

CHARLOTTE SELECTBOARD MEETING
Monday, May 23, 2022
Charlotte Town Hall 159 Ferry Road and via teleconference

APPROVED

SELECTBOARD MEMBERS: *In person:* James Faulkner, Chair, Frank Tenney, Vice Chair, Lewis Mudge, Louise McCarren (in person and remote)

Remote: Matthew Krasnow

ADMINISTRATION: Dean Bloch, Town Administrator (*in person*)

OTHERS:

In person: Mark Dillenbeck, Clark Hinsdale, III, Scooter MacMillan

Remote: Carrie Spear, Chea Evans, Hugh Lewis, Jr., Nancy Faulkner, Nicole Conley, Paul Plante, Devin St. George

AGENDA ITEMS:

6:00 PM Adjustments to the agenda
6:01 PM Personnel issue [possible executive session; 1 VSA §313(a)(3)]
6:30 PM Approve warrants to pay bills
6:35 PM Committee requests for unbudgeted expenditures (time allotted if needed)
6:36 PM Minutes: May 9, 2022
6:40 PM Selection of contractor for Ash Tree Removal on Thompson's Point
6:45 PM Mitchell Shifrin—Open Space Agreement on property at 4035 Mt. Philo Road
7:00 PM Public comment
7:05 PM Contract (FY23) with Vermont State Police for traffic ordinance enforcement
7:20 PM CVFRS – 3rd quarter financials
7:35 PM Clark Hinsdale, III—offer to donate painting of Nordic Holstein barn to the Town
7:40 PM Contract with TCE to assist with wastewater disposal and water supply permitting for the remainder of FY22
7:50 PM Personnel Policy—updates

- Remote work policy
- Recommendations from Town Attorney

8:15 PM Salary Administration Policy – update
8:30 PM Beach vandalism – update
8:35 PM Credit card for Senior Center
8:40 PM Town Garage – update
8:50 PM Selectboard updates
9:00 PM Adjournment

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

Adjustments to the agenda

James Faulkner stated there are two bids for the wastewater consultant that will be opened at 6:30 pm and will be reviewed at that next meeting.

Personnel issue [possible executive session; 1 VSA §313(a)(3)]

MOTION by James Faulkner, seconded by Lewis Mudge, to enter into executive session under 1 VSA §313(a)(3) with an invitation to Dean Bloch to attend. VOTE: 5 ayes, 0 nays; Motion Carried.

MOTION by James Faulkner, seconded by Lewis Mudge, to exit executive session . VOTE: 4 ayes, 0 nays, (1 absent); Motion Carried.

Approve warrants to pay bills

Warrants signed.

Committee requests for unbudgeted expenditures (time allotted if needed)

None.

Wastewater Bids

Dean Bloch stated that the Selectboard has delegation to administer the state wastewater system and potable water supply rules and ever since this has been done, the town has relied on a consultant to help with the process. The town has been using L&D for the past 4-5 years, but they're merging with another company; so this went out to bid with a deadline today at 4 pm. Two bids were received.

1) VT Contours Inc.

2) Landmark Engineering and Design.

Dean will do an analysis and he will share at the next meeting.

Minutes: May 9, 2022

MOTION by Louise McCarren, seconded by Lewis Mudge, to approve the minutes of May 9, 2022, with the edits. VOTE: 5 ayes, 0 nays; Motion Carried.

Selection of contractor for Ash Tree Removal on Thompson's Point

- DJ's Tree Service and Logging Inc. \$36,750
- Greg Smith \$19,500
- Teacher's Tree Service \$18,500
- Chris' Lawncare and Mini Excavating \$17,000
- Bartlett's Tree Service \$23,450

James Faulkner stated that the challenge with removing the trees at Thompson's Point is that they are tight together and there are residences there as well.

