

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
FEBRUARY 12, 2018**

APPROVED

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

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Peter Trono, Robert Mack, Sue Smith, Mark Dillenbeck, Hugh Lewis Jr, Abby Foulk, Max Kennedy, Vince Crockenberg, Jenny Cole, Chris Davis, Laurie Thompson, Dale Knowles, Margaret Russell, Duncan Murdoch, and others.

AGENDA ITEMS:

- 6:35 PM Road Maintenance—salt mix
- 7:05 PM Emergency planning
- 7:45 PM Trail planning
- 8:15 PM Request to use the Charlotte Park & Wildlife Refuge for guided tours
- 8:25 PM Land Maintenance and Brush-hogging Contracts
- 8:35 PM Listers—Certificate-No Appeal or Suit Pending
- 8:40 PM Extension of Professional Planning Services Agreement with CCRPC
- 8:45 PM Revised agreement with StageWorks
- 8:50 PM Liquor License renewal (to be approved as Liquor Control Board)
 - Tenney Enterprises—request for renewal of Second Class License to sell malt and vinous beverages
 - Tenney Enterprises—request for renewal of Tobacco License to sell tobacco
 - PBM Acquisition, LLC d/b/a Point Bay Marina—request for renewal of Second Class License to sell malt and vinous beverages
 - Spear's Corner Store, Incorporated—request for renewal of Second Class License to sell malt and vinous beverages
 - Spear's Corner Store, Incorporated—request for renewal of Tobacco License to sell tobacco
- 8:55 PM Town Meeting presentations

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:30 p.m.

ADJUSTMENTS TO THE AGENDA

None.

PUBLIC COMMENT

Peter Trono, resident, asked the Selectboard to add time on an agenda to discuss the Town Conflict of Interest Policy. A Selectboard member that is also a voting member of a Town committee is a concern. He had asked the Selectboard to consult the Town Attorney, VLCT, or the Secretary of State's office on the matter. He has no problem with a Board member acting as a liaison, clarified Mr. Trono.

Mr. Morrison explained that state statutes and the Town policy were reviewed regarding Board members serving on multiple committees. The Board did discuss the issue 2-3 months ago and none of the Board members had expressed a concern, said Mr. Morrison. Mr. Bloch said that VLCT was consulted.

Mr. Krasnow read the definition of a conflict of interest, and said that “interest” refers to a monetary gain.

Following further discussion, the Selectboard members suggested adding the Conflict of Interest Policy to a future Selectboard agenda.

ROAD MAINTENANCE—SALT MIX

Mr. Morrison reported that feedback has been received regarding the winter conditions of Charlotte roads. What is the status, asked Mr. Morrison.

Mr. Lewis, Charlotte Road Commissioner, explained that when the road crew does black top runs he adds more salt in the sand mix. A ‘hot mix’ blend of 20 percent salt to 80 percent sand that is used to prepare for winter storms. He hasn’t received any complaints, which would have been logged and recorded. Salt doesn’t work in real cold weather. Other towns use a “Clear Lane” spray on salt as it is dispensed down the chute, which works down to -20 degrees. He would like to see a non-binding, or binding, Town Meeting vote on what the Town wants him to use on the roadways. The cost for more salt is \$1,500 per load, said Mr. Lewis.

Robert Mack, resident, said he would like to see a cost analysis of the time spent when the road crews scrape off the product that has been applied to the roads. There are bare spots in the middle of the road and snow on the travel lanes, said Mr. Mack.

Mr. Trono said that Spear Street from Spear’s store to the Shelburne town line is treacherous. Right now the roads are great. The last several years the Selectboard has told the Road Commissioner to use more salt if needed. There should be guidelines, or a Town vote. A cost analysis should be done for rest of the winter. Shelburne roads are bare and Charlotte’s are not. Try applying salt and no sand as an experiment on certain stretches of road, and then come back to the Selectboard to report results, suggested Mr. Trono.

Mr. Tegatz suggested that Mr. Lewis provide a cost for “Clear Lane” versus salt and do some tests.

Sue Smith, resident, said that there are other costs than monetary costs. There are environmental costs to road side salt intolerant trees, accumulation of salt in the road side ditches and end up in Lake Champlain. Salt affects cars, bridge infrastructure, and culverts. Using no salt near streams will help the environment. People drive slower on snowy roads, stated Ms. Smith.

Mark Dillenbeck, Charlotte Tree Warden, spoke in opposition to increased use of road salt. It would be detrimental to tree growth and a range of environmental impacts to Lake Champlain, fish species, increased soil bound heavy metals, and contamination of water wells. Colchester and Essex are reducing salt use and switching to something else. There should be a non-binding Town Meeting vote to get a perception of people's thoughts, said Mr. Dillenbeck.

