

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
JULY 23, 2018**

APPROVED

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

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Michael Russell, Kate Lampton, Peter Richardson, Nancy Wood, Christina Booher, Ajat Tariyal, Jeff Giknis, Jenny Cole, Bill Fraser-Harris, Mary Mead, Robert Mack, Dick St George, Tom Cosinuke, Patrice Machavern, and others.

AGENDA ITEMS:

- 6:00 PM Charlotte Housing Trust Fund Grant Program—update to Policies and Procedures
- 7:15 PM Ajat Tariyal—interview for appointment to the Trails Committee for term ending April 30, 2020
- 7:20 PM Jeff Giknis—interview for appointment to the Recreation Commission for a term ending April 30, 2020
- 7:25 PM Approval of Contract for Computer Network Support and Replacement of Server for Charlotte Town Office
- 7:35 PM Potential amendments to the Agreement between Town of Charlotte and Charlotte Volunteer Fire & Rescue Services
- 8:00 PM Hazardous Materials Ordinance
- 8:20 PM Schedule Selectboard meeting to set FY19 municipal tax rate
- 8:30 PM Employee reviews—discussion of process

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:07 p.m.

CHARLOTTE HOUSING TRUST FUND GRANT PROGRAM—UPDATE TO POLICIES AND PROCEDURES

Michael Russell, Kate Lampton, Nancy Wood and Peter Richardson, Charlotte Housing Trust Working Committee members, reviewed revised draft Charlotte Housing Trust Fund Policies and Procedures, dated July 16, 2018 as follows:

- Page 1, 2nd paragraph - summarizes proposed financial penalty revisions
- Page 1, Policy Changes, 2nd paragraph – encourages local property owners and nonprofit housing organizations; 2nd sentence – removes penalties
- Page 1, #1 Goals – have been broadened to include Senior Housing

In response to a question regarding the ability to track affordable units if property owners have an option to opt out of the program at any time without penalties, Ms. Wood explained that a non-profit organization would be required to maintain affordable units in perpetuity, and that could be tracked. Individual owners might need to sell their property at some point and could opt out, said Ms. Wood. Mr. Richardson said that if it is a rental

property and the property owner returns the grant money, then the Town could call up the property owner and ask if the rental would continue to be affordable.

Ms. Spear explained that she has heard a lot of opinions from people over the years. She understood that the Trust fund was set up to help Charlotters' live and work in town, such as teachers, farm help and young people. There are three areas where affordable housing could be developed:

- The Tenney mobile home park has 6.75 acres – take a few acres and build 800 square foot energy efficient affordable housing for 7-10 people
- Consider a Senior Housing project behind the Grange in the East Village as envisioned by Clark Hinsdale, potentially 9-15 units
- Charlotte Solar Farm site could be developed with a circular paved road for children to play on
- There should be a east-to-west movement that would include a bicycle path to connect village to village or at least to the school
- Discuss creative crossings at the Route 7/Church Hill Road/Ferry Road intersection, such as stopping vehicular traffic every half hour

Ms. Spear suggested using the fund to “push dirt”, or develop septic capacity to start projects. Once started there are many opportunities for Charlotters' to help. A child care center is needed in East Charlotte, said Ms. Spear.

Mr. Tegatz suggested a town-wide feasibility study to identify where affordable housing makes sense. What are the goals of this plan; does it mean one affordable unit pops up here and another there. As suggested by Ms. Spear a goal of 7 people out of a projected 31 per year is a 25 percent of the affordable housing goal. He would like to see numbers, and a goal shouldn't be open-ended, said Mr. Tegatz.

Ms. Lampton said that it could be approached similar to conserving land. The Town actively purchases and conserves land. This fund is an incentive to build affordable housing and it is voluntary. Saying the Town would have “x” number of affordable units per year, or “x” number of people isn't proactive. It is hit or miss due to the voluntary aspect, pointed out Ms. Lampton.

Mr. Bloch said that an e-mail was received from one of the owners of the three properties that Ms. Spear talked about. There is interest to do something, said Mr. Bloch.

Mr. Richardson said that the program is an inducement to help make a development occur. Habitat for Humanity is looking for sources of free land, free money, or free support. The fund is a statement from the Town “to put \$15,000 into housing”, said Mr. Richardson. Mr. Morrison said that the Town doesn't want to get into the development business. Developers, or existing residents of affordable housing could be told that it is an opportunity for being a “priority” ahead of other projects, suggested Mr. Morrison.

