

CHARLOTTE SELECTBOARD MEETING
Monday, November 28, 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

Remote: Matthew Krasnow

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

OTHERS: *In person:* Charles Russell, Jessie Bradley, Susan Smith, Pete Demick, Dan Cole,

Remote: Carrie Spear, Junior Lewis, Julian Kulski, Nancy Faulkner, Paul Plante, Peter Richardson, Bill Regan, Isiah Moore, Rick Brigham, Mark Dillenbeck, Joseph McLean, others

AGENDA ITEMS:

- 6:00 PM Adjustments to the agenda
6:01 PM Personnel [possible executive session per 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)
6:40 PM Minutes: 10/24, 11/2, 11/14, 11/21
6:45 PM Highway Access Permit application by Mark and Claudia Pfaff, Ferry Road; HAP-22-15 (no organized site visit is planned)
7:00 PM Public comment
7:05 PM FY22 financial audit
7:20 PM Presentations on proposed FY24 budgets
- Canine Control Officer 7:20 PM – 7:30 PM
 - Planning & Zoning 7:30 PM – 7:40 PM
 - Charlotte Park & Wildlife Refuge Oversight Committee 7:40 PM – 7:50 PM
 - Conservation Commission 7:50 PM – 8:00 PM
 - Cemetery Commission 8:00 PM – 8:10 PM
 - Tree Warden 8:10 PM – 8:20 PM
 - Historical Society 8:20 PM – 8:30 PM
 - Donations 8:30 PM – 8:40 PM 8:40 PM
- 8:40 PM Approve use of ARPA funds to offset salary and benefit expenditures & apply equal amount of property tax revenue to town garage and broadband projects
8:50 PM Selectboard updates
- Selectboard schedule for December
- 9:00 PM Adjournment

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

Adjustments to the agenda

None.

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

MOTION by James Faulkner, seconded by Lewis Mudge, to enter into executive session per 1 VSA §313(a)(3) for the appointment or employment or evaluation of a public officer or employee provided the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting; with an invitation for the town attorney to join. VOTE: 5 ayes, 0 nays: Motion Carried.

Motion by Frank Tenney, seconded by Lewis Mudge to exit out of executive session. VOTE: 5 ayes, 0 nays; Motion Carried.

James Faulkner stated that no action was taken.

Louise McCarren left the meeting in person to rejoin at home virtually.

Approve warrants to pay bills
Warrants signed.

Committee requests for unbudgeted expenditures (time allotted if needed)
None.

Minutes: 10/24, 11/2, 11/14, 11/21

Due to the lack of time, James Faulkner decided to forgo the meeting minute approvals on the agenda.

Highway Access Permit application by Mark and Claudia Pfaff, Ferry Road; HAP-22-15
Due to lack of daylight, a site visit wasn't scheduled.

Junior Lewis stated that the property needs to meet the B71 standards due to the slope. No culvert is needed and the sight distance is good with 500 feet in both directions.

Jason Barnard, the applicants' engineer, stated that he's working for the Pfaffs on a two lot subdivision. There is an existing access on Ferry Road that will be used and it will be improved to B71 standards. Dean Bloch stated that he was at the site today and the width of the access is tight and should be looked at to be sure it meets the town standards. Jason Barnard stated that some brush clearing will occur, and widening of the access as well.

MOTION by Frank Tenney, seconded by Lewis Mudge, to approve the Highway Access Permit application by Mark and Claudia Pfaff, HAP-22-15, off from Ferry Road, with the condition that it follow the B71 standards. VOTE: 4 ayes, 0 nays, 1 absent (McCarren); Motion Carried.

Public comment

James Faulkner stated that the Trails Committee has been working diligently to get signs done for the town trails. They saved money by installing them themselves. Someone shot up one of

the new signs on Plouffe Lane with a shot gun. He expressed his disgust with this unacceptable action.

Bill Regan stated that the sign was destroyed by two shot gun blasts shortly after it was installed. In July of 2021 a large wooden kiosk was sawed down and taken away at the corner of Mt. Philo Road and the State Park Road. He concurred with James Faulkner that it's unworthy of the town and a waste of taxpayer money. Frank Tenney stated that a kiosk was damaged in the past at Plouffe Lane as well.