Mark Dillenbeck, town Tree Warden stated for this particular project it will be somewhat technical due to a lot of infrastructure. In particular there are electric wires, camps and wastewater infrastructure just below the surface. There is need for a trained and qualified crew with the right equipment to complete the job. He recommends Teacher's Tree Service. Junior Lewis stated that he went with Mark Dillenbeck and VJ Comai to mark the trees and Chris Fortin asked if they had reached out to Green Mountain Power which they hadn't done. Junior went on to state that he did contact GMP and 50% of what they had thought the town would need to fund removal of is actually going to be removed by GMP. Therefore, Chris Fortin saved the town some substantial money with the suggestion of contacting GMP. Lewis Mudge asked if this was why there was such a large disparity in the bids. Junior Lewis stated that he wasn't sure if DJ's Tree Service went back a second time after the trees were remarked or not. Mark Dillenbeck stated that all the contractors received updated information and maps so they were all bidding on the same project. James Faulkner stated that it's important to choose different contractors to allow for multiple bidders in the future. If the town repeatedly picks the same contractor, other contractors will be less likely to bother to enter a bid. With that being said, due to the complexity of this project he feels that Teacher's Tree Service is the way to go.

MOTION by Lewis Mudge, seconded by Louise McCarren, to approve the bid of Teacher's Tree Service, not to exceed the amount of \$18,500 for the contract for Ash Tree Removal on Thompson Point. VOTE: 5 ayes, 0 nays; Motion Carried.

Mitchell Shifrin—Open Space Agreement on property at 4035 Mt. Philo Road

Dean Bloch stated that this is the final step of approving the subdivision which was originally denied by the Planning Commission and then the applicant appealed and there was a settlement agreement. It's a four lot subdivision that was done as a PRD with an open space agreement. The final language was negotiated with the town attorney and the applicant's attorney. It doesn't allow tree cutting without a forest management plan that would have to be approved by the Selectboard. They are allowed to create trails, but not much more than that. This isn't an open space agreement as an agricultural parcel. They're not allowed to clear the land for farming etc. Frank Tenney stated that looking at section C 2(b), it states that they can put structures or other improvements there if they go through the DRB, therefore section B 1 contradicts section C 2(b). Dean Bloch stated that it would have to be approved as an application to the DRB. Frank Tenney stated that it doesn't seem like an open space agreement if they can just go to the DRB and build something there.

Matthew Krasnow asked what the status is of the larger process with the development that David Rugh has been working on. Dean Bloch stated that the settlement was approved by the Selectboard that approved the subdivision that creates these four lots, and that was subject to this open space agreement. This is a finalization of the approval that was contemplated in the settlement. Matthew Krasnow stated that if this was a negotiated open space agreement required by the settlement that the Selectboard already approved, and is dependent upon as a function of this passing, then he feels the board should carefully consider delaying this. If this is the recommendation from general

counsel, the document is in the towns best interest of the overall settlement. He doesn't think that the board should take the time tonight to change the document unless there is a good reason, since this went through a very lengthy legal process. He stated he understands the points that were made tonight, but he feels that the time to have made them would have been during the negotiations that he and Frank Tenney were a part of and the mediation. As well as during the appeal process and the lengthy subdivision application process that they already went through. It seems a little late to withhold something tonight.

Frank Tenney stated that he agreed but on a normal basis an application goes to the PC and gets approved and then they work on the open space agreement afterwards and that is basically, what is happening now. Lewis Mudge and James Faulkner agreed that there's nothing wrong with stating that the Selectboard has some concerns with the wording and would like to make sure that section C 2(b) doesn't contradict section B 1. Dean Bloch stated that he can bring it back to the town attorney, David Rugh, and bring the guidance back to the Selectboard at the next meeting.

Public comment

Clark Hinsdale, III, Vice Chair of the Ferrisburgh Selectboard, stated that if there's anything the Town of Ferrisburgh can do to support Charlotte with respect to providing assistance through their town garage, to let him know. Dean Bloch stated that he and James Faulkner got a tour of the Ferrisburgh town garage, which was very helpful. James said that Ferrisburgh is extremely lucky to have John Bull. James thanked Clark for his offer.