SUGGESTIONS/COMMENTS:

- A suggestion to add Senior Housing to the Goals should require a description letter
- Consider providing density bonus' for small projects in the rural areas of Town to expand the range of affordable units beyond urban areas, which would require aligning Zoning Bylaws with the use
- Consider adding an affordable housing fund in the General budget to fund projects versus a Trust fund
- Identify a past Selectboard member that served during the period that the Affordable Housing Trust fund was created to discuss the creative process that resulted in the fund
- Section 7, Grant Agreements, the committee could draft a letter to the Planning Commission, or Zoning Board that the Town supports the fund use in the planning process

NEXT STEPS:

- Identify a focus: on the East Village/West Village, or conduct a feasibility study
- Define Affordable Housing and Senior Housing
- Committee to add a comparative section to include projects beyond affordable housing and how projects relate to the Land Use Regulations and objectives
- Clarify the section of the application of what is being applied for descriptively
- Schedule a continued Selectboard/committee discussion at a future time and date to be determined

ADJUSTMENTS TO THE AGENDA

Add: National Multiple Sclerosis August 4 2018 fundraising event – approval

MOTION by Mr. Krasnow, seconded by Mr. Tenney, to approve a request for a National Multiple Sclerosis Fundraising Ride as presented, for August 4, 2018, pending approval by the Charlotte Recreation Commission.

DISCUSSION:

Mr. Bloch explained that an application submitted in April was overlooked. The ride starts in South Burlington, goes down Greenbush Road past the Old Brick Store with a rest stop at the Old Lantern, and loops around to a stop at Spear's Store in East Charlotte.

Mr. Fraser-Harris asked if CVFRS has been contacted. Mr. Bloch replied that CVFRS was contacted. There will be patrol officers at the two stops, and a support team will be on the road, said Mr. Bloch.

Ms. Spear said that there will be an outdoor market occurring at the store on August 4th. Both events will work out fine, said Ms. Spear.

FRIENDLY AMENDMENT by Mr. Krasnow, to authorize the Charlotte Selectboard Chair to sign the event document on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

Mr. Bloch will follow up with the event representative.

PUBLIC COMMENT

None.

SELECTBOARD UPDATES

Mr. Fraser-Harris reported that a home owner has complained that dog owners yell at their unleashed dogs at Whiskey Bay Town Beach. Following a conversation with the homeowner the Recreation Commission is suggesting imposing a leash law that all dogs must be leashed on land, except while in the water, said M. Fraser-Harris.

There was discussion regarding alternate language that “dogs must be under the owner’s control”; asking the Charlotte Animal Control Officer to patrol the Whiskey Bay Town Beach area a few days from 4:00 p.m.-6:00 p.m.; enforcing the current Dog Ordinance that “dogs must be leashed, or under control at all times”; and a question that if a dog won’t come on a recall command does Callie have the authority to levy a fine, or issue a warning.

Mr. Morrison said that he had talked with Callie. Callie normally responses to phone call complaints. If she does patrol the beach area she should wear an orange vest that says “Town of Charlotte Animal Control” and receive compensation; for example \$25 per visit, suggested Mr. Morrison.

Ms. Mead said that the Torino’s is private property and a sign should be placed that there are “no dogs beyond this point”, or “violators will be fined”. Mr. Fraser-Harris said that signage is already posted. The Torino’s want dogs on leash while on land so that the yelling ceases, said Mr. Fraser-Harris.

Mr. Fraser-Harris said that he would liaison with the Town Administrator, Callie and the Torino’s, and post a warning on Front Porch Forum.

Mr. Morrison asked staff to add a discussion regarding compensation for the Charlotte Animal Control Officer at the next regular Selectboard meeting.

Mr. Tegatz, Wastewater Committee liaison, invited interested Selectboard members to attend the next Wastewater Committee meeting on Monday, July 30, at 5:30 p.m.

The Selectboard asked staff to warn a Selectboard meeting to set the tax rate for Monday, July 30, 2018, at 4:30 p.m. and to attend the Wastewater Committee meeting at 5:30 p.m.

