

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
DECEMBER 9, 2019**

APPROVED

SELECTBOARD MEMBERS: Chair Matthew Krasnow, Vice Chair Frank Tenney, Louise McCarren, Carrie Spear, Fritz Tegatz

ADMINISTRATION: Dean Bloch, Town Administrator

OTHERS: VCAM, Gerald Bouchard, Jim Faulkner, Galen Hagen of Dubois and King, Shawn Kelley, David Marshall, Peter Joslin, Ben Mason, Juliann Phelps, Peter Regan, Gay Regan, Andrea Regan, Dan Cole, Patrice Machavern, Tom Cosinuke, John Quinney, Mark Dillenbeck, Susan Smith, Jim Hyde, Kiowa Heath, Jeff Herzberger, Kristy Sargent, Jessie Bradley, David Crandall, Jenny Cole, Julian Kulski, Hugh Lewis, Jr., Jonathan Silverman, Andrew Milliken, Mary Mead

AGENDA ITEM:

5:00 PM Wastewater disposal ordinances for West Charlotte village

6:00 PM Adjustments to the agenda

6:01 PM Selection of Lessee for Agricultural Leases at the Charlotte Park & Wildlife Refuge and at the Galbreath Parcel

6:05 PM Presentation on Monkton Road Repair

6:30 PM Changing from elected Board of Listers to hired assessor to manage the Grand List

6:40 PM Solar Net Metering Agreements—review draft agreement

7:00 PM Public Comment

7:05 PM Budget

•Town Clerk 7:05 PM –7:20 PM

•Charlotte Volunteer Fire & Rescue Services 7:20 PM—7:45 PM

•Road Commissioner 7:45 PM –8:00 PM

•Tree Warden 8:00 PM –8:15 PM

•Charlotte Historical Society 8:15 PM –8:20 PM

•Selectboard 8:20 PM –8:30 PM

•Overview and discussion 8:30 PM –8:45PM

8:45 PM Thompson's Point lease for Lot 124 at 910 Flat Rock Road—renew 20 year lease to Susan Garner and Michael Garner

8:50 PM Selectboard report for the Town Report

8:55 PM Minutes: November 4, November 25, 2019

9:00 PM Selectboard updates

•Charlotte Solar

•Communications with Town's Attorney

9:05 PM Approve warrants to pay bills

9:10 PM Adjournment

CALL TO ORDER

Chair Matthew Krasnow called the meeting to order at 5:07 p.m.

Wastewater disposal ordinances for West Charlotte village

Dave Marshall said Charlotte's wastewater committee reviewed the town attorney's recommendations for two documents, founded on state statutes, of allocation ordinances and use ordinances for wastewater disposal for the West Charlotte village. Changes in the state statute concerning compliance issues and ordinances was discussed. Matt Krasnow said he had a few minor copy edits. Burns property soils were discussed. Dave said this property would be capped off at 15,000 gallons a day. Frank Tenney asked if that would take care of the entire West Charlotte Village and Dave said it is unknown at this time. Frank asked about the different types of systems that could be implemented.

Matt asked for public comments. He explained the timeline and statutes concerning this ordinance. Fritz Tegatz said he wanted to make it clear that there is no "give-away" of anything and that there would be annual leases and charges. Dave explained the recapture of initial costs for the town to recoup money from the original investment made. Dave said the use of the Burns land will come at a cost. It will be structured into the quarterly payments once hooked onto the system. Fritz said this land was originally considered for the school. Dave said the school's consulting engineer weighed in and said, if needed, correcting the existing system would be on the school's property.

Louise said this is a strategic asset of the town. She reiterated that there would be charges.

Andrea Regan from the Health Center said her heating system broke down twice last week and she is hoping not to stay another winter in that location. She also spoke about having her own child at the Children's Center and that she would like to stay in Charlotte. Jeff Herzberger of the Children's Center said they realize it is an investment on their part. Costs have been known. They are budgeting and not looking for a handout. Jeff listed the reasons the center is an asset to the town. He is a resident and said it is important to allow other businesses to come to the area. The capacity numbers he has been quoted are statute but he feels they are high. He said they will be using much less than their allocation and that the town would benefit in the end by being able to reallocate their unused portion. A parent representative and her children were present to talk about the center's important role for her and her family and the community in general.

Peter Joslin said the wastewater committee has been at this for two and a half years. The original documents have existed for ten years. Peter said the timing is good and he fully supports this for those actively looking for space and it speaks to the town plan. It is for the betterment of the town as a whole. Both the Children's Center and Health Center are needed and are there for the benefit of folks who live in the whole town, he said.