Mr. Trono said that his grandsons and three sons are more important than trees. There are other products to use in place of salt, such as beet juice, suggested Mr. Trono.

Mr. Morrison suggested that having a discussion regarding salt use when Article 8, to transact any other business, comes up at Town Meeting. Mr. Lewis will be at Town Meeting to hear what the Town voters decide, said Mr. Morrison.

Ms. Spear spoke in favor of additional salt at the "s" curves on Spear Street. Could a 70 percent salt/30 percent sand mix be used, asked Ms. Spear. Mr. Lewis replied that a 70/30 mix is possible. That would mean a driver and truck for just that mix for just that stretch of road. The road crew has 160 miles of roads to cover in a storm, pointed out Mr. Lewis.

Mr. Krasnow read a report that indicated that "Clear Lane" will not be available until April at the soonest. It is more expensive than salt, said Mr. Krasnow.

Mr. Morrison suggested that more attention be paid to north Spear Street, and that the Road Commissioner should use whatever mix is needed at his discretion.

Mr. Morrison thanked everyone for their input and patience.

EMERGENCY PLANNING

Chris Davis, Charlotte Emergency Manager Director, and Max Kennedy, Northwest Regional Coordinator, narrated a power point presentation regarding a Local Emergency Operations Plan draft (LEOP), goals, Selectboard responsibilities, Emergency Management Director (EMD) responsibilities, and available resources.

NEXT STEPS:

- Schedule a table top work session with the Selectboard to participate in a 'test' of the LEOP process and emergency scenarios
- EMD to develop a Resource List for emergency situations
- Mr. Kennedy to provide information and contacts for mitigation grants (to mitigate risks to an area/population) as a preparedness function to the Town Administrator; for example, generators for the Senior Center and Town Hall
- Suggestion for Charlotte Town to sign up for VT-Alert for public safety notifications; for example, ice storms
- EMD to develop a LEOP for Charlotte with the Selectboard input

TRAIL PLANNING

Laurie Thompson and Margaret Russell, Charlotte Trails Committee members, reviewed next steps for spring/summer projects that included installation of signage on cedar posts

at the Co-housing and Trevor Mack trail sections; schedule a spring walking tour with the Selectboard; continuation of the Town-link Trail to State Park Road process; and easement procurement.

DISCUSSION/TASKS:

- Signage related to dogs to specify that dogs ‘must be leashed’ and that dog owners ‘‘must pick up after dogs’’; policy or ordinance for specific trails on the Town-link Trail to be developed by the Selectboard
- Schedule a May date and time prior to a Selectboard meeting to tour trails starting at the Co-housing trail
- Utilize Town resources versus a state grant, regarding a path location for the State Park trail section – build upon the Dubois and King engineering scope of work
- Assign Selectboard member(s), Conservation Commission member(s) and Trails Committee member(s) to pursue a trail option for a State Park Road trail segment
- Consider a short cant-a-levered walking ‘bridge’ with guard rail over the Kimball Brook section
- Seek assistance from Town contractors on the State Park Road segment
- Identify permits required and funding sources by the Selectboard
- Explore easement procurement for the Town-link trail segments (for example, Robert Mack property) to the West Village-Co-housing link
- Identify a group to contact property owners (Kate Lampton, Amos Baehr, Matt Krasnow) regarding possible easements
- Create a Town-wide Trails Map as a hardcopy handout and a PDF file to post on the Town website outlining existing and future trails

REQUEST TO USE THE CHARLOTTE PARK & WILDLIFE REFUGE FOR GUIDED TOURS

Duncan Murdoch, certified Nature Connection Guide, explained a proposal to use the Charlotte Park and Wildlife Refuge to guide groups of up to 15 participants for a 2-3 hour walking ‘‘forest bathing’’ meditation/sharing experience. The cost is \$25 per participant and \$20 for Charlotte residents. A maximum of 10-12 walks is planned, said Mr. Murdoch.

Mr. Krasnow suggested that Mr. Murdoch contact Nicole Conley, Charlotte Recreation Director, regarding the walks, which could be posted on the Town recreation schedule.

In response to a question regarding parking, Ms. Cole said that the Park Oversight Committee supports the walks. It is a low/no impact use and the Land Trust indicated that there will be no impact to other park users. There is sufficient parking. Regarding ‘commercial use’ it is not a large enough use for concern, said Ms. Cole.

Regarding a suggestion for a \$1 per participant donation, Mr. Krasnow said that the \$5 fee reduction for Charlotte participants is the ‘donation’.

