

Town Administrator's Report September 23rd, 2024 Regular Selectboard Meeting

Annual Update with the Chittenden County Regional Planning Commission Executive Director, Charlie Baker:

1. This update and presentation by Charlie Baker occurs annually, and will cover both the regional and local work conducted by the Chittenden County Regional Planning Commission during Fiscal Year 2024. Additional information will be provided on Act 181, and how it impacts Vermont's planning framework for coordinating state, regional and municipal land use. A copy of the presentation is included in your meeting packet.

Board of Sewage Disposal Commissioners:

1. General information:
 - a. For this, the Selectboard will need to make a motion to recess as the Town of Charlotte Selectboard and reconvene as the Board of Sewage Disposal Commissioners.
 - i. **A possible motion would be:** "I move that we recess as the Selectboard and reconvene as the Board of Sewage Disposal Commissioners."
 - b. In 2022, the Selectboard approved and adopted the "Town of Charlotte Sewer Use Ordinance" and the "Town of Charlotte Sewer Allocation Ordinance."
 - i. Article 9 of the Sewer Use Ordinance provides the Board of Sewage Disposal Commissioners authority to determine the annual sewer use rates and charges pursuant to 24 V.S.A. Chapter 101 (See *Town of Charlotte Sewer Use Ordinance*, pp. 15-18). To date, the Board has not taken action to set a sewer use rate.
 - ii. Appendix 1 of the Sewer Use Ordinance contains the Policy Concerning Wastewater Billing Procedures (See *Town of Charlotte Sewer Use Ordinance*, p. 21). This policy has not been formally adopted by the Selectboard.
 - iii. Appendix 3 of the Sewer Use Ordinance contains the Charlotte Wastewater Department Customer Inquiry Policy (See *Town of Charlotte Sewer Use Ordinance*, p. 23). This policy has not been formally adopted by the Selectboard.
2. Discussion, and possible action, on adopting a Policy Concerning Wastewater Billing Procedures:
 - a. This draft policy outlines the processes and procedures for (1) distributing and collecting quarterly wastewater bills, and (2) providing disconnect notices in instances of delinquent payment per 24 V.S.A. Chapter 129. The Selectboard may take action to approve this policy as presented/amended.

- b. A draft notice is provided in Appendix 2 of the Sewer Use Ordinance. The Selectboard may take action to approve this notice as presented/amended.
- 3. Discussion, and possible action, on adopting a Policy on Customer Inquiries:
 - a. This draft policy outlines what steps Town Hall employees should follow should they receive a complaint regarding the Town’s wastewater system. The Selectboard may take action to approve this policy as presented/amended.
- 4. Discussion, and possible action on, determining annual sewer use rates and charges per 24 V.S.A. Chapter 101:
 - a. Dave Marshal, from Civil Engineering Associates, will provide an overview of the proposed fee schedule for the Selectboard. This fee schedule is broken into “initial connection fees” and “quarterly usage fees.” Please note that this fee schedule relies on a property’s approved gallons per day (“GPD”) of design flow, which is approved by the Selectboard on a per-application basis. The worksheet provided in your packet uses 100 GPD as a placeholder to show how each fee is calculated.
 - i. The initial connection fee is determined by multiplying the disposal system cost per GPD of design flow by the approved GPD of design flow for the connected property.
 - ii. Quarterly usage fees are broken into three categories: (1) Capacity Fees, (2) Burns Property Lease Fees, and (3) Sinking Fund Contribution Fees:
 - 1. Capacity fees are used to offset the Town’s administrative expenses for implementing this policy and the costs for inspecting the shared system components. Please note that this does not include maintenance expenses for any shared system components. These expenses will need to be determined over the next year, and incorporated into next year’s fee schedule.
 - 2. Dave Marshal will provide additional information on the Burns Property Usage/Lease fees and Sinking Fund Contribution fees.
- 5. **A possible motion would be:** “I move to set an initial connection fee and quarterly usage fee as provided in the document titled Charlotte Wastewater Connection & Usage Fees, and dated September 20th, 2024, in accordance with Article 12 of the Town’s Sewer Allocation Ordinance.”

Discussion, and possible action, on a Tractor Parade in the Charlotte East Village:

- 1. More information will be provided at Monday’s meeting.

Discussion, and possible action, on Vermont Common School’s notice for a large event:

- 1. The Zoning Board of Adjustment, in its final decision titled ZBA-21-256-CU, held that “(f)or events larger than 50 people, the applicant shall notify the adjacent neighbors and seek approval from the Selectboard, or as the Selectboard chooses to delegate” (See *In Re: ZBA-*

21-256-CU, p. 5). Vermont Common School has provided the Selectboard a written notice that they would like to hold an event at 2369 Spear Street, and are requesting the Board's approval.

2. This is the first time the Selectboard has addressed a request from Vermont Common School. The Selectboard may consider approving the request at this time, and may determine if approval of these requests should be delegated to a Selectboard member or Town Staff. Possible motions are included for you below.
 - a. **A possible motion to approve the event would be:** "I move to approve the Vermont Common School's request to host a large event at 2369 Spear Street as presented in the application submitted for the 'Fall Family Campfire' event."
 - b. **A possible motion to delegate approval authority would be:** "I move to delegate authority over approving future events for Vermont Common School to _____, as provided in the Zoning Board of Adjustment's decision titled ZBA-21-256-CU."