AJAT TARIYAL—INTERVIEW FOR APPOINTMENT TO THE TRAILS COMMITTEE FOR TERM ENDING APRIL 30, 2020

The Selectboard interviewed Ajat Tariyal for a Trails Committee position.

MOTION by Mr. Krasnow, seconded by Mr. Tenney, to appoint Ajat Tariyal to the Trails Committee for a term ending April 30, 2020.

VOTE: 5 ayes; motion carried.

JEFF GIKNIS—INTERVIEW FOR APPOINTMENT TO THE RECREATION COMMISSION FOR A TERM ENDING APRIL 30, 2020

The Selectboard interviewed Jeff Giknis for a Recreation Commission position.

MOTION by Ms. Spear, seconded by Mr. Krasnow, to appoint Jeff Giknis to the Recreation Commission for a term ending April 30, 2020.

VOTE: 5 ayes; motion carried.

Mr. Bloch noted that Mr. Giknis is replacing Jan Schwartz.

APPROVAL OF CONTRACT FOR COMPUTER NETWORK SUPPORT AND REPLACEMENT OF SERVER FOR CHARLOTTE TOWN OFFICE

Mr. Krasnow recused himself for a potential conflict of interest.

Mr. Bloch reviewed that the Techgroup references were checked. Several towns said that they have had good experiences with Techgroup. Items noted in the Town Administrator's Report suggest researching spam filters, said Mr. Bloch.

Ms. Booher pointed out that Microsoft 360 includes spam filters and the Town has a contract for copiers and scanners. Mr. Bloch said that the server needs to have a spam filter.

Mr. Morrison suggested that a spam filter can be discussed at a later time.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to accept a Managed Services Agreement for computer network support for the Charlotte Town Office with Techgroup, starting August 1, 2018, and to authorize the Charlotte Selectboard chair to sign the contract on behalf of the Town of Charlotte.

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

Mr. Krasnow rejoined the Selectboard.

POTENTIAL AMENDMENTS TO THE AGREEMENT BETWEEN TOWN OF CHARLOTTE AND CHARLOTTE VOLUNTEER FIRE & RESCUE SERVICES

Dick St George, Patrice Machavern and Tom Cosinuke, CVFRS representatives, reviewed a process for calculating a surplus utilizing the Profit/Loss Statement (P and L) as a basis, end of the year adjustments that are added back in to find the difference either as a surplus or deficit. For example, two journal entries were added back into the FY2017 P and L ending balance for a difference of \$6,151.89 as a deficit, explained Ms. Machavern.

Mr. Morrison asked that the calculation template be e-mailed to the Town auditor, Rick Brigham, Sullivan and Powers Company. Once his comments have been received the Selectboard will take it up for approval, said Mr. Morrison.

Ms. Mead stated that in 2015 she sent Rick Brigham an e-mail regarding the surplus language. The language was complicated. She sent Rick the 2017 post audit, budget versus actuals, and asked him what she should look at when calculating a surplus. The process needs to be looked at, said Ms. Mead.

Ms. Booher noted that taxpayers need to find and figure out the Fire and Rescue budget numbers on their own in the Town Report, which can not be accomplished now.

Mr. Cosinuke suggested that the Town and CVFRS do a review of the MOA every two years. Mr. Morrison said that a review was done in January, 2018. It needs to be discussed line by line, said Mr. Morrison.

Mr. Morrison asked the Fire and Rescue representatives to return for a further MOA line-by-line discussion at the August 13, 2018, Selectboard meeting at 6:00 p.m.

HAZARDOUS MATERIALS ORDINANCE

Dick St George, Charlotte Fire Chief, explained that the proposed Hazardous Materials Ordinance puts teeth into recovery of expenses when there is a hazardous spill/event. Historically, expenses are billed to insurance and sometimes the costs are recovered, or not, said Mr. St George.

Mr. Tegatz said that the MOA will need to be changed to reflect the ordinance and ties the CVFRS organization to the Town.

PROPOSED CHANGES/ADDITIONS TO THE MOA:

- Amend the MOA to add Section 3, Level of Service, f – Hazardous Material Incident Management
- Reference Attachment A, Town of Charlotte Hazardous Material Ordinance under the new Section 3, f

Mr. Bloch suggested amending the MOA, which the Selectboard could approve pending review by the Town Attorney.