MOTION by Mr. Krasnow, seconded by Mr. Tenney, to approve a request for an application by Nature Connection Guide to use the Charlotte Park and Wildlife Refuge as presented in the application.

DISCUSSION:

Ms. Spear said that she could endorse the application for a \$1 per person donation to the Recreation Department. Mr. Krasnow said that the Town is getting a better deal if there is a \$5 reduction for Town residents. See how it goes this year and revisit it next year, suggested Mr. Krasnow.

VOTE: 5 ayes; motion carried.

LAND MAINTENANCE AND BRUSH-HOGGING CONTRACTS

There was discussion regarding three Request for Bids (RFPs) related to mowing and brush hogging the cemeteries, and Town lands; a proposal to graze sheep from a local farm at the cemetery; concerns that sheep would require proper fencing to keep out predators, and need water and shelter; and 15 trees at the Town Beach and 19 trees on Town land that will need to be edged and mulched.

Mr. Knowles asked if all the material must be removed from the Burns property swale. That would increase the cost of the bid, pointed out Mr. Knowles. Mr. Bloch explained that it meant all cattails and woody material would need to come out of the swale. The material could be deposited in the woods on the property, said Mr. Bloch.

Mr. Morrison noted that bids were due by March 30, 2018, for an April Selectboard decision.

MOTION by Mr. Tenney, seconded by Ms. Spear, to approve the Land Maintenance and Brush Hogging contract Request For Bids for mowing and maintenance of the cemeteries, and mowing and maintenance of Town lands as amended that RFPs are due by March 30, 2018.

DISCUSSION:

Mr. Lewis asked if the contracts include areas on Thompson's Point Road/Flat Rock Road and on Lane's Lane. Last year the field was hayed and someone did mow around the trees, but left a strip un-mowed. It should not be left to grow up into brush, said Mr. Lewis.

Mr. Bloch explained that in the 5-year agriculture lease it is up to the person to decide where to cut at his discretion. He will add the strip to the contract, said Mr. Bloch.

Ms. Smith said that the landscaper wants wood chips used to mulch the trees versus compost, and bark mulch around the flower beds.

AMENDMENT by Mr. Tenney, seconded by Ms. Spear, to add the use of wood chips to mulch around the trees and bark mulch on flower beds to the contract.

VOTE: 5 ayes; motion carried.

LISTERS—CERTIFICATE-NO APPEAL OR SUIT PENDING

MOTION by Ms. Spear, seconded by Mr. Krasnow, to sign the Lister's Certificate – No Appeal or Suit Pending for 2016 and 2017 as presented.

VOTE: 5 ayes; motion carried.

The Selectboard members signed the Certificate documents.

EXTENSION OF PROFESSIONAL PLANNING SERVICES AGREEMENT WITH CCRPC

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve an extension of the Zoning Administrator Professional Planning Services Agreement with Chittenden County Regional Planning Commission for the month of February, 2018.

VOTE: 5 ayes; motion carried.

REVISED AGREEMENT WITH STAGEWORKS

MOTION by Mr. Tenney, seconded by Ms. Spear, to approve a revised agreement contract with CW Stageworks for the 2018 March Town Meeting and the Monday, March 7, 2018 informational meeting for \$1,201.

DISCUSSION:

Mr. Bloch noted that labor to have a CW Stageworks person at the Town Meeting is \$45 per hour additional.

AMENDMENT by Mr. Tenney, seconded by Ms. Spear, for an amount not to exceed \$1,400.

DISCUSSION:

Ms. Spear asked if CW Stageworks is on the Preferred Vendor List. Mr. Bloch replied no.

VOTE: 5 ayes; motion carried.

MOTION by Ms. Spear, seconded by Mr. Krasnow, to add CW Stageworks to the Preferred Vendor List.

VOTE: 5 ayes; motion carried.

LIQUOR LICENSE RENEWAL (to be approved as Liquor Control Board)

Tenney Enterprises—request for renewal of Second Class License to sell malt and vinous beverages Tenney Enterprises—request for renewal of Tobacco License to sell tobacco

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to recess as the Selectboard and to convene as the Charlotte Liquor Control Board.

VOTE: 5 ayes; motion carried.

MOITION by Mr. Tegatz, seconded by Mr. Krasnow, to approve a request by Tenney Enterprises for renewal of a Second Class License to sell malt and vinous beverages and a request for renewal of a Tobacco License to sell tobacco as presented.

VOTE: 4 ayes, 1 recused (Mr. Tenney); motion carried.