Kristy Sargent said she not only works in this community, she lives in this community and the Children's Center has a waitlist of children they cannot take in because of the lack of sewer capacity. "We all feel welcome in this community and I would hope the

town would decide to keep it that way,” she said. She is the assistant director at the Children’s Center.

Jim Faulkner said taxpayers are helping to fund a private business and asked how taxpayers will be paid back.

Dave said the programs are designed to be supported by the users. In this case the town is paying for it all. Ordinances will be in place for the town to recoup some of that money. If these ordinances are not in place, there is no way to recoup the money, he said. The town is trying to put the tools in place to help the town succeed in reaching town plan goals. Dave reminded everyone that all other options need to be exhausted before the town will allow allocation.

The two ordinance documents have been put through a thoughtful process through three committees, Fritz said.

How the town manages Thompson’s Point was discussed. Frank said Thompson’s Point is land that is owned by the town and that system was designed to protect the asset of that land. The village is different, he said. Matt spoke about the revenue coming in to save the tax burden. This will lower the tax burden and makes it an asset, he said.

Fritz gave comparisons in speaking about costs of hooking on to wastewater systems in other states.

Carrie Spear mentioned capital value. She asked, if this will increase property values why would the town not be paid back? She asked about cost and the longevity of the decisions being made and the questions that have still not been answered. She said she doesn’t want to say “yes” to something that might not be feasible to maintain.

Dave said rates are not included in the ordinances. This is a separate issue to be take up by the SB. Costs of the system and inflation recommendations are in the framework. This is a secondary component after the ordinance approval. Application, connection and maintenance fees will all need to be decided at a later time by the SB.

Fritz explained infrastructure and what could be anticipated. Louise agreed and said these are designed in a way that there are no surprises.

Carrie asked about a recreation center with showers, a pool and a basketball court. Dave said a hundred people per day would be 15 gallons per day per person for a rec center. Dave spoke about the opportunities to expand what the town already has.

Matt said if the time comes a rec center is not out of the question even if allocation is given to others in need.

Fritz said, unless a car wash wants to come in, the town won’t be at capacity.

Gay Regan, spoke about her daughter Andrea and her building not meeting state standards. The building is inadequate, she said. She asked the town to step up and support her.

Andrea said if she was able to build more septic it was going to be hundreds of thousands of dollars but this 100,000 for the town to build their system to offer a valuable resource makes more sense. She said she really did try to find her own wastewater options but it is cost prohibitive.

Robert Mack asked when the town will vote. Matt said appealing the ordinance will take a petition of 5% of the voting population. If people wanted to appeal the ordinance the vote could be town meeting day. This issue will be picked up at the Dec. 16 meeting.

Fritz added that this issue has been thoroughly discussed over the past two and a half years.

Jeff said the ordinance is to allow them to apply, not to approve. It is allowing the application process to proceed, he said. Matt confirmed this and said article 8, page 12, lists three steps that applicants need to go through and they can be denied anytime before connection.

Adjustments to the agenda

None

Selection of Lessee for Agricultural Leases at the Charlotte Park & Wildlife Refuge and at the Galbreath Parcel

Andrew Milliken presented information about the agricultural leases at the Charlotte Park & Wildlife Refuge and Galbreath parcel. He summarized documentation he sent to the SB earlier about the agricultural lease and request for proposals. He spoke of the bidders and the proposals, and indicated the Park Oversight Committee interviewed the candidates, Dylan Preston and Tom Cariano. Their approaches were read. The bids were read: Dylan Preston bid \$4,402/year, and Tom Cariano bid \$2,928/year. The Oversight Committee recommends Dylan Preston for his higher lease payment and organic use practices.

MOTION by Frank Tenney, seconded by Louise McCarren, to award Dylan Preston the Agricultural Leases at the Charlotte Park & Wildlife Refuge and at the Galbreath Parcel for 5 years beginning January 1, 2020. VOTE: 5 ayes; all in favor; motion carried.