Contract (FY23) with Vermont State Police for traffic ordinance enforcement

Dean Bloch stated that he spoke with Lieutenant Tara Thomas. She is the current station commander at the Williston barracks and she provided the draft contract. It's very similar to the current fiscal year contract. Eight hours a week and the rate went up minimally. Historically Louise McCarren and Matthew Krasnow have been the liaisons to the VT State Police. The trooper that is the designated lead trooper for Charlotte is Brittani Barone, and Dean Bloch emailed her requesting increased trooper presence at the beach. Lewis Mudge stated that there was a resident of Greenbush Road sitting in a chair in the middle of the road due to all the heightened traffic from drivers avoiding the Route 7 construction.

MOTION by James Faulkner, seconded by Lewis Mudge, to approve the contract (FY23) with Vermont State Police for traffic ordinance enforcement not to exceed \$33k. Authorize the chair to sign. VOTE: 5 ayes, 0 nays; Motion Carried.

Louise McCarren left the in-person meeting, and rejoined remotely after the 7:40 pm agenda item.

Clark Hinsdale, III—offer to donate painting of Nordic Holstein barn to the Town

Clark Hinsdale, III stated that he has a 32" high by 76" wide painting from the 1980s of the old house and the old barn. He would like to donate the painting to the Charlotte

Historical Society and allow it to be on loan to the town of Charlotte for display in the Charlotte Town Hall if the Selectboard chooses. The farm was the first robotic dairy farm in 2004. His family sold the farm in 2018. The Historical Society would like to have custody of the painting but they don't have a place to store it. He feels this is an artifact that should be owned by the community.

MOTION by Frank Tenney, seconded by Lewis Mudge, to accept the painting from Clark Hinsdale III. VOTE: 4 ayes, 0 nays, (1 absent); Motion Carried.

Contract with TCE to assist with wastewater disposal and water supply permitting for the remainder of FY22

Dean Bloch stated that, as he stated earlier, L&D is merging with TCE Inc. (Trudell Consulting Engineers) and they've agreed to honor the L&D contract with the town until the end of the fiscal year, June 30, 2022, at L&D's contracted rates. The same engineer will continue to work with the town until the end of the contract.

MOTION by Lewis Mudge, seconded by James Faulkner, to approve the contract with TCE Inc. to assist with wastewater disposal and water supply permitting for the remainder of fiscal year 2022. Authorize the chair to sign. VOTE: 4 ayes, 0 nays, (1 absent); Motion Carried

Credit card for Senior Center

Dean Bloch stated that the Senior Center has asked to have a credit card for online services. Volunteers and board members have been using personal credit cards and then they have been getting reimbursed. They would be subject to the same requirements as the town and the library. This would be used for the standard ongoing everyday operation expenses. Lori York would be the holder of the card. Lewis Mudge asked if this would make Mary Mead's job easier or more complicated? Dean Bloch stated that he doesn't think that it would be any different than a regular invoice. He feels that as Lori York's supervisor that it is needed. There is a credit card policy and it states that there is a limit. Matthew Krasnow stated that it would be the responsibility of the supervisor to manage. Louise McCarren stated that she spoke with Lori York and they do have financial oversight in place.

Louise McCarren joined the meeting remotely. (7:20 p.m.)

MOTION by Louise McCarren, seconded by Matthew Krasnow, to approve the Senior Center credit card with a limit that is the same as the other credit cards for the town library and the town and the use of this credit card will follow the purchasing policy rules. VOTE: 5 ayes, 0 nays; Motion Carried.

CVFRS – 3rd quarter financials

Devin St. George, treasurer for CVRS stated that as of March 31, 2022, patient billing has been running higher than budgeted. The overall expenses for the year are running slightly higher also due to beginning of the year expenses, insurances, workman's comp, general holidays that require additional overtime are all prior to this quarter so the overall

