

**Town of Charleston**  
**Selectboard Meeting 4/13/2023**

MINUTES

Attending: Selectpersons Patrick Austin, Tim Jenness, and Peter Moskovites; Road Foreman Wendell Hastings; CVFD Volunteer Robert Devaney; Constable Michael Tynio; Second Constable Anya Tynio; Town Clerk & Treasurer Teri Gray; and Selectboard Clerk Colleen Kellogg.

*THESE MINUTES ARE UNOFFICIAL UNTIL APPROVED AT THE NEXT MEETING.*

The meeting was called to order at 6:00 pm by Chair Pat Austin.

Tim Jenness moved to approve the minutes of the March 22, 2023 meeting as written, seconded by Peter Moskovites. There was no discussion, and the minutes were approved unanimously.

**PUBLIC COMMENT**

Bob Devaney, who lives on Hudson Rd and volunteers with the Charleston Fire Department, is requesting a grant of town ARPA funds to support a new artesian well at CVFD fire station to replace a spring that is no longer adequate. The station has no water. He said the station is registered as an emergency shelter with American Red Cross and the only public building in town with backup power. Gosselin is set to do the work, and it will happen, but a grant would mean the department is not left short. The total cost is \$20,000. He looked at other grant opportunities, but they don't reimburse after the fact. The Chair asked Mr. Devaney to consider asking voters directly as they are very supportive of the department. Board members discussed the 2026 deadline to expend ARPA funds and said they are taking their time on ARPA funding decisions.

**ROAD REPORT**

- Wendell Hastings said he was asked by CVFD if the town could leave two loads of gravel for the fire station grounds, and board members agreed to provide this.
- The crew hauled gravel to Crawford recently, and the roads are in tip-top shape for this time of year. He met last night with VEC and they agreed to cut big trees in the ROW on East Echo Lake Rd because they are under power lines. Fred graded this week, and the roads are honed, with the exception of Dane Hill Rd. A culvert on Mill St. plugged over the weekend and had to be replaced Monday.
- Anya Tynio mentioned that a culvert on Evergreen is plugged, and Mr. Hastings will look at it the next day.
- Hastings met yesterday with state grant officials at Ford Hill. There is a mound system near road where a driveway culvert was to be installed. It was determined that a cross-culvert before the driveway will work better and eliminate the driveway culvert and the need to dig further toward the field, but ditching could possibly impact the system and the state recommended asking an attorney about liability. Board members authorized Ms. Kellogg and Mr. Hastings to contact the town attorney about the matter.
- The group also viewed the Grants-in-Aid site at Ten Mile Square Rd and Calhoun Rd. Given the amount of work to be done, the bottom segment of Calhoun will exhaust the grant funds, and work on Ten Mile Square Rd will wait for a later year. The results of this year's work will be watched, and if too much water collects on the downslope side of Calhoun at the intersection, a cross-culvert may have to be installed across Ten Mile Square, and that section of road would need to be narrowed accordingly.

- Mr. Hastings asked if the board would look at his plan to install a catwalk to access tire storage. The board will coordinate a site visit and put the matter on the next agenda.

