

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
JUNE 26, 2017**

APPROVED

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

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Mary Mead Jane Mead, Tricia Coyle, Shawn Coyle, Patrice DeMarco, Peter Demer, Bruno Murphy, Nan Mason, Mary Mead, Sue Smith, Linda Radimer, Deirdre Holmes, Michael Russell, Margaret Russell, Scott Hardy, Betsy Tegatz, John Limanek, Laurie Thompson, Derk Bergquist, Mary Van Vleeke, Christine Cowart, Carol Clay, Amos Baehr, and others.

(NOTE: the agenda was heard out of order, but appears as published for continuity.)

AGENDA ITEMS:

- 7:15 PM Purchasing Policy—discussion of amending policy to require all committees and departments to submit all purchase documentation
- 7:45 PM Internal Controls
- 8:00 PM Scott Hardy—requests for Planning & Zoning fee reimbursement
- 8:05 PM Interviews Deirdre Holmes for Energy Committee, to fill vacancy of seat with term ending April 30, 2019 Bruno Murphy for Lister, to fill vacancy until the next election in March 6, 2018 Erika MacPherson for Conservation Commission, to fill vacancy of seat with term ending April 30, 2021 8:15 PM Bicycle & Pedestrian Grant Program—approve grant application and grant match
- 8:25 PM Establish terms for members of West Charlotte Village Wastewater Committee
- 8:30 PM Appeal of Preliminary Plat Findings of Fact and Decision by KR Properties—have Town Attorney enter an appearance
- 8:35 PM Purchase of NEMRC license for permit tracking module for \$4,295 one-time fee
- 8:40 PM Bond documents Commitment letter Appointment of Authorized Representative(s) Automatic Money Market Investment Authorization Letter
- 8:45 PM Budget process—discussion

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 7:00 p.m.

ADJUSTMENTS TO THE AGENDA

None.

PUBLIC COMMENT

None.

SELECTBOARD UPDATES

Mr. Bloch reported that Troy Tounis, IT consultant, will review the four bid proposals this week and will report back for a July 10, 2017 Selectboard meeting and vote. A question is will the Town pay him for his time at \$100 per hour, asked Mr. Bloch.

Mr. Bloch reported that as per the paving contract the work was to be completed before the end of the fiscal year. Due to rain, D and F Paving has requested a two week extension, said Mr. Bloch.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve a two week extension to the D and F Paving request for a two week extension to the paving contract as presented.

VOTE: 5 ayes; motion carried.

Mr. Bloch reported that the Town has received notification of an ANR funding grant program for up to \$7,200 for erosion control measures on a Lewis Creek Road ditch. A Selectboard letter of intent needs to be sent by July 10, 2017. A 20 percent Town match of \$1,800 will be required, said Mr. Bloch.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to apply for a Municipal Road grant, administered by Chittenden County Regional Planning for repair of erosion, pending the Charlotte Road Commissioner's approval of a 20 percent Town match coming out of the Highway budget.

VOTE: 5 ayes; motion carried.

PURCHASING POLICY—DISCUSSION OF AMENDING POLICY TO REQUIRE ALL COMMITTEES AND DEPARTMENTS TO SUBMIT ALL PURCHASE DOCUMENTATION

There was discussion regarding an email from Mary Mead related to the bid paperwork to reside in the Town Hall. Mr. Morrison read Section 3, Purchasing Policy, and a proposed addition of a 3.C to add a paragraph that the bid paperwork shall reside in the Town Clerk/Treasurer's office.

Mr. Krasnow suggested the following addition to Section 3.B, that bid paperwork "...should be maintained at the Town Clerk/Treasurer's office including a list of vendors, and dated copy of any agreement...." A new Section 3.C would not be needed, said Mr. Krasnow.

MOTION by Mr. Krasnow, seconded by Ms. Spear, to approve a proposed Purchasing Policy amendment, Section 3.B, to require all committees and departments to submit all purchase documentation as follows: "The files shall be maintained by the Charlotte Town Clerk/Treasurer's office and include a list of the vendors contacted, date, and copies of all quotes, vendor correspondence and a copy of any agreement and/or contract documents executed after accepting the quote."