expenses run a bit higher during the first quarter of the year. Actual total income is \$748,436.94 and budgeted total income is \$933,246.00. Actual total expenses are \$738,077.59 and budgeted expenses are \$933,246.00. Net operating income is 10,359.35. Dean Bloch and Lewis Mudge asked about the \$31,466.04 for “protective clothing” 299.68% increase. Devin St. George explained that that line item is being looked into currently. They believe that some of the turn out gear that was to be paid from the capital fund has not been paid from the capital fund at this point. It was instead paid from of the operating budget. Plan is to sit down with the operations and get that taken care of. The other part of that increase is the additional hire of full time employees that required an additional allocation of a lot of PPE which includes a new set of turn out gear. Matthew Krasnow asked if the new hire was for fire or rescue? Devin St. George stated that there were two new hires as full time Firefighters and EMTs. They were onboarded around July of 2021. They’re planning to hire three more full time employees so there will be seven full time employees total. Frank Tenney asked what the expense is for a new set of turn out gear and Devin responded that the expense is around \$5k. Frank Tenney also asked about the “other expenses” and “bank expenses”. Devin St. George said that the detailed expenses can be found in the budget forms provided but that he’s unsure as to what line items are representative of “other expenses”. He stated that he will confirm with the business manager as to what line items specifically are included. Lewis Mudge asked if the line item 53003, “Medical Supplies/Oxygen”, would be an anticipated increase over the 128.81% and Devin St. George stated that he did anticipate an increase due to the increase in all supplies these days. Scooter MacMillan from the Charlotte news, asked if patient billing in the budget was referring to what was billed or what was billed and collected? Devin St. George stated that it is referring to what has been collected in this fiscal year. Matthew Krasnow asked if there were calculations on what was billed and what was collected and if it could be added to the information given and Devin St. George stated that he could work on that.

Personnel Policy—updates

• Remote work policy

Dean Bloch provided a draft remote work policy. He stated that he spoke with other towns and looked at their policies. The town of Richmond allows remote work, but doesn’t have a policy. This is being done in Vermont and is quite common with and without written policies. The Vermont League of Cities and Towns has a model policy that he used in drafting the policy. As he has researched more, he feels that this is a fairly common and beneficial practice and is a good way to keep employees happy. It’s important to have employees present for positions that involve interfacing with the public. This becomes a management issue to make sure that there is coverage and that responsibilities are being met but also allowing for the town employees to have some balance in their lives. Lewis Mudge concurred with this being the trend of the workforce and that staff retention is of utmost importance. Louise McCarren stated that she was insulted by the statement “Remote work is not a substitute for childcare...,” which is stated in the draft remote work policy. She also stated that there could be a designated laptop with Zoom available for members of the public that come in to see a particular employee that might be working remotely from home at that given time. Lewis Mudge stated that he wondered the same thing and that if there is to be a set day or two that a

town employee is to work remotely, then they should stick to that schedule and not shift the days for personal reasons. The public would be made aware as to the days the employees will be physically in and the days that they will be “in” remotely. Matthew Krasnow stated that he agrees with Louise in regard to the statement on childcare needing to be removed. Dean Bloch shared that it was not his language but rather the language that he borrowed from the League of Cities and Towns model policy. Matthew Krasnow stated that it should be made as general as possible and not single out individual employee issues that might come up. Customer service should be considered here and having a system in place that allows for the residents to schedule Zoom meetings with town employees will be a benefit for the residents as well. James Faulkner stated that all could make suggestions on changes and then at the next meeting the final draft could be discussed and voted on. Matthew Krasnow asked if John Klesch, one of the Town Attorneys could also look it over before the next meeting. James Faulkner stated that yes that would be the plan as well as all members of the Selectboard.

• **Recommendations from Town Attorney**

The edits of the Town of Charlotte Personnel Manual were briefly discussed in general. This is a 20 page document. The Lawyers comments are in the April 25, 2022 meeting agenda packet. The plan is for each member of the Selectboard to review this and discuss at the next Selectboard meeting.

Salary Administration Policy – update

James Faulkner stated that Frank Tenney made edits to this policy. Frank Tenney stated that he didn’t make many changes but he did change that a new employee could be placed in the second quartile because the original stated that they had to be placed in the first quartile. Louise McCarren stated that she had a lot of difficulty with the language in the section describing step one/quartiles. She suggested in the first bullet point removing the word, “usually”, the fourth bullet point the word, “frequently” and in the fifth bullet point the word “normally” as she feels these words potentially add to the readers confusion.