Mr. Mack asked if agriculture was exempt. Mr. Morrison replied no; there are hazardous materials used in agriculture.

Ms. Machavern asked in what situation someone could receive a waiver. Mr. Bloch said that it is like traffic enforcement fines. If it is paid up front and is not contested then the fine is \$500 versus \$800. Mr. St George said that fees go into the General fund, and billing fees goes to whoever bills to recover costs.

Ms. Booher asked for clarification of the chain of costs, and who gets billed for causing a hazardous incident. Mr. St George explained that at a hazardous materials call the CVFRS responds as a service. When a private contractor takes over then CVFRS backs out, and will bill for the CVFRS service(s). The fine has teeth for the Town as a municipality, said Mr. St George.

Mr. Bloch said that a Hazardous Material Incident Report form will be created.

Mr. Mack asked for clarification of the schedule of charges. Mr. St George said that the billing includes expenses/costs for materials, such as foam, or damages to equipment apparatus. Ms. Machavern replied that apparatus and personnel expenses include \$275 per hour and \$27.50 per hour respectively. For services coming from out of area their manpower bill is submitted to CVFRS for billing, said Ms. Machavern.

PROPOSED CHANGES/ADDITIONS TO THE TOWN OF CHARLOTTE HAZARDOUS MATERIALS ORDINANCE:

- Page 1, Section 2, 2nd sentence – delete space between “to” and “:.”
- Page 1, Section 3, 3rd line – strike the “s” on the word “founds”
- Page 1, Section 4 (a), 2nd line – change to read “and/or form...”
- Page 1, Section 4 (b) 1st line – strike the words “Person shall mean”
- Page 2, (c), 1st line – change to read “Possession: Shall mean...” and replace the words “his/her” with “their”
- Page 2, Section 5, 2nd line – replace the word “material” with “material(s)”; 8th line – insert the word “additionally” between “and” and “if”
- Page 2, Section 7, 2nd line – change to read “Charlotte and/or a...”; 6th line change to read “Charlotte and/or a...”
- Page 3, Section 9, 3rd line – change to read “...the issuing municipal officials may be the Town Administrator...”; 4th line – replace the words “police officer or sheriff” with “law enforcement official.”
- EFFECTIVE DATE: change “2016” to read “2018”
- Last Selectboard signature line – change the name “Jacob Spell” to read “Frank Tenney”

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve the proposed Town of Charlotte Hazardous Materials Ordinance, and to be signed by all Selectboard members, as amended:

- Page 1, Section 2, 2nd sentence – delete space between “to” and “:.”
- Page 1, Section 3, 3rd line – strike the “s” on the word “founds”
- Page 1, Section 4 (a), 2nd line – change to read “and/or form...”
- Page 1, Section 4 (b) 1st line – strike the words “Person shall mean”
- Page 2, (c), 1st line – change to read “Possession: Shall mean...” and replace the words “his/her” with “their”
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- Page 3, Section 9, 3rd line – change to read “...the issuing municipal officials may be the Town Administrator...”; 4th line – replace the words “police officer or sheriff” with “law enforcement official.”
- EFFECTIVE DATE: change “2016” to “2018”

- Last Selectboard signature line – change the name “Jacob Spell” to read “Frank Tenney”

DISCUSSION:

Mr. Tegatz asked if the amended ordinance should be subject to legal review. Mr. Bloch replied no; the Town Attorney reviewed the draft. The edits were not substantive changes.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve the Agreement between the Town of Charlotte and the Charlotte Volunteer Fire and Rescue Services, Inc., Incorporating the Second Amendment as amended to add Section 3, Level of Services, (f) Hazardous Material Incident Management (Attachment A, Town of Charlotte Hazardous Material Ordinance), effective date 23, July, 2018, pending approval by the Charlotte Volunteer Fire and Rescue Services, Inc., at the Tuesday, July 24, 2018 CVFRS meeting, and to authorize the Charlotte Selectboard Chair to sign the Agreement document as the duly authorized agent on behalf of the Town of Charlotte.

DISCUSSION:

Ms. Cole asked if the added Level of Services means that there will be extra training, or equipment required. Mr. St George replied no; the CVFRS already does the service as a level of service response. Mr. Morrison clarified that the Agreement gives CVFRS the authority to do the work and to charge for the expenses and damages to equipment.