Discussion, and possible action, on an Open Space Agreement with Roland & Lisa Guajac:

1. This open space agreement was presented, and approved, by the Development Review Board ("DRB") as part of a 2-lot Minor Subdivision and Planned Unit Development amendment for Roland and Lisa Guajac located at 3260 Greenbush Road. In its findings of fact and decision, the DRB approved of the draft open space agreement (See *DRB-22-273-SD*, p. 4).
2. This draft open space agreement has been reviewed by the Town's attorney and is ready for the Selectboard to approve.
 - a. **A possible motion would be:** "I move to approve the Open Space Agreement made between Roland and Lisa Guajac and the Town of Charlotte, for the properties located at 3250 & 3260 Greenbush Road, as presented."

Discussion, and possible action, on a Shared Well Agreement between the Town of Charlotte, Wygmans, and Guajac:

1. This Shared Well Agreement is being made between the Town of Charlotte, Roland and Lisa Guajac, and Justin and Maura Wygmans. The intent of the agreement is to clearly delineate the rights and obligations of each party with respect to the well owned by the Town and located at the former Burns property.
2. Both the Wygmans, with a property located at 3176 Greenbush, and the Guajacs, with a property located at 3260, have a nonexclusive easement and right to use the well, water lanes, and water system owned by the Town.
3. This Agreement has been reviewed by the Town's attorney and sent to both the Guajac's and Wygman's for final review. The Selectboard may take action to approve the agreement as presented/modified.
 - a. **A possible motion would be:** "I move to approve the Shared Water System Agreement made the Town of Charlotte, Roland and Lisa Guajac, and Justin and

Maura Wygman for the shared use of a well located at the Former Burns Property, conditioned on final review by the Town's attorney.

Discussion, and possible action, on the Recreation Commission's request to reduce the number of voting members from nine to seven:

1. More information will be provided at Monday's meeting.

Discussion, and possible action, on the renewal of the Library's HVAC Service Contract with New England Air Systems:

1. This is a standard renewal of the Library's HVAC service contract, to begin on October 2nd, 2024. Maintenance costs have increased by \$50.00 for this year's renewal (from \$1,745.00 to \$1,795.00).

Discussion, and possible action, on authorizing a crosswalk between the Charlotte Senior Center and Charlotte Post Office:

1. At this time, the Town can show that this roadway satisfies the following requirements, per VTrans' Guidelines for Pedestrian Crossing Treatments:
 - a. The speed limit is 40mph or less:
 - i. Yes. The posted speed limit on this section of Ferry Road is 25mph.
 - b. There are 20 or more pedestrians using the crossing per hour during the highest pedestrian volume hour (elementary school age and elderly pedestrians count as 2 each):
 - i. Yes. The Senior Center, and the Friends of the Senior Center Board, report that 10+ volunteers and Senior Center users cross at this location when parking overflows to the Town Hall. Many would count, based on VTrans' guidelines, as 2 users.
 - c. The annual average daily traffic ("AADT") for the roadway exceeds 3000 vehicles per day:
 - i. The Town does not meet this AADT requirement. However, this may be waived if it is determined that pedestrian safety would be enhanced by installing a marked crosswalk.
 - ii. A marked crosswalk may enhance pedestrian safety by consolidating multiple unmarked crossing points and directing pedestrians to move to/from the Senior Center using a marked location with proper signage.
 - iii. The Selectboard would need to make a determination.
 - d. There is an adequate sidewalk or shoulder for use by pedestrians:
 - i. Yes, but some re-pavement may be necessary on the north end of the crosswalk.
 - e. There is not another crosswalk across the same roadway within 200 feet:
 - i. Yes. The next closest crosswalk is 400ft to the East.
 - f. There is adequate sight distance in both directions:

- i. Yes. The town is required to have a minimum 155ft of sight distance in both directions for a road posted at 25mph. There is 250+ feet of sight distance at this location.
2. Possible Motions:
 - a. **A possible motion to approve a bid would be:** “I move to approve the installation of a crosswalk between the Charlotte Senior Center and Post Office as presented on the map titled “_____.”
 - b. **A possible motion to authorize expenses out of the improvement repair fund would be:** “I move to authorize \$_____. be spent out of the improvement repair fund, taken from the _____ line item, for the purpose of _____.”

Discussion, and possible action, on amending the motion made September 9, 2024 for the purchase of four “Welcome to Charlotte” signs:

1. **A possible amendment to the motion authorizing an unbudgeted expense would be:** “I move to amend the motion made on September 9, 2024, authorizing an unbudgeted expense from the emergency repair fund. I amend the motion to reallocate \$5,550.00 from the Town’s improvement repair fund for the purpose of purchasing and installing four Charlotte welcome signs. \$3,000 will be taken from the line for the replacement of the town beach septic, and \$2,500 will be taken from the line for the repair of the senior center roof.”
2. **A possible amendment to the motion approving the purchase and installation of four welcome to Charlotte signs would be:** “I move to amend the motion made on September 9, 2024, for purchase and installation of four welcome to Charlotte signs. I amend the motion to authorize the \$5,550.00 be spent out of the improvement repair fund for the purchase and installation of four Charlotte welcome signs by Design Signs, based on their estimate #1645 dated 8/27/2024.”