Lewis Mudge asked if there was any feedback from the town employees? Dean Bloch explained that it just came out last Friday so that there has been no formal review at this time. Louise McCarren asked about the statement of 10 years of relevant experience as there could be a new hire with spectacular academic credentials. Frank Tenney stated that he put a sentence in stating that the Selectboard’s approval is required for all salary decisions. If there is an unusual circumstance, it must be detailed in a written justification memo. This is one of the changes made so that a new hire could be placed into the second quartile if there were extenuating circumstances. Lewis Mudge made some additional grammar edits within that particular paragraph and Frank Tenney agreed. James Faulkner stated that these changes can be made and this policy will be reviewed and voted on at the next Selectboard meeting.

Beach vandalism – update

Nicole Conley stated that there have been many bonfires at the beach with loud parties, drinking and broken glass bottles left behind. This past Saturday there was a Beach

Attendant training and clean up, and they had some commissioners go down and they cleaned up some of the brush and logs. Junior Lewis was there and said that he would pick up the large stumps and tree trunks, and the hope is that if these folks don't have something to burn, then maybe they won't or it will greatly decrease the number of beach bonfires. She stated also that she spoke to Dean Bloch and James Faulkner and she and Dean Bloch have a meeting with Waitsfield Telecom to see if it's possible to get Wi-Fi down there and if so to get cameras put up as a possible solution in the future. Another idea is to contact fire and rescue and maybe their presence will begin to eliminate the issue. They are having similar issues in Burlington as well. Louise McCarren stated that as was stated earlier tonight the Selectboard would like the State Police to have a little bit more presence at the beach at night.

Lewis Mudge asked if signs were going to be put back up stating no bonfires allowed; Nicole Conley reported that Bill Fraser-Harris is making new signs and it will be stated in the Front Porch Forum as well. Nicole Conley stated that the beach closes at 10 p.m., and she also said there are no burn permits issued for fires at the beach as people need to own the property in order to get a burn permit.

Louise McCarren stated that a pamphlet is needed to educate the general public about the fact that if emergency assistance is needed while at the beach and a call is made on a cellular phone that the call doesn't go to emergency dispatch in VT but rather to NY. Nicole Conley stated that an email was sent out by Chris Davis in regard to emergency calls being made to VT vs NY.

Lewis Mudge asked what he should direct others to do when and if they see groups of people at a bonfire at the beach but they don't feel safe approaching them. Nicole Conley stated that the process isn't clear and she wonders if she or someone were to let the folks at the bonfire know that they can't have a bonfire and then the next step, if they won't leave, might be to call the state police or should fire and rescue go down there? Matthew Krasnow stated that doing all the suggestions at once might allow for getting ahead of this issue. If it's a fire then have Fire and Rescue respond, if there's loud noise the State Police should be called for a noise complaint and trespassing. He wonders if the Town Constable, Josh Flore could volunteer a couple nights and go down there and ask the folks what their names are and he could tell them that they're not allowed to have bonfires or trespass on town property. James Faulkner stated that he feels it would be great to follow through on the Wi-Fi and camera plans. Nicole Conley stated she and Dean Bloch have their meeting with Waitsfield Telecom on May 31st. Matthew Krasnow stated that there are game cameras that only need battery power and hook up to cell service and don't require Wi-Fi. James Faulkner stated that it would be great to have cameras to possibly identify the vandalizers by face or by license plate. His other concern is all the glass at the beach and the cleanup in order to protect all the children that come to the beach during beach hours. Nicole Conley stated that she feels the majority of the glass problem is from the after hour folks but that there are signs stating no glass allowed. James Faulkner asked Nicole Conley to give an update on the cameras, glass issue and wood removal as things progress. She stated that she would give an update at the Selectboard meeting following the meeting with Waitsfield Telecom.