Presentation on Monkton Road Repair

Dubois and King's Galen Hagen gave a power point presentation of Monkton Road history, complete with a topographic survey. The erosion was described. The repeated failures and repairs were described. Sanborn Head's Shawn Kelley explained the geotechnical findings. Three soil borings were conducted. Evaluations were not obvious. It is a stiff clay and not expected to fail. No water table issues were present. Shale was

found ten feet from the edge of the roadway indicating that as material has been replaced, the road has been spreading down and out. The materials have crept down the edge. The weight of repair materials over time have exacerbated the problem and will result in repeated future failures. The roadway is moving due to grading and the true edge of roadway is being moved over time. Historically, material has been placed along the bank. Adding more material is not advised. Removing weight from the edge of the roadway is advised as is digging down to the native clay and replacing fill with lighter material or geofoam. These are high density Styrofoam blocks that have compressive strength higher than soil. They are commonly used for bridge abutments over soft clay. These are used in place of deep pilings. This will be helpful in bringing the road back up to it's original condition.

Galen spoke about VTRANS funding and a Structures grant. It is up to \$90,000 with ten percent to be paid by the town. Next steps are to meet eligibility. Cost estimates will be next.

Matt asked what would happen if the town did nothing. The answer was that those repairs would be more frequent. Unloading soils is needed to reduce the load on the slope in the interim.

Matt asked if it was possible to repair with culverts. The answer was that culverts are used to transport water but that is not the issue here.

Matt said he worried geofoam would leach chemicals into the environment. He asked about other products. Crushed shale was discussed. Other outside of the box repairs could be discussed. Matt asked about a concrete wall with a footing. Guard rails and the works would be needed with that, Galen said. Galen will do more research.

Shawn said a catastrophic failure is not expected at this time but serious degradation over time is inevitable. Each new load of repair added will exacerbate the problem, he said.

Road Commissioner Hugh Lewis Jr. agreed.

Cost estimates and eligibility to be supplied at a future date.

A rough estimate of what the town would need to contribute if the grant is secured for the road repair is \$20,000 to \$30,000.

Changing from elected Board of Listers to hired assessor to manage the Grand List

Betsy Tegatz suggested changing the elected Board of Listers to a hired assessor to manage the Grand List in the event she was ever to leave, to avoid leaving the position vacant which could create problems for the town. She said the board isn't sustainable as there is no interest. The change would ensure they would always have a lister. Frank read from the rules and the SB discussed being reactive and proactive. Mary said a smooth flow from Betsy to the next person would be best for the town. The transition is a vital

one, Mary said. The warning would be posted in January to be ready for the town vote on Town Meeting Day.

Solar Net Metering Agreements—review draft agreement

John Quinney said approval from the state fire marshal is still needed. The net metering agreement is still needed. The energy committee is working to finalize the document with Green Lantern. Green Lantern needs an easement or agreement on the roof and their attorney is drafting that agreement. The projected savings will be \$750 a year, John said. The town has the option to purchase the solar panels in year six. The town's discount of 12% is fixed and written into the net metering agreement.

Louise spoke about her site visit and meeting with the town attorney. She said the dollar savings are small. She is concerned with the risk the town will take on and insignificant financial savings, and that the town must be doing it for another reasons. She asked what happens if Green Lantern goes belly up. Robert Mack said he doesn't see the value in the project.

John said the project will help the state and GMP meet renewable energy standards.

Additional solar to supply other town buildings was discussed.

Issue to be taken up again at the Dec. 16 meeting.

Public Comment

None

Budget

•Town Clerk 7:05 PM –7:20 PM

Mary Mead reviewed the budget. She spoke about line items with significant change. Town clerk recording fees have been increased to \$60,000 from \$40,000 due to state changes. Interest income will increase to \$9,000 from \$350. An item on the donations page for special investigations needs to be moved as it is not a donation. The agricultural lease was discussed and numbers will be adjusted in the Town Clerk's budget to reflect changes made in this meeting. The new expense is a request for a part-time assistant. It is budgeted at 15 hours a week at \$18 an hour. Service contracts will be increased for cyber security.

•Charlotte Volunteer Fire & Rescue Services 7:20 PM—7:45 PM

Patrice Machavern and Tom Cosinuke presented the budget that was approved by their members. It is unchanged from their preliminary budget presented to the SB a month ago. They do not anticipate any staff increases but EMS wages were discussed. In the future, there will be a significant increase to the budget if wages were increased to meet the market adjustment.

Tom said he met with Hinesburg's town administrator and he gathered information regarding an offer to take on responsibility in parts of that town to increase patient billing in a meaningful way for Charlotte, he said.

Matt asked about the capital reserve fund. He pointed out equipment and reviewed vehicle replacement timelines. Fritz reviewed how it is determined when vehicles need to be replaced.