Louise McCarren joined the meeting virtually.

FY22 financial audit

Rick Brigham of Sullivan Powers stated that they performed the financial audit for the town. As the auditor he looks at the fairness of the financial statements and this opinion, entitled "The Independent Auditor's Report, is found on pages 1-3. There are basically three choices that you can have with an audit: an unqualified opinion, qualified opinion, or an adverse opinion. The town has come through with another clean opinion this year. Management's Discussion and Analysis section is very informative and user friendly. Page 11 is the balance sheet for all the major funds. The General Fund balance at the end of the year was \$129,761.00 and this was anticipated. Page 12 is the income statement of what happened with the funds during the year. This serves as a summary and page 45 gives more details on the budget. From page 19 to page 44 you will find the notes to the financial statements. Looking at pages 54 through 61 you'll find information on the town's smaller funds. While performing the audit there was no detection of material weaknesses or deficiencies. There were no disagreements with management and no material misstatements were found. Overall, the whole process went very smoothly this year. James Faulkner highlighted Mary Mead's exceptional work, and Lewis Mudge concurred.

Presentations on proposed FY24 budgets

• Canine Control Officer 7:20 PM – 7:30 PM

Isiah Moore stated that he submitted a request to purchase a stationary dog crate through Dean Bloch. This past summer there was a large dog that appeared very volatile and, in his opinion, this larger heavier duty crate would be wise for the town to have, since larger dogs could escape from the crates he owns. The requested crate is for \$1,399. The total budget is \$2,300. Dean Bloch and the board all concurred that Isiah has been doing a great job and they're very appreciative of his hard work.

• Planning & Zoning 7:30 PM – 7:40 PM

Charles Russell reviewed the FY24 budget starting with the revenue. What came up last week as a topic of concern is the septic application revenue, and expenses. There was an analysis done and it shows that it should break even depending on what fees are actually put in. These numbers are based on if the new fees are approved; the analysis was based on the number of systems put in over the past year and a half. Using the new fees, it comes to \$26,000 of revenue.

Frank Tenney stated that this number doesn't include the overhead, and if these permits were given back to the state to handle there wouldn't be any overhead. Charles Russell stated that it's a huge benefit to the town's people to be able to get their permits here in town.

Charles Russell stated there are two new line items: grants and technical review.

Frank Tenney asked why legal went from a budgeted amount of \$8,000 in FY22 to \$15,000 in FY24. Charles Russell explained that it's due to controversies and appeals here and there but that he will attempt to find more specific details to explain this increase. Dean Bloch stated that Accessory On-Farm Businesses were one of the larger issues requiring legal assistance that came up during this time.

Charles Russell stated mileage has gone up because the Zoning Administrator is traveling around different quadrants in town following up on projects. This was not done in the past.

Internship is a line item that was added. This would be to assist with consolidating and digitizing files and is budgeted for \$5,000. Frank Tenney pointed out that consolidating and digitizing files was originally going to be part a part of the new Planning and Zoning Assistant's job description.

Charles Russell stated that \$2,000 is budgeted for computer upgrades. This includes three Microsoft Office licenses and installations for \$1,000 and a workstation for the counter for \$1,000. This workstation will make it possible for applicants and staff to have a screen that they can work on and bring up parcel maps.

Charles Russell stated that updating the Town Plan and Land Use Regulations is a \$12,000 expense for a consultant, but thanks to a grant, all but \$3,000 of the \$12,000 will be paid for.

• **Charlotte Park & Wildlife Refuge Oversight Committee 7:40 PM – 7:50 PM**

Jessie Bradley stated that there are three categories in the Charlotte Park & Wildlife Refuge Oversight Committee budget: maintenance, vegetation management, and equipment and supplies. Maintenance is budgeted at \$11,000 which is the same as FY23. Vegetation management is budgeted at \$11,000 up from \$9,250 in FY23. The committee has been doing a lot of this work, but they're needing to hire assistance for this at this point. Equipment and supplies is budgeted at \$3,000 up from \$500. The committee is applying for a Merlin Bird Grant and they're very hopeful that they will be able to get this grant, but they won't know until March. James Faulkner asked why the equipment amount increased so significantly. He suggested that the Committee come to the Selectboard meeting and report unexpected expenses when they take place during the agenda item "committee requests for unbudgeted expenditures" which occurs every meeting.