Town Garage – update

James Faulkner stated that the subcommittee is working on reducing the total cost of the town garage. He and Dean Bloch met with Peter Trono and some of his suggestions were useful. He also spoke with the estimator and the base line estimate was potentially a bit higher than it needed to be. Due to the market, it's somewhat variable. The biggest adjustment to the plan that would provide the most savings is to decrease the number of bays from six to four. James Faulkner stated that even though this would provide an initial savings, he's reluctant to change the plans to a four bay garage when all the surrounding town garages that they have seen have six bays and they report seven would be better still. This project is going to cost a fair amount of money and it makes the most sense to build a town garage that is going to provide what is needed for the next twenty to thirty years. Louise McCarren stated that it would be foolish to go to four bays if what is needed is six bays. Dean Bloch stated that the DRB will be hearing the site plan review application on Wednesday. The site plans that they are reviewing are the original site plans.

Dean also said that Mary Mead sent out an email in regard to using the ARPA money for payroll and benefits, and using the money that was allocated or raised through taxes for payroll and benefits for the town garage and broadband instead. This will be on the next agenda to make the motion. If the ARPA money is designated for the town garage and broadband, there are restrictions. By using the ARPA money for payroll and benefits there are no restrictions. It's a better accounting way and was suggested by Sullivan & Powers, the town auditor, and the Vermont League of Cities and Towns.

James Faulkner stated that he put together fifty-three places that the estimated cost can be cut to build the town garage. The architect feels that with wood there is a greater expense due to the increased labor. There is a meeting this Friday at 1 p.m. at the town hall for the subcommittee and the energy committee. There has been a member of the energy committee involved on this project since day one but it's important to get the feedback from the entire committee. Also, Efficiency VT has been contacted three different times to see what they can do for the project as well. They are able to advise without any cost for this service with an employee from Efficiency VT that is the head of commercial efficiency.

Matthew Krasnow stated that one of the benefits that the town has with Efficiency VT and other energy committee members helping out on this issue is that they are able to look at the life of the building and comparing the operational costs vs just being hyper focused on the low upfront cost of construction. Efficient energy systems and inputs into the building planned now might not be the lowest upfront costs of the building but those will save taxpayers more money over time. We are in a climate crisis and it is in the Town Plan to be building energy efficient buildings, he said. From a financial perspective for the taxpayers looking at the big picture, energy efficient systems should be chosen. James Faulkner stated that the committee is trying to make these plans fossil free. To make this building with the future in mind the goal is to focus on the size of the

building and making it fossil free. Louise McCarren stated that she feels there is a real danger in going completely electric.

Lewis Mudge asked about tax implications. Dean Bloch stated that he looked at the initial cost estimate with the interest rate from commercial bank. He feels it's premature. It's based on an interest rate that is moving. Lewis Mudge stated that he's concerned about the interest rate rising. James Faulkner stated that they are doing the best they can to figure out the reduced cost so the bond vote can go out. The tax implications haven't been determined due to this not being completed yet. Frank Tenney asked if there are any grants to be applied for. James Faulkner stated that they have been looking into grants but so far there are no grants that the town qualifies for. There are incentives that Efficiency VT provides depending on purchase plans.

Selectboard updates

Dean Bloch stated that Emergency Planning folks, Emergency Operations Committee, EOC, would like to have a meeting to educate the Selectboard on the town's Emergency Plan. This meeting will take place on Monday, June 20th at 6:30 p.m. for about an hour and a half to two hours. Frank Tenney asked if the policies are coming forward for events. Dean Bloch stated that the Planning and Zoning have put together an ordinance and they sent it to the town attorney, David Rugh. It's an ordinance for a special event that could include food trucks but right now they're envisioned as two separate ordinances. It's ready to review for the next Selectboard meeting agenda since the agenda for tonight was full.

Adjournment

MOTION by James Faulkner, seconded by Lewis Mudge, to adjourn. VOTE: 5 ayes, 0 nays; Motion Carried.

The meeting was adjourned at 8:50 p.m.

Minutes respectfully submitted, Brooke Milo, Minute Taker. Edits by Dean Bloch.