

CHARLOTTE SELECTBOARD MEETING
Monday, January 10, 2022
Charlotte Town Hall 159 Ferry Road and via teleconference

APPROVED

SELECTBOARD MEMBERS: *in person:* James Faulkner, Chair; Frank Tenney, Vice Chair; Louise McCarren; *remote and in person as noted below:* Lewis Mudge; *remote:* Matthew Krasnow

ADMINISTRATION: Dean Bloch, Town Administrator

OTHERS: *in person:* Sarah Thompson, Lane Morrison, Dave Marshall, Fritz Tegatz, Sara Shays; *remote:* Junior Lewis, Dexter Mahaffey, Joseph Obuchowski, Gary Landrigan, Mary Mead, Julianne Phelps, Lynn Jaunich, Patrice Machavern

AGENDA ITEMS:

6:00 PM Adjustments to the agenda
6:01 PM Approve warrants to pay bills
6:10 PM Committee requests for unbudgeted expenditures (time allotted if needed)
6:15 PM Minutes: December 13, December 20, December 23, December 29, January 3
6:20 PM Monkton Road Slope Stabilization Project—award bid or reschedule project
6:30 PM Application to the Conservation Fund for Kiley property on Garen & Prindle Roads
6:45 PM Conflict of Interest Policy—draft revision
7:00 PM Public Comment
7:05 PM Vermont Commons School—request for Highway Access Permit (continued hearing)
7:15 PM Budget Review
7:45 PM Decision whether to hold Town Meeting in person or by Australian ballot
7:50 PM Town Meeting warning
8:20 PM Town Report, 2021
8:25 PM Animal Control Intake Contract
8:30 PM Job description for Zoning Administrator/Sewage Control Officer/Health Officer
8:40 PM Contracts for Thompson’s Point Wastewater System:

- SJW Docks, Inc. for System Operator
- Civil Engineering Associates for System Engineer

8:45 PM 251 Ferry Road Site Plan Review (Docket #21-ENV-00077)—withdrawal from appeal
by property owner
8:50 PM Selectboard meeting schedule for January and February
8:55 PM Selectboard updates
9:00 PM Adjournment

CALL TO ORDER

James Faulkner called the meeting to order at 6:00 p.m.

Adjustments to the agenda

None.

Approve warrants to pay bills

Committee requests for unbudgeted expenditures (time allotted if needed)

Minutes: December 13, December 20, December 23, December 29, January 3

MOTION by Louise McCarren, seconded by Lewis Mudge, to approve the Selectboard meeting minutes for December 13, 2021, as amended. VOTE: 5 ayes; Motion Carried.

Monkton Road Slope Stabilization Project—award bid or reschedule project

James Faulkner suggested putting this project off for a year or two. This is stabilized for now. Junior Lewis agreed the area is stabilized for now and he is fine with the decision to reschedule the project. Lewis Mudge asked for a description of what was being rescheduled. Junior explained the sloping and the stone that had been added as a mitigation effort and what is needed to stabilize the slope long-term. Brian Bresland of D&K weighed in. He said there is not a safety hazard at this time. The capital reserve that would have been used for this can now be used for a Town Garage, James said.

MOTION by Louise McCarren, seconded by Matt Krasnow, to table the award of the bid for the Monkton Road Slope Stabilization Project. VOTE: 5 ayes; Motion Carried.

Application to the Conservation Fund for Kiley property on Garen & Prindle Roads

Kate Lampton explained the details of the application. This is not an agricultural project. Part of the property, 59 acres, has an Open Space Agreement on it with the Town. The reason to conserve this is that an Open Space agreement is not as strong as conservation. Gus Kiley gave a history of the property. They wish to secure the land in a Land Trust to preserve it. This was Marty Illick's last project. Funding sources are limited and \$52,000 would be needed from the Town, Kate said.

MOTION by Louise McCarren, seconded by Lewis Mudge, to approve \$52,000 from the Charlotte Conservation Fund go to the Kiley and Nivola Conservation Project. VOTE: 5 ayes; Motion Carried.

Conflict of Interest Policy—draft revision

Lewis Mudge said the draft should be in all of the Selectboard member's hands and should clarify the issue. He requested more than 15 minutes to review the document, and to table this to a future date to work toward a concrete policy in the spring. It is a public document and Lewis encourages feedback.

Decision whether to hold Town Meeting in person or by Australian ballot

Louise said she is open to explore any and all options. In-person meetings might not always be a choice in the future, she said. Matt and Lewis both agreed with Louise that an Australian ballot would be the best option moving forward. Frank Tenney advised not making any decisions tonight. He asked about an informational meeting happening on a Saturday for Town Meeting. Zoom is allowed.

Motion by Louise McCarren, seconded by Matthew Krasnow, to hold the 2022 Town Meeting by Australian Ballot, on the condition that the Governor signs S172, and with general council approving the motion. VOTE: 5 ayes; Motion Carried.

Motion by Frank Tenney, seconded by James Faulkner, to hold the informational meeting for 2022 on Saturday, February 26 at 9 am via a virtual meeting. VOTE: 5 ayes; Motion Carried.

Lewis Mudge arrived in person.

Public Comment

None.

Town Report, 2021

Motion by Frank Tenney, seconded by Lewis Mudge, to dedicate the 2021 Town Report to Marty Illick and Terry Dinnan upon the approve of Tai Dinnan. VOTE: 5 ayes; Motion Carried.

