

Town Administrator's Report
August 12th, 2024 Regular Selectboard Meeting

Liquor Control Board

1. Application 46903:
 - a. This is a new application second class liquor license for the Old Brick Store. There previous license mistakenly lapsed. I did not see any issues with this license application.
2. Application 46961
 - a. This is a renewal application for an outdoor consumption license for the Charlotte Village Winery. I did not see any issues with this license application.

Discussion of an Open Space Agreement at 363 Riverview Drive – Rachel Hutchins

1. This is a continuation of a discussion Rachel had with the Board on May 8, 2024. At that time, the Selectboard authorized the Town Administrator to contact the Town's Attorney to review the validity of Rachel's claim. A copy of the attorney's memorandum and Rachel's responses is included in your packet.

Presentation, and possible action on, adopting the Vermont Declaration of Inclusion

1. The Vermont Declaration of Inclusion (included in your meeting packet) is an initiative advocating for Vermont to "become known as the most inclusive state in our nation for all people, regardless of how they identify." See Declaration of Inclusion, p. 2. The intent of the Declaration is to "promote and reinforce the message to all visitors, residents, and those thinking about or planning to come and stay" in the State of Vermont. See Declaration of Inclusion, p.3. Al Wakefield and Barbara Noyes-Pulling are two representatives for the initiative.
2. To adopt the Declaration, the Selectboard would need to make a motion to adopt the Declaration of Inclusion and read the language as presented.

Discussion, and possible action, on a License Agreement between the Town of Charlotte and John Hinkle at 1348 Orchard Road

1. John Hinkle and Katherine Sparkes are seeking approval of the Selectboard for the installation of underground utility lines at 1348 Orchard Road (Town Highway No. 8).
2. A copy of the License Agreement and Sketch Plan is provided in your meeting packet. This License Agreement has been reviewed by the Town's attorney.
3. **A possible motion would be** "I move to approve the License Agreement with John Hinkle and Katherine Sparkes for 1348 Orchard Road as (presented/modified)."

Discussion, and possible action, on the appointment of a Deputy Tree Warden.

1. On July 22nd, the Selectboard defer appointing any Deputy Tree Warden until a follow-up discussion occurred with the Town's Tree Warden.

2. **A possible motion to enter into executive session would be:** “I move to enter into executive session pursuant to 1 V.S.A. § 313(a)(3) for the appointment of a public officer. I further invite Nate Bareham and _____ into this session.”
3. **A possible motion to appoint a Deputy Tree Warden would be:** “I move to appoint _____ (and _____), as Deputy Tree Warden(s) for a term beginning on August 5th, 2024 and ending on April 30th 2025.

Discussion, and possible action, on a Request for Proposal for removing trees at the Charlotte Town Beach

1. The Recreation Commission received three quotes for the removal and disposal of two clusters of cottonwood trees at the Charlotte Town Beach.
2. Sayuri Koerner, from the Recreation Commission, received bids for the work from Tree Works, Green Giant Arborists, Full Branch Tree Care, and others to complete the work. When several of the quotes came in at over \$5,000, it was determined that this work should go out for bid.
3. These trees are being removed to help protect the Tennis and Pickle-ball Courts from root damage and limb strikes.

Discussion, and possible action, on authorizing emergency spending to:

1. Retain Civil Engineering Associate’s for work to be done on Spear Street.
 - a. Dave Marshal, of Civil Engineering Associates, was brought in by the Road Commissioner to provide a preliminary report and guidance on repairing the minor depression on Spear Street. This initial work was to cost less than \$1,000 and, therefore, did not require the Town to go receive quotes or go out to bid. Given the extensive damage to Spear Street, any guidance on repairing Spear Street will likely cost more than \$1,000.
 - b. On Wednesday, August 7th, Dave Marshal, Jr. Lewis, Jim Faulkner and I met with the State’s River Management Engineer. He requested that the Town provide annuitized costs for two potential repair measures to be taken on Spear Street. The first repair being the installation of two culverts, the second being the installation of a single span two-lane bridge. Dave Marshal is willing to do this work, and submit it to the River Management Engineer, by next Monday.
 - c. Given the seriousness, and continuing, damage to Spear Street, the Selectboard may authorize Civil Engineering Associates continued work on Spear Street as an emergency purchase. Additionally, in order to receive FEMA Public Assistance funding, the Town must show that all purchasing was done in accordance with local procurement guidelines. Section 5(A)(1) of the Town’s purchasing policy states:
 - i. “The Selectboard may award or authorize contracts or make purchases for the purpose of meeting a public emergency without complying with the bid process. Emergency expenditures may include immediate repair of . . . infrastructure if the delay in such repair or maintenance would endanger person(s) or property or result in the substantial impairment of the delivery of important Town services.”
 - d. **A possible motion would be:** “I move to approve Civil Engineering Associates to provide emergency engineering and planning work for the continued repair on Spear

Street, at a cost not to exceed \$5,000. This work will be done in order to avoid the further impairment of Town infrastructure per Section 5(a)(3) of the Town's purchasing policy."