PBM Acquisition, LLC d/b/a Point Bay Marina—request for renewal of Second Class License to sell malt and vinous beverages

MOTION by Ms. Spear, seconded by Mr. Tegatz, to approve a request by PBM Acquisition, LLC, d/b/a Point Bay Marina, for renewal of a Second Class License to sell malt and vinous beverages as presented.

VOTE: 5 ayes; motion carried.

□ Spear's Corner Store, Incorporated—request for renewal of Second Class License to sell malt and vinous beverages □ Spear's Corner Store, Incorporated—request for renewal of Tobacco License to sell tobacco

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve a request by Spear's Corner Store, Incorporated, for renewal of a Second Class License to sell malt and venous beverages and a request for renewal of a Tobacco License to sell tobacco as presented.

VOTE: 4 ayes, 1 recused (Ms. Spear); motion carried.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to adjourn as the Charlotte Liquor Control Board and to reconvene the regular meeting as the Charlotte Selectboard.

VOTE: 5 ayes; motion carried.

The Selectboard members signed the renewal license documents.

TOWN MEETING PRESENTATIONS

The Selectboard discussed the following:

- Mr. Morrison to create a power point presentation on the warned articles
- Ask for voter opinions regarding Donation requests at the start of the floor discussion of Article 3
- CVFRS to present a narration on the CVFRS budget
- Mr. Tegatz to explain the request for two generators for emergency preparedness
- Staff to request the Planning Commission presence at the Monday, March 5, 2018 Informational Meeting at 7:00 p.m. – Town Plan Australian ballot item
- Selectboard to support the draft Town Plan via a newspaper article and a “vote yes” ad

SELECTBOARD UPDATES

Mr. Krasnow reported that he received an e-mail from a person in Montpelier regarding a proposed pilot program to do a roadside tree inventory along Charlotte's rural roads. Mr. Morrison suggested coordinating with the Charlotte Road Commissioner and Charlotte Tree Warden regarding a pilot program. Mr. Tegatz asked to be cc'd as well.

Mr. Morrison reported that the Lane's Lane force main has been installed. The Thompson's Point Wastewater Committee has suggested updating the Wastewater Ordinance. Mr. Morrison asked staff to add an update of the ordinance to a March Selectboard agenda.

Mr. Morrison reported that he had met with CVFRS regarding a line-by-line review of the MOU. Mary Mead has questioned several items in the MOU. Proposed updates will

be forwarded to the Selectboard and CVFRS Board for further review in March, said Mr. Morrison. Ms. Spear and Mr. Tenney asked to see the proposed changes before the March Selectboard meeting. Mr. Tegatz pointed out that the approved CVFRS minutes are posted on the Town drop-box for review.

Mr. Morrison asked for Selectboard input regarding the Conflict of Interest issue. Mr. Tegatz suggested asking the Town Attorney to review the policy. Mr. Krasnow said that “financial, or personal benefit” is key. He didn’t see any conflict, said Mr. Krasnow. The Selectboard asked staff to schedule a short time for discussion at a future Selectboard meeting.

Mr. Bloch reported that the Cemetery and Conservation commissions have requested separate e-mail addresses using the Town account. There would be no cost to the Town, said Mr. Bloch. Mr. Bloch handed out a description of the process for Selectboard review. Mr. Tenney said that since it would have a Town of Charlotte e-mail address then it will be a public record. Mr. Bloch replied that it will still be public record since they are Town commissions.

Mr. Bloch reported that he will be out of the office February 26 and 27th and will be absent for the February 26th Selectboard meeting.

Ms. Spear noted that a committee person had set up a PayPal account without bringing it to Mary Mead’s attention, and asked how to refrain any committee or person from setting up a PayPal account again.

Ms. Spear asked if the Town Administrator is coordinating with Mary Mead regarding the Thompson’s Point leases. Mr. Bloch briefly explained how he became involved with issues regarding Thompson’s Point. He would be glad for Mary to take over Thompson’s Point, said Mr. Bloch.

Mr. Morrison suggested scheduling March 14th for a discussion on the Thompson’s Point Wastewater Ordinance.

NEXT SELECTBOARD MEETING DATES:

- February 26, 2018 – regular meeting
- March 5, 2018 – Informational Meeting, at 7:00 p.m., at Charlotte Central School, draft Town Plan Australian ballot item
- March 6, 2018, March Town Meeting
- March 8, 2018, Selectboard re-organization and warned Australian ballot article

MINUTES: January 16, January 22

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve the January 16, 2018 Charlotte Selectboard minutes as written.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve the January 22, 2018 Charlotte Selectboard minutes as written.

VOTE: 5 ayes; 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 10:01 p.m.

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