DISCUSSION:

Ms. Smith asked at what point the documents will need to be in the Town Clerk's office. Mr. Tegatz replied that before any contract is awarded the bid documents should be submitted to the Town Clerk/Treasurer's office.

Mr. Morrison clarified that when an agreement that authorizes work to be done, then the documents should be submitted to the Town Clerk/Treasurer's office.

VOTE: 5 ayes; motion carried.

INTERNAL CONTROLS

Mr. Morrison reviewed a proposed Internal Control policy related the Town finances. The draft has been reviewed by the audit firm, Sullivan and Powers, and includes subordinate sections as well, said Mr. Morrison.

Mr. Tegatz suggested changing the language under the Payroll section, 3rd paragraph, Exempt Employees to include the Listers. Ms. Mead noted that Listers were not salaried employees; they are paid hourly and can't be exempt.

Following further discussion it was suggested to change the language to read "Elected officials and those determined to be salaried employees by the Selectboard."

MOTION by Mr. Tegatz, seconded by Mr. Krasnow, to accept a proposed Internal Controls Amendment with the change to Payroll, 3rd paragraph, Exempt Employees that "Elected officials and those determined to be salaried employees by the Selectboard."

VOTE: 3 ayes, 2 nays (Mr. Tenney, Ms. Spear); motion carried.

Ms. Spear noted that the Town Administrator's Report had additional suggestions regarding the Purchasing Policy related to the bid opening process. Mr. Bloch said that a suggested change to Section 4(d) of the Purchasing Policy will still have bid openings at a public meeting at a preannounced date and time, but doesn't require a warned Selectboard meeting.

There was lengthy discussion regarding issues related to opening bids during a warned Selectboard meeting where there was no time to evaluate and compare bids and to award a contract. The Selectboard members spoke in support of staff opening bids at a non-Selectboard public meeting, which would give staff time to evaluate/compare bids for a discussion/vote at a following Selectboard meeting.

MOTION by Mr. Tegatz, seconded by Ms. Spear, to strike the words "...at a Selectboard meeting..." from the Purchasing Policy, Section 4.D, Bid Opening, from the Charlotte Purchasing Policy.

DISCUSSION:

Mr. Tenney noted that the policy says "at a public meeting." Mr. Bloch replied that bids are received in response to RFP's. The Selectboard members could decide if they want to attend a public meeting at bid opening, or not.

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

SCOTT HARDY—REQUESTS FOR PLANNING & ZONING FEE REIMBURSEMENT

Mr. Tenney reported that the second Hardy subdivision application took the same amount of time and cost to the Town as the first application related to advertising, warning a hearing, and holding Planning Commission hearings. The fee was the same for both applications. The Planning Commission said that they did everything as usual. Filing a Mylar is on the applicant to do. Staff notification for the process is a courtesy. All Planning Commission meetings are warned the same whether one, five or six hearings are held; there are no charges for hearings, said Mr. Tenney.

Mr. Hardy stated that it was a simple mistake. He didn't receive a notice regarding the 180 day filing date. His surveyor said that missed filing dates for Mylar's happens all the time and the Planning Chair just signs it, said Mr. Hardy.

Mr. Krasnow asked if all the information for both applications were the same. Did the Charlotte Planning Commission put in the time to hear the new application, and did they know that Mr. Hardy claims it was a clerical error, asked Mr. Krasnow.

Mr. Tegatz said that he did not support shifting an applicant's responsibility to the Town. By refunding the application fee the Selectboard could be opening a can of worms, said Mr. Tegatz. Mr. Tenney noted that the rules are laid out to the applicant. The time line is written down in state statutes, said Mr. Tenney.

Ms. Spear said that she did not want to start a precedent regarding refunding of fees.

MOTION by Mr. Krasnow, seconded by Mr. Tegatz, to refund a portion of a subdivision application fee of \$1,000 to Scott Hardy for a repeat subdivision application, and to retain \$200 for clerical fees and time.

DISCUSSION:

Mr. Morrison asked if the motion is for a clerical error of filing a Mylar. Mr. Krasnow replied yes.