•Road Commissioner 7:45 PM –8:00 PM

Hugh Lewis Jr. presented his budget. It is level funded. One addition could be Monkton Road. A grant is up in the air at this point. If the grant is awarded, there will be \$20,000 or \$30,000 needed. A salt/sand shed might be needed in the future, and a maintenance garage. Junior has not increased his budget for a decade and would not like to take funds from his budget for the Monkton Road Project. Junior asked for a separation for budget items like the emerald ash funds that should stay in the tree warden's budget.

•Tree Warden 8:00 PM –8:15 PM

Mark Dillenbeck said four areas along Ferry and Greenbush Road have been identified as places to work on next regarding the ash trees. A complete census of the ash trees in town has been conducted. The procedure for prioritizing the trees was discussed. Criteria where clusters of large diameter trees, and roads that were heavily traveled. Mark will send the SB maps. A program to adopt ash trees is being implemented. The tree warden budget is flat budget but he is requesting money for outreach. He said they underspend on mileage. Frank asked about other committees needing his services. Mark said he would ask. Funding for tree replacement and repair is also needed. Sue Smith explained air spading and described the town's need.

•Charlotte Historical Society 8:15 PM –8:20 PM

Dan Cole said he is looking for a bump up in what the town takes care of for their building. They do not have internet and they are looking for a basic internet addition and funding for monitors. Also storm windows to protect the historic glass is needed. A building grant for historical structure might be able to pay for that. The building has been there since 1850. Efficiency Vermont may be able to help, Frank said. Humidity needs to be low to preserve the building and the collection. Fritz said the trim needs to be repaired. Keeping the gutters cleaned out so the soffits remain intact is important as well, Dan said.

•Selectboard 8:20 PM –8:30 PM

The main changes are under other items, Dean said. Budget items such as legal were discussed. Carrie Spear suggested limits on the Town Attorney's time as it pertains to solar. Dean reviewed items outside of the regular operating budget such as the cost-of-living increase. Job descriptions and scoring needs to be done. Roof replacement of Town Hall estimates will be needed. The Town Hall sign has maintenance issues and will need to be replaced in a few years. Dean talked about planning for a salt shed, town garage and park & ride at the flea market. An informal town committee has formed for a town park and ride. Junior said the flea market is an excellent location for a new town garage and salt shed. He doesn't advocate for a park and ride in that location, because he wants to

make sure there is room the town garage and salt shed, and for storing materials as needed. Dean spoke about bollards for the Town Hall/Library parking lot and LED lighting for the Town Hall. Fritz advised to obtain a consultant. Ken from VCAM suggested acoustical improvements for better audibility in Town Hall. Dean said bike lanes may need to be re-painted.

Fritz explained the damage to bridge infrastructure as a result of the October 31st storm. Dorset Street bridge could sustain extreme damage if repairs are not made, he said. There may be FEMA reimbursement.

•Overview and discussion 8:30 PM –8:45PM

Thompson's Point lease for Lot 124 at 910 Flat Rock Road—renew 20-year lease to Susan Garner and Michael Garner

MOTION by Fritz Tegatz, seconded by Frank Tenney, to renew Thompson's Point a 20-year lease for Lot 124 at 910 Flat Rock Road to Susan Garner and Michael Garner with authorization for the chair to sign. VOTE: 5 ayes; all in favor; motion carried.

Selectboard report for the Town Report

To be discussed at the meeting on Dec. 16.

Minutes: November 4, November 25, 2019

To be discussed at the meeting on Dec. 16.

Selectboard updates

Fritz mentioned graffiti in town.

Fritz asked for signatures on change orders for the library addition. The fuel tank is \$2,042.94, the doors are \$4,808.89, the sidewalk is \$13,468.75.

MOTION by Matt Krasnow, seconded by Louise McCarren, to sign the change orders. VOTE: 4 ayes; (1 absent, Carrie Spear); all in favor; motion carried.

Executive Session

MOTION by Louise McCarren, seconded by Matt Krasnow, to enter into executive session to discuss potential litigation. VOTE: 5 ayes; all in favor; motion carried.

MOTION by Louise McCarren, seconded by Frank Tenney, to come out of executive session. VOTE: 5 ayes; all in favor; motion carried.

No action was taken.

ADJOURNMENT

MOTION by Louise McCarren, seconded by Frank Tenney, to adjourn. VOTE: 5 ayes; all in favor; motion carried.

The Selectboard meeting was adjourned at 10:00 p.m.

Minutes respectfully submitted, Lynn Monty, Recording Secretary.