2. Repair the Charlotte Senior Center's public water system and the damages caused by its failure:
 - a. The Senior Center's water tank began leaking Tuesday morning, overflowing the catch basin, and causing severe water damage in several locations of the building. In an effort to expedite the repairs, as the Senior Center provides an important service, the Selectboard may authorize emergency spending per section 5(A)(1) the Town's Purchasing Policy.
 - b. Currently, there are no unallocated/emergency monies available in the Town's improvement repair fund. \$49,563 have been allocated to replace the Senior Center's roof. The Selectboard may authorize the use of these funds as an emergency expense. These expenses can be budgeted for in FY26 to replenish whatever funds are used.
 - c. **A possible motion would be:** "I move to authorize Lori York and Nate Bareham to make emergency purchases for the repair of the Senior Center's water system and any associated water damage, at a cost not to exceed \$5,000, to be taken from the Improvement Repair Fund. These emergency purchases will be made to expedite the delivery of Town services per Section 5(a)(3) of the Town's purchasing policy."

Review, and discussion, of previous Speed Studies and Traffic Analyses for the East and West Villages

1. At the Board's previous meeting, the issue of traffic calming in the East Village was brought up. I have included a VTrans guidebook for establishing municipal speed limits. Page six (6) of this book outlines the recommended practices for Towns that are seeking to amend their Motor Vehicle and Traffic Regulation Ordinance.
 - a. Of note, as outlined on page six (6), the Town may independently perform a traffic engineering study and document the requisite information on roadway characteristics, crash data, vehicle speeds, etc. in order to amend the Traffic Regulation Ordinance.
2. Additionally, I have included copies of several studies conducted by the Chittenden County Regional Planning Commission ("CCRPC") and the Vermont Agency of Transportation ("VTrans") as a starting point for a traffic engineering study in the East Village.

Review, and possible action, on amendments to Section(s) of the Town of Charlotte's Motor Vehicle and Traffic Regulation Ordinance

1. In order to lower the posted speed limit on Ferry Road, the Selectboard would need to amend the Town's Motor Vehicle and Traffic Regulation Ordinance. **Per 24 V.S.A. § 1971, the process for amending this ordinance is as follows:**
 - a. Formal adoption by the legislative body of the Town.
 - i. Once adopted, notice of the amendment shall be posted at five conspicuous locations within the municipality and a formal publication of the notice shall occur with a newspaper of general circulation within 14 days following the adoption. See 24 V.S.A. § 1972(a)(1).

- i. **A possible motion would be:** “I move to amend Section(s) 1(B)(2) and 1(D)(1) of the Town of Charlotte’s Motor Vehicle and Traffic Regulation Ordinance so that Section(s) 1(B)(2), 1(D)(1) state as follows:
- ii. Section 1(B)(2) to state ‘On Route F-5 (Ferry Road) from the intersection with Greenbush Road extending in a westerly direction a distance of 0.4 miles to the railroad crossing.’
- iii. Section 1(D)(1) to state ‘On Route F-5 (Ferry Road) from a point that is 0.4 miles west of the intersection with Greenbush Road extending westerly to the intersection with Lake Road.’
- iv. And to instruct the Town Administrator to post notices of this amendment per the provisions outlined in 24 V.S.A. § 1973, with the amended provisions to become effective on October 3, 2024.

Evaluation of a Public Official –Possible Executive Session per 1 V.S.A. § 313(a)(3)

1. **A possible motion to enter into executive session would be:** “I move to enter into executive session pursuant to 1 V.S.A. § 313(a)(3) for the evaluation of a public officer, and I invite Nate Bareham into this session.”

Evaluation of a Town Employee –Possible Executive Session per 1 V.S.A. § 313(a)(3)

1. **A possible motion to enter into executive session would be:** “I move to enter into executive session pursuant to 1 V.S.A. § 313(a)(3) for the evaluation of a town employee, and I invite Nate Bareham into this session.”