

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
JANUARY 28, 2019**

APPROVED

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

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Louise McCaren, Sue Smith, Peter Joslin, Jenny Cole, Gerald Bouchard, Charlie Pughe, John Quinney, Marty Illick, Suzy Hodgson, Emily Nosse-Leirer, Juliann Phelps, Chris Falk, Victoria Zulkoski, Deirdre Holmes. Nancy Ricker, Peter Carreiro, Bill Keller, Robert Mack, Scooter MacMillan, The Citizen; and others.

AGENDA:

- 6:30 PM Capital budget—discussion
- 6:55 PM Necessity Resolutions for bond votes for the ambulance and the Library addition
- 7:05 PM Julian Kulski—interview for appointment to the Charlotte Park & Wildlife Refuge Oversight Committee
- 7:15 PM Energy section of Town Plan—read-through
- 8:15 PM Request for Bids to Replace Westerly Boundary Fence at West Burying Ground (Barber Hill Cemetery)
- 8:30 PM Certificate of Highway Mileage
- 8:35 PM Railroad crossing at Thompson’s Point Road
- 8:40 PM Roland’s Place, Incorporated—renewal of First Class Restaurant/Bar License to Sell Malt and Vinous Beverages, May 1, 2019 – April 30, 2020
- 8:50 PM Minutes: January 14

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:35 p.m.

CAPITAL BUDGET—DISCUSSION

Mr. Morrison said that the CVFRS Capital Reserve spreadsheet was used as an example for a Town capital budget. Comments are requested, said Mr. Morrison.

Mr. Tegatz suggested projecting life spans out 10, or 20 years; for example, the Town Hall roof.

Mr. Bloch reviewed an updated version of the draft Capital Reserve Program spreadsheet, dated January 28, 2019, that added the following:

- Expenses paid through the General fund
- Reserve Fund Balances intended to track each fund balance and deposits into the funds
- Annual expenses paid through the General fund; for example, the Library addition for \$700,000, and associated annual expenses

- CVFRS allocations that could be expanded to include CVFRS numbers; for example, the approved \$100,000 Capital Reserve Fund for FY20 (the allocation is in the Town's General Fund budget to pay into the Reserve fund)

Mr. Morrison asked if the Selectboard needed to be aware of any state statutes if the draft Capital Budget and Program spreadsheet is adopted. Mr. Bloch replied that the spreadsheet is a tool to use. There are state statutes that apply if the Town approved impact fees for capital improvements. An impact fee is a fee a town adopts to levy on new development; for example, recreation fees could be assessed for new residential subdivisions. Fees need to be based on a standard, such as a ratio applied to any new development. It is an option that the Selectboard doesn't have to do, explained Mr. Bloch.

ADDITION/CHANGE:

- Consider a threshold monetary amount to determine a capital expense versus an Improvement and Repair Fund expense where credit is tracked; (title it "Capital Expense Budget where a \$5,000 level is considered a capital expense)
- Seek advice from Sullivan and Powers Company, Town auditors, to clarify what is a capital expense versus a maintenance expense
- Add CVFRS figures and review annually
- Extend the projections 10 years out, then an additional 5 years out, and a second 5 years out; Town Hall roof schedule out to 25 years
- Schedule a recurring 6 week reviews of the Capital Budget and Program
- Consider one page for Capital Expenses, and a second page for Improvement and Repair Maintenance expenses
- Alternate row colors white and gray on the spreadsheet
- Add black top projects of the Town properties to the capital expense schedule
- Provide copies of the Capital Budget and Program spreadsheet to newly elected Selectboard members following March Town Meeting

Mr. Bloch said that the next iteration of the draft spreadsheet will be ready for Selectboard review at the February 25, 2019 meeting.

NECESSITY RESOLUTIONS FOR BOND VOTES FOR THE AMBULANCE AND THE LIBRARY ADDITION

MOTION by Mr. Tegatz, seconded by Mr. Krasnow to approve a Necessity Resolution for a bond vote for the Ambulance as presented.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve a Necessity Resolution for a bond vote for the Library Addition as presented.

VOTE: 5 ayes; motion carried.

The Charlotte Selectboard members signed the Necessity Resolution documents.

ADJUSTMENTS TO THE AGENDA

None.

PUBLIC COMMENT

Mr. Morrison announced that Winslow Ladue, a former Charlotte Selectboard member, has passed away. Winslow brought professional expertise and knowledge regarding Town infrastructure projects and he was an asset to the Selectboard.