• **Conservation Commission 7:50 PM – 8:00 PM**

Pete Demick, stated that the budget is actually down from last year's budget. Charlotte Invasives is \$1,500, Wildlife Data Equipment is \$150, Membership Dues is \$50, and Education and Outreach is \$300. The total is \$2,000.

• **Cemetery Commission 8:00 PM – 8:10 PM**

Susan Smith stated that James Laberge is unavailable due to working nights, and she is present and relaying the explanation on the budget increase due to an overdue tree removal project. Money was budgeted to have trees removed last year, but that got cut and he would like it to be included in the FY24 budget. He has an estimate from Teachers Tree Service, Inc. to remove trees from the cemetery grounds for \$2,520.00. This includes removing a double beech, large pine, ash, and a pine downhill from the others.

Lewis Mudge stated that the fence that was replaced looks great and expressed his gratitude to the anonymous town resident that donated the money to have the repairs done.

Dean Bloch stated that the budget total is \$10,630.00 and the increase is mostly due to the tree removal project.

• **Tree Warden 8:10 PM – 8:20 PM**

Mark Dillenbeck stated that the overall budget is similar to what it has been in the past. He would like to get some EAB traps and this is costing a bit less because they have the existing hardware. The mileage claim amount is similar to past amounts. Equipment and expenses is \$200 for tree related items. Tree tags is a new line item for FY24, for the amount of \$500, and the hopes are that it might compliment the Shade Tree Preservation Plan that they are working on currently. The tree tags are three by five inch long lasting plastic tags that would have the name of the tree and information about the tree. They would go on trees in prominent sites around town. Workshops and professional development is \$100. All totaling \$1,550.

James Faulkner asked about the ash tree removals. Mark Dillenbeck stated that there is \$6,500 in the budget for the preemptive removal of ash trees. There is unspent money from last fiscal year's budget for ash tree removal; they had put \$20,000 into the Rutter Tree Fund, and the plan was that the surplus could be transferred from one year to the next if the money wasn't spent. The money wasn't spent last year on ash tree removal, but \$3,000 was spent on tree removal at the beach, and that left them with \$17,000 in the Rutter Tree Fund. In FY23 the Selectboard authorized \$15,000 for ash tree removal, and there is now a contract with Teachers Tree Service, Inc. to do tree removal on Thompson's Point. for \$18,500.00. The plan is to use the authorized \$15,000 to pay for this and the balance of \$3,500 will come out of the tree fund. \$13,500 will be left in the Rutter Tree Fund following this. Mark is asking for \$6,500.00 to top off the Rutter Tree Fund so that they'll have \$20,000 for ash tree removal in the next fiscal year.

Dean Bloch explained that the Rutter Tree Fund doesn't show up in the town budget because it's a special fund; it's a reserve fund.

Mark Dillenbeck stated that there would be a public hearing on Wednesday, December 14th at 5:30 p.m for the Shade Tree Preservation Plan, which will use the Rutter Tree Fund as the financial vehicle along with donations.

• **Historical Society 8:20 PM – 8:30 PM**

James Faulkner suggested that the Historical Society consider starting a capital reserve fund due to needing the roof to be replaced in the near future. Dan Cole stated that a capital reserve fund would be a good idea, only the Historical Society's situation is unique in that they are

responsible for everything inside of the building, but the building itself is a town asset. James Faulkner stated that in that case the town would be responsible for the roof etc. Frank Tenney suggested that this be placed on the list of buildings that need repairs for the town.