Ms. Spear reiterated that she didn't agree with the fee refund.

VOTE: 1 aye (Mr. Krasnow), 4 nays; motion failed.

INTERVIEWS: Deirdre Holmes for Energy Committee, to fill vacancy of seat with term ending April 30, 2019; Bruno Murphy for Lister, to fill vacancy until the next election in March 6, 2018; Erika MacPherson for Conservation Commission, to fill vacancy of seat with term ending April 30, 2021

- Deirdre Holmes for Energy Committee, to fill vacancy of seat with term ending April 30, 2019

The Selectboard reviewed the candidate's qualifications.

MOTION by Ms. Spear, seconded by Mr. Tegatz, to appoint Deirdre Holmes to the Energy Committee to fill a vacancy of seat with the term ending April 30, 2019.

VOTE: 5 ayes; motion carried.

- Bruno Murphy for Lister, to fill vacancy until the next election in March 6, 2018; The Selectboard reviewed the candidate's qualifications.

MOTION by Ms. Spear, seconded by Mr. Tegatz, to appoint Bruno Murphy as a Lister to fill a vacancy of seat until the term ending at the next election, March 6, 2018.

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

- Erika MacPherson for Conservation Commission, to fill vacancy of seat with term ending April 30, 2021
The Selectboard reviewed the candidate's qualifications.

MOTION by Ms. Spear, seconded by Mr. Tenney, to appoint Erika MacPherson to the Conservation Commission to fill a vacancy of seat with the term ending April 30, 2021.

VOTE: 5 ayes; motion carried.

BICYCLE & PEDESTRIAN GRANT PROGRAM—APPROVE GRANT APPLICATION AND GRANT MATCH

Mr. Morrison said that a final review of a bike and pedestrian path scoping study was presented by Dubois and King at a public meeting on Thursday, June 22, 2017.

(NOTE: Mr. Morrison called a break at 8:06 p.m. – 8:11 p.m.)

Ms. Thompson, Trails Committee Co-Chair, explained that the Trails Committee is requesting a Letter of Support from the Selectboard to attach to a VTrans federally funded Bicycle and Pedestrian grant application. The application is due July 14, 2017, and a 20 percent Town match is needed, said Ms. Thompson.

There was lengthy discussion regarding three trail location options, Segment A, Segment B, or Segment C, as identified in the Dubois and King scoping study; Segment A as an 8' wide single path with a 4' wide grass buffer between the road and path built to VTrans specifications on the north side of State Park Road in the Town right-of-way and a 20' easement over Kimball Brook; easements received, or not (no easements are granted for Segment C that would be longer distance and more expensive); and proposed 'in-kind' contributions by Mr. Tegatz as Construction Inspector and Mr. Bloch as Project Manager, which would save money.

Ms. Spear said that she had driven along the proposed path next to State Park Road. She displayed photographs of the area. There are many oaks and maple trees. She would not like to see the trees cut down, stated Ms. Spear.

Tricia Coyle, resident, said that at the Dubois and King meeting the estimated cost of Option A of \$529,280 or Option B for \$641,580 was presented. This project should

include the total cost of all the segments of the project. At the first Dubois and King meeting process Dubois and King said they would come up with final plans where the trail would go for A, B and C, and that a Town vote would be held for this project as per the minutes. She had questions regarding the cost of the path to the Charlotte taxpayers. She will review the October 18th Dubois and King meeting minutes, said Ms. Coyle.

In response to questions regarding funding sources and estimated project costs, Ms. Thompson explained that the application is for a \$423,000 grant. The Trails fund has a \$10,000 balance and \$5,000 in the budget. With the \$40,000 voted at Town Meeting, that is \$55,000. Mr. Tegatz has agreed to do the Construction Inspection for a \$63,000 in-kind contribution. Lucy Gibbons, VTrans, said that testing was estimated at \$5,000, so when that is minus-ed out of the \$63,000 that results in \$58,000, said Ms. Thompson. Mr. Tegatz pointed out that the costs were an engineer's estimate of costs. Actual costs could be higher or lower, said Mr. Tegatz.

