quo, then call it something else. The planning considerations fail to point out what the community wants. Home Occupation, Item 5, says that Home Occupation can create conflicts with agriculture, said Mr. Russell.

In response to a question, Mr. Russell said that as a Community Development Committee member, he did provide language to this chapter and very little was incorporated in the draft Town Plan.

Mr. Morrison thanked the residents for input and said that the draft will be sent back to the Planning Commission for further updating based on public comments. A second Selectboard public hearing needs to be held. If there were no changes at the second hearing, then a third hearing would take place to pass the draft for a public vote at the March Town Meeting. It might not ready by March. It could be ready for the November Election meeting vote, said Mr. Morrison.

Mr. Russell stated that a vote at the March Town Meeting is a short reaction time for people to get involved.

Mr. Tegatz pointed out conflicts of "urban" and "rural", and suggested a middle of the road view. Mr. Joslin explained that the issue of development, particularly in the West Village, were very conflicted. The West Village people have no water or wastewater solutions. At the first Planning Commission public hearing it was said that there was not enough emphasis on the East and West Villages, said Mr. Joslin.

Nancy Wood, resident, spoke in agreement with Mr. Russell. The Community Development group is identified in the Town Plan draft. The Charlotte News conducted a

survey and people said they wanted more services in the East and West Villages. In the past she remembers that the village was very community oriented with a blacksmith shop, school, library, and tavern. Those services drew people into the village. She is not talking about urbanization. There are ways a village can be friendly and not adversely effect farm land around it. The villages need water, wastewater, and a Village Designation. Getting this plan done will help with applying for state funding. A final draft can be done in a few weeks for the March Town Meeting ballot. An approved Town Plan can be amended over the next 8 years, said Ms. Wood.

Mr. Kiley said adding line numbering and referencing, especially of the bigger paragraph sections would make reviewing the draft easier. Regarding the rural versus village sections, by expanding East and West Village boundaries the statements can be strengthened by saying that development needs to happen ‘in this way’. This would encourage more people to move to Charlotte. The 2013 Town Plan, page 40, calls for smaller lot sizes in the West Village. It talks about build out in the villages. Page 14, Section 1.1, Goals, 2nd bullet, add “combining objectives”, with references, and to “...limit development where significant environmental resources exist, or in other areas of high public values”. He will send in written comments to staff, said Mr. Kiley.

Mr. Hinsdale said that the Town has done an outstanding job of conserving land. He has conserved land that has encouraged young farmers to come here. Commercial businesses can be encouraged without building strip malls along the Route 7 corridor. The Town center has created a “club house” community – there is a fire station club house, a senior center club house, and public library club house. What is lacking is a general club house, such as a bar/café where people can socialize. The growth rate is sustainable. Charlotte has the lowest municipal tax rate in Chittenden County. He will submit his written comments to put in the Town Plan, said Mr. Hinsdale.

Ms. Illick said in response to comments the Town Plan talks about transferable development rights, PRDs, and people want more services in the villages. The draft tried to do both create a vital village without hampering development in the rural areas. She agrees to get the Town Plan approved at Town Meeting. ACT 174 can be amend later, and the maps can be updated quickly said Ms. Illick.

SUGGESTIONS/ADDITIONS:

- Add: a budget a line item place holder for consultants, or Town Plan implementation
- Ms. Russell to send an updated Trails Vision Map (Map 10) to the Planning Commission Mr. Pughe suggested that the map could have a disclaimer that “the map is a snapshot” of a time.
- Ms. Russell to resend updated language related to Transportation, page 2-61, Bikes/Pedestrian/Other to the Planning Commission.
- Rewrite: page 1-15, paragraph 4 related to alleged zoning violations, which is not something that the Town does; Mr. Tegatz said that the Town should be careful not to hire inspectors to ‘police’ violations.

- Nancy Wood said she would like a gas station at the Route 7/Ferry Road intersection again. The Town Plan language is very negative regarding developing that commercial district. That corner is right in the West Village center; Uncle Sam's was a 'club' and she would like to see the Town Plan address this in a positive way at the intersection

Mr. Stuono said that the Energy section, page 1-50, #4, Goals, is optimistic. Achieving fifty percent of alternative energy sources by 2020 is not possible, said Mr. Stuono. Ms. Illick explained that ACT 174 requires the language as a goal, which is aspirational. The Town Plan will need to be amended as we go forward, said Ms. Illick.