VOTE: 5 ayes; motion carried.

Staff to schedule further discussion at the next regular Selectboard meeting, August 13, 2018 at 6:00 p.m.

Mr. St George asked the Selectboard to authorize the sale/disposal of the 1980 Mack truck. Mr. Morrison replied that the truck is to be sold and is in the budget.

Mr. St George reported that three bids were received to replace the air packs and the Air Pack Committee has recommended a vendor that will supply a package deal for air packs, bottles and 5-gas monitor meters for a \$35,000 savings. The gas meters are in the budget for next year, and CVFRS is asking to do it this year, said Mr. St George.

Mr. Morrison pointed out that the 2018 Town Meeting Article vote approved the purchase of air packs for up to \$220,000 from the Fire and Rescue Capital Reserve fund.

Ms. Booher said that it is a good deal. The Town Meeting Article was to spend up to \$220,000. Next year's budget isn't approved yet, said Ms. Booher.

MOTION by Mr. Krasnow, seconded by Mr. Tenney, to approve an additional expenditure of \$9,335.25 from the Fire and Rescue Capital Reserve fund for FY2019 for the Fire and Rescue PO Altair 5X and 6X2 5-gas meter monitors for LEL/O₂/CO/H₂S/HCN.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the disposal of the current air packs, retired air packs, and the 1980 Mack Truck.

VOTE: 5 ayes; motion carried.

SCHEDULE SELECTBOARD MEETING TO SET FY19 MUNICIPAL TAX RATE

Mr. Morrison reviewed that the Selectboard meeting to set the FY2019 Municipal tax rate is scheduled for Monday, July 30, 2018, at 4:30 p.m., followed by the Wastewater Committee meeting at 5:30 p.m.

EMPLOYEE REVIEWS—DISCUSSION OF PROCESS

Mr. Morrison reviewed that the employee review process will be the same as last year with updated names.

EDITS:

- Under Process, #4, change to read “Review Committees will sign the final appraisal form, and the employee may sign the final appraisal form”
- Review Committee Structure – replace “Mary R” with “Carol”
- Delete Christina, noting that Mary Mead review Christina

MOTION by Mr. Tenney, seconded by Mr. Krasnow, to approve the Town of Charlotte Employee Performance Appraisal Process, dated 2018, as amended:

- Under Process, #4, change to read “Review Committees will sign the final appraisal form, and the employee may sign the final appraisal form”
- Review Committee Structure – replace “Mary R” with “Carol”
- Delete Christina, noting that Mary Mead review Christina

VOTE: 5 ayes; motion carried.

MINUTES: June 25, July 9

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve the Charlotte Selectboard minutes for June 25, 2018, as written, with corrections/additions:

- Page 1, line 12 – delete “ADMINISTRATION: Dean Bloch”
- Globally correct the name “Bill Fraser-Harris”
- Page 3, line 136 – delete “Rob Mullin”

VOTE: 5 ayes; motion carried.

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to approve the Charlotte Selectboard minutes for July 9, 2018, as written, with corrections/additions:

- Page 3, line 100 – replace the word “tied” with “restricted”
- Page 4, line 146-148 – delete the word “Summary” and add “...amended as follows:
 - Correct the “Draft for Selectboard meeting on June 9” to read “July 9”

- **Section D, Landscape Management Plan and Maintenance Standards – add a section “Invasive Species” and “Erosion Control” and proposed exhibits**
- **Add a “Last Revised 2018” date to the document’s front cover page, and header**
- **Add language to the top of the page, Work Plan, Section D, exhibits, that “follow the Invasive Species Management Plan”**
- **Wildlife Maintained Meadows and Scrublands Bird Habitat Areas – no changes to the draft**
- **Hedgerows – no changes to the draft**
- **Woodlands – Consider using the Park as a demonstration project for grants; add ash tree management in the Management Plan**
- **Successional Woodlands and Old Orchard - no changes to the draft**
- **Wetlands, Ponds and Streams – create a Vernal Pool map**

VOTE: 5 ayes; motion carried.

APPROVE WARRANTS TO PAY BILL

The Selectboard reviewed and signed warrants to pay bills.

ADJOURNMENT

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to adjourn the meeting.

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 9:17 p.m.

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