JULIAN KULSKI—INTERVIEW FOR APPOINTMENT TO THE CHARLOTTE PARK & WILDLIFE REFUGE OVERSIGHT COMMITTEE

The Selectboard interviewed the candidate's qualifications.

MOTION by Ms. Spear, seconded by Mr. Krasnow, to appoint Julian Kulski to the Charlotte Park and Wildlife Refuge Oversight Committee.

VOTE: 5 ayes; motion carried.

ENERGY SECTION OF TOWN PLAN—READ-THROUGH

Peter Joslin, Planning Commission Chair, review a Town Plan amendment to include an Energy Section regarding ACT 174. The Energy Committee and the Planning Commission spent 8 months updating ACT 174 requirements, which is voluntary. The Planning Commission completed the update in the Fall, held a public hearing and voted to sent it to the Selectboard. The commission tried to time approval of the amendment for the 2019 Town Meeting and an April Australian ballot vote. It is a tight timeline and might require a Special Meeting, said Mr. Joslin.

Mr. Morrison said that this is an informational review of the amendment, and not a public hearing. The Selectboard will hold two public hearings. Due to a tight timeline the amendment may, or may not be ready until the next Town Meeting, said Mr. Morrison.

Emily Nosse-Leirer, Chittenden County Regional Planning Commission Senior Planner, narrated a power point presentation regarding ACT 174 related to a Charlotte Town Plan Energy Section, noting that Substantial Deference is a higher consideration than Due Consideration. The Selectboard was given an Enhanced Energy Planning check list to review, said Ms. Nosse-Leirer.

Mr. Morrison asked if the "assumed good for solar installation" 191 acres and 104 acres "needed for new solar installations" that equals 0.001 percent of the total Charlotte land acres would that meet the goal, or are those acres only those available. Ms Nosse-Leirer explained that 48 acres needed for new solar has no constraints on it. The 104 acres is needed to reach the high goal and may have some prime agricultural soil that would require investigation. The 191 acres and 104 acres is what are needed to meet the top goal.

The study established how much would be needed for roof top solar arrays. It is not appropriate to count the roof top arrays already existing since that would be double counting, said Ms. Nosse-Leirer.

Mr. Quinney asked for clarification regarding a relationship between the low goal, high goal, and the 90 percent state goal. Ms. Nosse-Leirer said the state's 90 percent of goal

needs by 2050 is across all sectors, not just for electricity. It is electricity generation of 50 percent in-state, 50 percent out-of-state, and does not count the 50 percent already generated. There was state guidance regarding regulations. The study looked at a range of goals. Low goals reflecting small land area averaging 6 percent and high goals representing 25-30 percent of the state's population. In the local plan there are local constraints that are regulated. For example, river corridors are not considered as developable and would be in your local plans, said Ms. Nosse-Leirer.

Mr. Tegatz said that it appears that the plan is a solar plan, and maybe a little wind power. Are there any other kinds of energy generation, asked Mr. Tegatz. Mr. Joslin said that had a long discussion. In the future there could be some other kind of system, said Mr. Joslin.

Mr. Tegatz asked the Planning Commission to clarify the check list edits, which are shown as double underlines, strike throughs and are confusing. Mr. Joslin explained that double underlines means it is not new material, but was moved from elsewhere in the Town Plan. Double strike through with underline means it was moved. A single strike through is a deletion. A single underline is an edit, said Mr. Joslin.

In response to a suggestion to clarify the color maps of existing renewable needs, Mr. Joslin explained that Map 14 shows existing renewable and preferred sites. Yellow are existing solar sites, and preferred sites identify out of use gravel and sand pits that might qualify. The gravel and sand pits should have a disclaimer, said Mr. Joslin.

Ms. Illick said that the map should match "most suitable" language used in Ms. Nosse-Leirer's presentation. Ms. Nosse-Leirer said that Map 15 shows prime solar sites in red. The preferred sites map follows net metering rules. Additional sites could be added as part of the Town Plan, or it could be done later, suggested Ms. Nosse-Leirer.

Mr. Morrison asked if the gravel and sand pits are Town owned, or private land. Mr. Bloch replied that the Town landfill is Town owned and a preferred site. There are some private owned sites, said Mr. Bloch.

Mr. Morrison asked if it means that if someone wanted to develop a net zero metering site on Town land they would go to the Town, and a private landowner would go through a review Board. Ms. Nosse-Leirer replied in both cases being a preferred site would give them some benefits. They would have to go through state and municipal sets of land use regulations. They can't skip that step, said Ms. Nosse-Leirer.

Mr. Morrison asked if the Energy section in Town Plan defines criteria if developer comes to the Town with a project. Ms. Nosse-Leirer replied that adds an additional set of criteria.