## OLD BUSINESS

- Mike Tynio reached out to VLCT for information about Constable responsibilities, what they can do without training. In order to do much of anything, they will have to do training, which the state pays for. The Town would pay for the background check. Without training, they can serve civil process and can talk to people—talk to a noisy neighbor in response to a complaint—but no enforcement and cannot deal with any criminal ordinances. Training required is Level II Law Enforcement that takes two weeks at the academy in Pittsford. The next session begins in June. After that, provisional certification is given and a certain number of hours must be completed over a year. Pat Austin said it sounds like what they do after training isn't dictated by the town but is paid by the town. Mike Tynio there are statute-driven duties but everything else is determined by the town. They don't see themselves patrolling, but they do want to support animal control and other town officials. He said the town would need to add the Constables to liability coverage, and Ms. Kellogg confirmed this had been done. Mike and Anya will reach out to their auto insurance about upgrading personal auto coverage. Mike said that towns need to function as quasi-law enforcement agencies with a system of reporting and oversight. Board members agreed that the Constable can be called on to assist town officers/employees such as the animal control officer and health officer, but other duties will require further Selectboard/Town discussion and approval. The Second Constable would fill in when the First Constable is unavailable.
- A site visit to the Blume Farm Compost site on Crawford Hill Rd involved Paul Tomasi, NEKWMD; Frank Erickson, VT DEC; and THO/ACO Sarah Jenness. and resulted in clean-up of the area near the road. On April 7<sup>th</sup>, VT DEC Waste Management & Prevention Division, Solid Waste Management Program sent a letter to the property owners indicating that the state has determined that their activities are not “farming” and they cannot accept food waste on their property until they received a determination letter from VT Agency of Agriculture or become a permitted Solid Waste Composting Facility. The Chair said the town and residents spoke up when it was needed, and did so soon enough, and hopefully this means the site will get completely cleaned up.
- Generator proposals have been received from 5 vendors and will be reviewed in Executive Session.
- Board members reviewed garage propane use and determined that use is within budget. From 9/1/22 – 3/28/23 1,635 gallons were purchased (\$3,096). The 2023 propane budget is \$5400, and \$2,369.40 (1,251 gal) has been spent.
- VTrans visited the Michael Rice property in West Charleston Village and determined that the camper is within the state's 25' right-of-way. The camper is 22.7' from the center line of the road. Peter Moskovites will stop by to inform Michael Rice.

## NEW BUSINESS

- Board members reviewed the ARPA fund balance and agreed that no allocation decision would be made that night.
- The Town received confirmation of a final CLA of 83.36%.
- An executed bypass agreement with VTrans has been received. Because Route 111 is closed for a time this summer for culvert replacement, the town will receive just over \$20,000 to provide for increased traffic and additional road maintenance.
- Town meeting minutes have been reviewed by town officials for corrections and were signed.
- Vermont Land Trust is working with Keith & Trevor Gray to purchase a conservation easement on their Charleston property and requests a letter of support from the Selectboard to

support a grant application to the Vermont Housing and Conservation Board. Board members signed a brief letter of support.

- Board members agreed to participate in the annual Grant-in-Aid program to address road segments that don't meet MRGP standards, and the Letter of Intent to Participate was signed by the Chair.
- The Town's Local Emergency Management Plan (LEMP) must be re-adopted annually by May 1<sup>st</sup>. Ms. Kellogg distributed a working draft for review and board members will plan to adopt the plan at the April 27<sup>th</sup> meeting.
- The Board authorized Ms. Kellogg to request a free energy assessment of town facilities through the Vermont MERP program.

Four Selectboard orders totaling \$19,561.63 and six Road orders totaling \$28,570.93 were approved unanimously and signed by all members.

#### ANNOUNCEMENTS/INFORMATION

- Information about creating a login for the VLCT Municipal Assistance Portal was distributed to board members.
- The Derby Planning Commission will hold a hearing on a proposed zoning bylaw amendment on Monday April 24<sup>th</sup>.
- Radar sign guidance and funding information was received from VLCT.

Peter Moskovites called for Executive Session to review generator proposals received and discuss a personnel matter, seconded by Tim Jenness and Executive Session began at 7:00 pm. Session ended at 7:13 pm with the following action:

- Generator proposals will be kept confidential while board members review estimates and options and get questions answered. They expect to award at the next meeting.
- Pat Austin moved to compensate the Constable at \$16/hour and the Second Constable at \$14/hr. seconded by Tim Jenness.

Seeing no other business, the Chair adjourned the meeting at 7:17 pm. The next regular meeting will be held Thursday, April 27, 2023 at 6:00 pm.

Approved this 27th day of April 2023:

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Selectboard, Town of Charleston