Following further discussion, Mr. Krasnow, as the Selectboard liaison to the Trails Committee and Conservation Commission, said that he will work with the committees to explore alternative path routes, environmental impacts, costs, and a more inclusive community process. He will report back at the July 10th Selectboard meeting. If this grant cycle is missed, then the Town could apply again in a future grant cycle, suggested Mr. Krasnow.

ESTABLISH TERMS FOR MEMBERS OF WEST CHARLOTTE VILLAGE WASTEWATER COMMITTEE

MOTION by Ms. Spear, seconded by Mr. Tegatz, to appoint the following to the West Charlotte Village Wastewater Committee with the terms as proposed:

- Dave Marshall, Christina Booher and Kate Lampton for 2 year terms
- Dana Hanley, Jim Hyde and Peter Joslin for 1 year terms;

and after the initial terms all terms will be for two years.

VOTE: 5 ayes; motion carried.

APPEAL OF PRELIMINARY PLAT FINDINGS OF FACT AND DECISION BY KR PROPERTIES—HAVE TOWN ATTORNEY ENTER AN APPEARANCE

Mr. Krasnow recused himself as a Krasnow family member.

MOTION by Ms. Spear, seconded by Mr. Tegatz, to approve the Town Attorney to enter an appearance regarding a potential appeal of the Preliminary Plat Findings of Fact and Decision by KR Properties.

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

Mr. Krasnow rejoined the Selectboard.

PURCHASE OF NEMRC LICENSE FOR PERMIT TRACKING MODULE FOR \$4,295 ONE-TIME FEE

MOTION by Mr. Tegatz, seconded by Ms Spear, to approve the purchase of a NEMRC License for a permit tracking module for the Planning and Zoning offices for a one-time fee of \$4,295.

VOTE: 5 ayes; motion carried.

BOND DOCUMENTS COMMITMENT LETTER APPOINTMENT OF AUTHORIZED REPRESENTATIVE(S) AUTOMATIC MONEY MARKET INVESTMENT AUTHORIZATION LETTER

Mr. Bloch explained that the Selectboard is required to sign a Letter of Commitment, due July 3, 2017, regarding a 20 year Vermont Municipal Bond for an amount of \$625,000 related to the purchase of a new CVFRS pumper truck, selecting an automatic money market investment authorization letter option, and appointing Authorized Representatives to release and track funds as necessary on behalf of the Town.

Mr. Tegatz suggested appointing Mary Mead, Charlotte Town Clerk/Treasurer and a CVFRS representative to be determined.

MOTION by Mr. Tenney, seconded by Ms. Spear, to:

- **Appoint the Charlotte Town Clerk/Treasurer and a CVFRS representative (to be determined) as the Town of Charlotte Authorized Representatives with regard to the fire-pumper truck bond**
- **To select a Short Term Investment Option Series 3, VMBB 2017 for the bond proceeds**
- **Authorize the Charlotte Selectboard Chair to sign the Vermont Municipal Bond Bank Letter of Commitment memo, by July 2, 2017.**

VOTE: 5 ayes; motion carried.

BUDGET PROCESS—DISCUSSION

Mr. Morrison reviewed that the Selectboard had expressed interest in starting budget discussions with committee and commissions earlier than November. Joint Selectboard/committees could be scheduled starting at the end of the fiscal year, suggested Mr. Morrison.

It is the consensus of the Selectboard to schedule a joint Selectboard/committee meeting beginning Monday, July 31, 2017, at 7:00 p.m.

MINUTES: June 12, 2017

MOTION by Mr. Tegatz, seconded by Ms. Spear, to approve the Charlotte Selectboard minutes of 06/12/2017 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, with the exception of a refund to Remo Pizzagalli.

MOTION by Mr. Tenney, seconded by Mr. Tegatz, to recommend a refund of a subdivision application fee in the amount of \$1,200 to Remo Pizzagalli.

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

ADJOURNMENT

MOTION by Ms. Spear, seconded by Mr. Tenney, to adjourn the meeting.

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 9:45 p.m.

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