TOWN PLAN—DISCUSSION; OR FY19 BUDGET DISCUSSION

NEXT STEPS:

- Next week the Selectboard will warn a 2nd public hearing for January 22, 2018
- Comments/input can be accepted up to January 3, 2018
- A Town Meeting ballot vote could be warned for the first Tuesday in April
- Hold a joint Selectboard/Planning Commission meeting December 21, 2017

SENIOR CENTER DIRECTOR—APPROVE OFFER OF EMPLOYMENT AND STARTING WAGE-RATE

Beth Merritt, Senior Center Board member, reviewed candidate interviews that occurred, and a hire recommendation. Part of the discussion with the potential candidate involved the person's Medicare and supplemental insurance. A question is if the Town would cover the costs, said Ms. Merritt.

Mr. Bloch said that the Town provides a benefit for employees of up to 90 percent of the Silver High Deductible plan. It will cost less to provide Medicare supplemental insurance than the current Town benefit, said Mr. Bloch.

The Selectboard asked staff to investigate the range of Medicare supplemental insurance plans.

In response to a question posed by Ms. Mead regarding what the Town Employee Policy covers, and what direction the Selectboard would take if they approve paying for Medicare supplement insurance, the Selectboard held a brief regarding an "opt out" option, or aligning the policy for every eventuality.

Mr. Joslin said that Medicare is optional. He can elect to stay on his wife's health insurance policy, or elect Medicare Part A and B. There is a 5-year window where you can sign up for Medicare at age 65, or wait until 70, said Mr. Joslin.

Susan Crockenberg asked why the Town would offer the Town's insurance plan when this candidate has Medicare. It is a simple issue, said Ms. Crockenberg.

Ms. Booher pointed out that the Personnel Policy provides for insurance, or not. This would need to be changed. The hours worked per week determines holiday pay, which should be considered, said Ms. Booher.

Mr. Krasnow said that he will research the question. Is the Medicare Part B coverage a deal breaker for employment, asked Mr. Krasnow.

Ms. Mead said that the potential employee would not start until January so there is time.

Mr. Morrison suggested that the Selectboard could approve employment for the hourly rate for a 35 hour per week as discussed, with the insurance to be determined at a later date.

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve a Conditional Offer of Employment letter to Caroline Kulik for a 35 hour week at \$18.99 per hour, to be signed by the Charlotte Selectboard Chair, and to include “Note: the Charlotte Selectboard has interest in covering the cost of Medicare Supplemental insurance in lieu of the Blue Cross/Blue Shield policy currently offered to Town employees.

VOTE: 5 ayes; motion carried.

Ms. Merritt will let the Town Administrator know what the cost of Medicare Supplemental insurance is per month.

ZONING ADMINISTRATOR—NEXT STEP

Mr. Joslin reviewed a Planning Commission discussion held December 7, 2017. Comments were e-mailed to the Town Administrator, said Mr. Joslin.

Mr. Tegatz said that all the Planning Commission members should interview candidates. Mr. Joslin said the members asked Ms. Illick and he to represent the Planning Commission. There was no discussion of names or issues at the December 7th meeting, said Mr. Joslin.

Following further discussion, Mr. Krasnow and Mr. Tenney suggested starting the interview process over again.

Mr. Krasnow said that as per Title 24 Chapter 117, state statutes call for nominating a Zoning Administrator hire by the Planning Commission with appointment by the Selectboard. The Planning Commission could send a letter to candidates already considered with an explanation that “...the Town is adhering to state statutes” and then the Planning Commission can choose to interview persons of interest, suggested Mr. Krasnow.

Mr. Morrison asked the Planning Commission to forward a candidate for the next Selectboard meeting, Monday, December 18th for a Performa appointment based on the Planning Commission nomination.

Mr. Joslin said that he will schedule a Planning Commission meeting for selecting a nominee by December 21, 2017.