Mr. Bloch asked if additional sites were considered. Ms. Illick replied, no.

Mr. Tegatz said that he has been net zero energy producer for ten years. GMP paid him for that extra generation for 5 years then decided to stop paying. Now GMP doesn't want to pay for his extra electricity produced. ACT 174 is blank on if a utility would pay for electricity in the future, said Mr. Tegatz. Ms. Nosse-Leirer said that it is not regulated by the Public Utility Commission.

Mr. Tenney asked staff to provide the colored maps for review.

Ms. Spear asked how generated power would get to the main road from the Plouffe Lane land fill. Mr. Bloch replied that there is an installation on private land in that area now.

Ms. Hodgson pointed out that GMP has guaranteed payment for power for 10 years. Mr. Tegatz said that he has had discussions with GMP and they said "so, sue them". Ms. Hodgson said that she would follow up. There is a local Charlotte resident that works for GMP and Fritz should contact him, suggested Ms. Hodgson.

There was discussion regarding a schedule for two Selectboard public hearings in order to have the amendment ready for an April vote, and Town Charter criteria to have a warning in time for a April vote;

Ms. Illick reiterated that the Energy Section is a tool and the Enhanced Energy Plan is a check list so we know we didn't miss anything. It says where in the Town Plan it is. A question was if we are telling people they have to cut energy use in half by 2050 and the answer is no, stated Ms. Illick.

Ms. Nosse-Leirer said the energy plan sets aspiration goals and how to work toward them. It relies on education and incentives to do it, said Ms. Nosse-Leirer.

Mr. Morrison summarized that the Selectboard could take more time in scheduling public hearings, and call a special meeting for purposes of voting, which would cost \$500 as per Mary Mead. Mr. Joslin suggested that the Selectboard use the check list document versus doing a line by line review. Have a public hearing and see where you end up, said Mr. Joslin.

Mr. Bloch noted changes made to the Transportation section, in Charlotte Today and in Chapter 3, Charlotte Yesterday, that fleshed out more history.

TASKS:

- Set date of first public hearing for February 25, 2019, and to invite Emily Nosse-Leirer to attend
- Warn a second public hearing at least two weeks following the first hearing
- Warn for an April 9, 2019 Australian ballot, or consider warning a Special Meeting later if necessary
- Publish public hearing warnings in the newspapers 15 days in advance for a February 25th Selectboard public hearing, 6:00-8:00 p.m., a second hearing March 25th

Peter Carreiro, resident, noted that currently there are 1 percent of electric vehicles in Charlotte with a goal of 89 percent by 2050. The current gas tax goes to the highway fund for roads and bridges. Will there be a similar tax for electric vehicles, asked Mr. Carreiro. Ms. Nosse-Leirer explained that the state is exploring taxing options. The Public Utility Commission is investigating options, such as a fee on charging stations, or an annual registration fee, or a one time registration fee, said Ms. Nosse-Leirer.

REQUEST FOR BIDS TO REPLACE WESTERLY BOUNDARY FENCE AT WEST BURYING GROUND (BARBER HILL CEMETERY)

Victoria Zulkoski and Chris Falk, Charlotte Cemetery Commission members, explained a Request for Bids to replace the westerly boundary fence at the West Burying Ground for an estimate of \$14,000. The funds are in the operating budget, said Ms. Zulkoski.

Ms. Zulkoski explained that a black cast aluminum fence 4' high is proposed. Footings will be concrete. The project should be completed by July 1, 2019, said Ms. Zulkoski.

Robert Mack asked how many posts are needed. Ms. Zulkoski replied are 5' sections for 368' of fence.

Mr. Mack stated that sand has built up on the side of the road. Will the sand be removed, asked Mr. Mack. Ms. Zulkoski said that the commission could not discover how old the current chain link fence is. The aluminum fence will sit off the ground a bit; it is up to the fence company how high. There has been discussion about setting the fence back another foot from Greenbush Road, said Ms. Zulkoski.

Mr. Mack stated that he likes the chain link fence, which is strong and keeps the critters out. It has been there longer than he has lived there. The chain link fence could be fixed for a lower cost. A broken top rail needs to be replaced. He has a concern that cast aluminum will break. The fence should be taller. The specifications don't indicate the spacing between the posts, or the weight or gauge of the material so bidders are not bidding on 10' or 6' sections. Ask Middlebury Fencing Company what was the spacing for the posts and thickness of materials are, said Mr. Mack. Ms. Zulkoski clarified that the project is only for the front fence. The other three sides will be done at a later time. Ms. Zulkoski said that they don't need two drive gates and that will save some money.