Dean Bloch stated that the electricity is actually incorrect in the budget, and it's more like \$660. Dan Cole stated that the Telecom amount of \$876.00 is for their modem/wifi through Green Mountain Access which replaced their phone. It's also a key to setting up an eventual security system. This allows them to go wireless and the hopes are to get this security system at a much reduced expense.

Dean Bloch asked about environmental controls. Dan Cole stated that Rick Kershner, a consultant, is willing to do a free analysis of the building. Summertime is when the concern is, due to potential mold growth.

• **Donations 8:30 PM – 8:40 PM 8:40 PM**

James Faulkner stated that he and Louise McCarren had hoped to come up with a system that would involve a process of interviewing particular candidates for donations prior to donating. Due to a lack of time this has not taken place as of yet. There are a few on the list that he would like to look into further. Louise McCarren stated that there are some that stand out as problematic and she's happy to investigate them further and will come back with a report to the Selectboard.

Approve use of ARPA funds to offset salary and benefit expenditures & apply equal amount of property tax revenue to town garage and broadband projects

Dean Bloch stated that the town is receiving money from ARPA in two allocations. Just like with the first one that was received, consultation was done with the Vermont League of Cities and Towns and with the town's auditor, Sullivan Powers. It removes some of the strings that are attached to the grant if the town pays for operating expenses and then uses the money that was budgeted for the operating expenses and puts that into the reserve funds. This was done in June with the first allocation of funds and that's the recommendation again. The plan is to use the ARPA funds ultimately for the town garage and broadband. The town has a commitment to spend \$43,000 to help Waitsfield and Champlain Telecom implement broadband townwide. The thinking was approximately \$1million would go into the Reserve Fund for the town garage. He suggests that the motion this time be the same as last time, to indicate that the grant be used for salaries and benefits, and the money that was budgeted for salaries and benefits be used for the town garage and broadband.

James Faulkner said the town did the research to make sure that it was legally approved to use those funds for the town garage.

Lewis Mudge stated that the Selectboard has been very transparent about the funding for the town garage. If residents have questions they can always call and speak to Selectboard members. Once again this is an open meeting and the public has an opportunity to be a part of this conversation at this time, in addition to all of the many other opportunities that they've had in the past.

MOTION by James Faulkner, seconded by Louise McCarren, to approve the use of ARPA funds to offset salary and benefit expenditures which then removes the restrictions of the ARPA funds. The property tax revenue budgeted for these expenses will then be available for the town garage and broadband projects. VOTE: 5 ayes, 0 nays; Motion Carried.

Selectboard Updates

• Selectboard schedule for December

Dean Bloch stated that with the very full agenda for December 12th, and the need to complete the budget reviews, he recommended a special meeting on December 5th to review the fire/rescue budget and plan for capital expenditures. Additionally, there has been a request from the library for some employees to increase hours, so discussion could take place on the 5th so that they can come in with a budget on the 12th. There is also a need for discussion of the rent for the town garage. This is necessary so that the Road Commissioner can complete his FY24 budget.

Lewis Mudge said he will be out of town. Frank Tenney is uncertain if he can make the 5th. James Faulkner said that in the event that Frank Tenney can't make the 5th, it will be rescheduled because his expertise in the area of the CVFRS budget is essential.

Dean Bloch reminded the Selectboard of the change in the December meeting schedule. The Selectboard's 2nd meeting in December was moved to December 27th from December 26th.

Minutes: 10/24, 11/2, 11/14, 11/21

Due to unforeseen time in the schedule James Faulkner suggested that the minutes that were to take place earlier in the meeting take place at this time.

MOTION by Frank Tenney, seconded by Louise McCarren, to approve the minutes for 10/24/22 as amended. VOTE: 5 ayes, 0 nays; Motion Carried.

MOTION by Frank Tenney, seconded by Lewis Mudge, to approve the minutes for 11/02/22 as amended. VOTE: 4 ayes, 0 nays, 1 abstention (Krasnow); Motion Carried.

MOTION by Lewis Mudge, seconded by Frank Tenney, to approve the minutes for 11/14/22 as amended. VOTE: 5 ayes, 0 nays; Motion Carried.

Adjournment

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

The meeting was adjourned at 8:40 p.m.

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