APPROVE CERTIFICATE OF ADOPTION PERTAINING TO THE 2017 COUNTY AND TOWN ALL-HAZARD MITIGATION PLANS

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve a Certificate of Adoption pertaining to the 2017 County and Town All-Hazard Mitigation Plans.

DISCUSSION:

Mr. Mack asked if this was for the transportation of hazardous material on the roads. As a farmer he was concerned, said Mr. Mack. Mr. Tegatz explained that the Selectboard reviewed an All-Hazards Mitigation Plan with Chris Davis, the Charlotte Emergency Management member. It covers emergency issues, said Mr. Tegatz.

VOTE: 5 ayes; motion carried.

Mr. Bloch noted that the Charlotte Selectboard Chair and the Town Clerk needed to sign the document.

THOMPSON'S POINT LEASES

Lot 122 at 906 Flat Rock Road—approve/renew a 20 year lease to Richard M. Detwiler and Sandra F. Detwiler

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a Thompson's Point 20-year lease to Richard M. Detwiler and Sandra F. Detwiler, located at Lot 122, 906 Flat Rock Road as presented, and to authorize the Charlotte Selectboard Chair to sign the lease document on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

Lot 58 & ½ Lot 61 at 192 Flat Rock Road—approve/renew a 20 year lease to Donald S. Bicknell

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a Thompson's Point 20-year lease to Donald S. Bicknell, located at Lot 58 and one-half of Lot 61 at 192 Flat Rock Road as presented, and to authorize the Charlotte Selectboard Chair to sign the lease document on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

Mr. Bloch noted that the document would also require the Selectboard Chair signature notarized by the Town Clerk.

Lot 127 at 1002 Flat Rock Road—terminate lease to Norman Ernsting (deceased) & Nina Cucchiari

MOTION by Mr. Tegatz, seconded by Ms. Spear, to terminate the Thompson's Point lease to Norman Ernsting and Nina Cucchiari, located at Lot 127 at 1002 Flat Rock Road, and to authorize the Charlotte Selectboard Chair to sign the lease document on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

□ **Lot 127 & ½ Lot 128 at 1002 Flat Rock Road—approve a 20 year lease to Nina Cucchiari**

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve a Thompson’s Point 20-year lease to Nina Cucchiari, located at Lot 127 and one-half of Lot 128 at 1002 Flat Rock Road, and to authorize the Charlotte Selectboard Chair to sign the lease document on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

Mr. Bloch noted that the document would also require the Selectboard Chair signature notarized by the Town Clerk.

SELECTBOARD UPDATES

Robin Pierce reviewed a request to grant scenic road view shed status on Greenbush Road starting at the railroad underpass and heading north. Mr. Morrison said that the Selectboard will take the request under consideration.

Mr. Tegatz reported that the Town bridges required a rust sealing coating on bridge beams as per the state.

Mr. Tegatz reported that the yearly certification of air pack training for the CVFRS will occur on Wednesday, December 13, 2017, at 6:30 p.m., and that the Selectboard members were invited to attend.

There was discussion regarding a proposed Charlotte ECOS Plan Project and MTP Project List.

CHANGES:

- Under the a CCRPC Charlotte ECOS Plan, Project Summary, delete the wording “drinking water supply”
- On the draft MTP Project List, item #29, delete “Park and Ride” and replace with “Parking in the East and West Charlotte Villages”
- On the draft MTP Project List, item #29, under Cost Estimate, delete “\$215,000”; under Time Frame, delete the year “2035” and replace with “2025”
- Add: West Town-link Trail

Mr. Krasnow thanked Mr. Bloch for the Town Administrator summary reports, which are very helpful.

Mr. Morrison asked that all Town Plan comments/edits be sent by e-mail to the Town Administrator by Monday, December 18th.

MINUTES: November 27, November 30, December 5

MOTION by Ms. Spear, seconded by Mr. Krasnow, to approve the Charlotte Selectboard minutes of November 27, 2017, as written.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the Charlotte Selectboard minutes of November 30, 2017, as written.

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

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the Charlotte Selectboard minutes of December 5, 2017, as written.

VOTE: 4 ayes, 1 abstention (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. Krasnow, to adjourn the meeting.

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 9:38 p.m.

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