Ms. Spear said that knowing the life span of the proposed fencing would be important.

Ms. Spear asked if the mowing will be done by a riding mower or a push mower. What size deck, asked Ms. Spear. Mr. Bloch said that the Selectboard would review that at the next Selectboard meeting.

Ms. Zulkoski asked if it was too early to ask about repairing the other three sides of fencing. Mr. Morrison said to leave that for a later meeting.

Mr. Tenney expressed concern regarding durability if ice hits aluminum during snow plowing. Ms. Zulkoski said that the fencing has a guarantee, and has advantages with the wider spaces where more material can go through it.

Mr. Mack asked if there will be decorative spears on top. Ms. Zulkoski said that there are options. The specifications call for a flat top or pressed spear design, said Ms. Zulkoski.

TASKS:

- The Selectboard scheduled a site visit for February 12, 2019, at 2:00 p.m.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve a Request for Bid to replace the westerly boundary fence at the West Burying Ground, Barber Hill Cemetery, with the addition of post spacing, gauge, or thickness of material, and correction of typos as needed.

VOTE: 5 ayes; motion carried.

CERTIFICATE OF HIGHWAY MILEAGE

MOTION by Mr. Tenney, seconded by Mr. Tegatz, to approve a Certificate of Highway Mileage, dated January 2019, as presented, and to authorize the Charlotte Selectboard Chair to sign the Certificate document on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

Mr. Morrison signed the document.

RAILROAD CROSSING AT THOMPSON'S POINT ROAD

Mr. Bloch reported that the State of Vermont sent a letter requesting clarification of the width of Thompson's Point Road right-of-way at the rail road crossing. That section of road is not described as a three-rod road (a rod is 16.5'). Three rod roads are standard, said Mr. Bloch.

In response to questions, Mr. Bloch said if work needed to be done on Town property then VTrans would need to keep equipment out of the right-of-way. The project will install gates at the crossing. A three rod road is 49.5' wide, clarified Mr. Bloch.

Sue Smith noted that Steve Roberts owns property along the road and questioned if the trees planted there would be threatened by the project. Mr. Bloch said that if the trees were outside the road right-of-way then there will be no issue. The Town could ask VTrans to avoid the trees if they were in the right-of-way. A survey will be done of the area, said Mr. Bloch.

Mr. Bouchard suggested making sure where the center of the road is. Mr. Morrison said that looking at map it is a straight stretch of road. It doesn't appear that the center of the road would be a question. The gates will go in where there is a white line already on the roadway, said Mr. Morrison.

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve and confirm a three rod road width at the Thompson's Point Road rail road crossing.

VOTE: 5 ayes; motion carried.

ROLAND'S PLACE, INCORPORATED—RENEWAL OF FIRST CLASS RESTAURANT/BAR LICENSE TO SELL MALT AND VINOUS BEVERAGES, MAY 1, 2019 – APRIL 30, 2020

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

VOTE: 5 ayes; motion carried.

MOTION by Ms. Spear, seconded by Mr. Tegatz, to renew the First Class Restaurant/Bar License for Roland's Place, to sell Malt and Vinous Beverages from May 1, 2019 to April 30, 2020 as presented.

VOTE: 5 ayes; motion carried.

The Selectboard members signed the documents

MOTION by Mr. Tenney, seconded by Ms. Spear, to adjourn as the Charlotte Liquor Control Board and to reconvene as the Charlotte Selectboard.

VOTE: 5 ayes; motion carried.

SELECTBOARD UPDATES

Ms. Spear invited the public to attend a Planning Commission Special Meeting, Tuesday, January 29, 2019, at 5:30 p.m. at the Town Hall regarding an East Charlotte Village Planning discussion.

Mr. Morrison reported that there is a Monday, March 4, 2019 Town Meeting Informational hearing at 6:30 p.m. following the CCS 6:00 p.m. meeting. It is a hearing for two bond Articles for the Library Addition and the CVFRS ambulance. The bond items will be discussed at the March Town Meeting, March 5, 2019, and CVFRS will speak. The Library will be invited to speak at Town Meeting as well. The dates will be posted in the Charlotte News, Front Porch Forum and The Citizen, said Mr. Morrison.

MINUTES: January 14

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to approve the Charlotte Selectboard minutes of January 14, 2019, as written, with edits as follows:

- **Page 5, line 223, 1st bullet item – change to read “The estimated tax rate...will be set in August”.**

VOTE: 5 ayes; motion carried.

APPROVE WARRANTS TO PAY BILLS

The Selectboard approved warrant 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 8:55 p.m.

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