Vermont Commons School—request for Highway Access Permit (continued hearing)

James said a telephone pole may need to be moved. Dean Bloch said the project has been approved by the Planning Commission (PC) and the Zoning Board of Adjustment (ZBA), but it is up to the Selectboard to approve the curb cut. Louise said she does not approve of this curb cut due to low visibility and it is dangerous. The curb cut needs to be moved south or the utility pole needs to be moved, Louise said. Matt asked the board to focus on the Town highway and the application on its merits and leave discussions about planning and zoning to those boards.

Sara Shays was present and spoke about her concerns about the driveway being dangerous. Matt read from the regulations about access points. He said the project's safety is being improved from what is being currently used by residents.

Sarah Thompson said she feels like she doesn't have any options and plans to appeal this driveway if it is approved as she has not received an easement. She wants to take over the current driveway and have the school develop their own access.

Dave Marshall said the application is for an expansion of the existing driveway. It has been designed to avoid the utility pole. Sight lines have been measured 15 feet away from

the travel lines. This utility pole does not come into play when waiting to enter traffic, he said. It complies with the Agency of Transpiration guidelines. This expansion meets design standards, Dave said. It is a commercial entrance by definition.

Lane Morrison said he was Chair of the Zoning Board of Adjustment when the decision was made to approve the project. He gave details that led to that decision. He said what is being requested is safe and appropriate and it is providing better access for everyone.

Dexter Mahaffey said an easement will be given to Sarah Thompson when the permit is obtained. A traffic study found the application acceptable and compliant. He said the access has always been agricultural and not residential. It will remain agricultural even though this land will be used for educational purposes.

Gary Landrigan spoke of his concerns regarding safety of the access point in the application.

Joe Obuchowski, attorney for Sarah Thompson, said that the PC and ZBA decisions should be read thoroughly.

Frank Tenney said there are five days until the appeal period is done and spoke about a second curb cut. Lewis Mudge said the Selectboard is not in the position to approve a second curb cut and that the Selectboard is being asked to approve only what is in the application at hand which is an expansion of the current access.

Sarah Thompson said she is confused about procedure. Frank said this could be appealed to Environmental Court. Sara Shays said junior drivers traveling the current access is dangerous. She said the Road Commissioner told her it was not safe. The Road Commissioner, Junior Lewis, said he never told her that it wasn't safe.

Matt said Spear Street has been under a study to improve traffic calming measures. Traffic would be slowed down by people pulling safely out of the access. He suggested Sarah Thompson be invited in to Town Hall to talk about her concerns to get a sense of mitigation efforts that could be put into place.

**MOTION by Lewis Mudge, seconded by James Faulkner, to approve the Vermont Commons School's request for Highway Access Permit, as per the application.
VOTE: 3 ayes; 2 opposed (Frank Tenney and Louise McCarren); Motion Carried.**

Budget Review

Salary and benefits are the majority of the increases, Louise said. Mary Mead presented a list of her suggestions, much of which was money that has been consistently budgeted and not spent. She highlighted line items with no explanation or plans to be used. She asked for higher scrutiny of CVFRS and they should be level funded. January 17th is the deadline on budget changes, Dean said. Fritz Tegatz of CVFRS said Mary's claims are false and level funding is not an options since payroll is the bulk of the increase. A Special Meeting will be held. Matt Krasnow noted the Selectboard has never been able to

manage CVFRS' budget and it is not reasonable or transparent for the taxpayer. He suggested appropriation articles for CVFRS and the library. Lane Morrison suggested the Selectboard do their job and not abdicate it to articles. Matt said budgeted money for equipment the Town doesn't own is not smart and old ways of conducting business and old relationships between Town entities might not be the smartest way forward. CVFRS' budget is not the Selectboard budget, they are a private company the Town contracts with and there needs to be more transparency for taxpayers. Lynn Jaunich spoke about the school district budget and a possible five cent decrease for Charlotte. A Special Meeting will be held at 6:30 pm on Monday, January 17. Patrice Machavern asked what she needed to prepare for Monday. Matt suggested going line by line and cutting the CVFRS budget. Patrice offered that the CVFRS budget has already been prepared very mindfully.

Town Meeting warning

Once the budget is approved, the warning will need to be approved, Dean said.

Lewis Mudge left Town Hall and joined the meeting remotely.

Animal Control Intake Contract

MOTION by Louise McCarren, seconded by Frank Tenney, to approve the Animal Control Intake Contract between the Chittenden County Humane Society and the Town of Charlotte as presented, with authorization for the Chair to sign. VOTE: 5 ayes; Motion Carried.

Job description for Zoning Administrator/Sewage Control Officer/Health Officer
Tabled.

Contracts for Thompson's Point Wastewater System:

- **SJW Docks, Inc. for System Operator**
 - **Civil Engineering Associates for System Engineer**
- The advisory committee has recommended renewing both.

MOTION by James Faulkner, seconded by Louise McCarren, to accept the contract for SJW Docks, Inc. for System Operator for Thompson's Point Wastewater System, with permission for the Chair to sign. VOTE: 5 ayes; Motion Carried.

MOTION by James Faulkner, seconded by Louise McCarren, to accept the contract for Civil Engineering Associates for System Engineer for Thompson's Point Wastewater System, with permission for the Chair to sign. VOTE: 5 ayes; Motion Carried.

251 Ferry Road Site Plan Review (Docket #21-ENV-00077)—withdrawal from appeal by property owner

No action taken. To be addressed at a later time.

Selectboard meeting schedule for January and February

The Selectboard members agreed to the special meeting on January 17th and regular meetings on January 24, February 14 and February 28.

Selectboard updates

None.

Adjournment

MOTION by Lewis Mudge, seconded by Frank Tenney, to adjourn. VOTE: 5 ayes; Motion Carried.

The meeting was adjourned at 9:20 p.m.

Minutes respectfully submitted, Lynn Monty, Recording Secretary.