

**Town of Charleston  
Selectboard Meeting 8/10/2023**

MINUTES

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

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

Attending: Selectpersons Pat Austin, Peter Moskovites, and Tim Jenness, Road Foreman Wendell Hastings; residents David Bradshaw, Holly Bull, and Tom Wagner; and Selectboard Clerk Colleen Kellogg.

Tim Jenness moved to approve minutes of July 13, 2023, meeting as written, with a second by Peter Moskovites. The minutes were approved without discussion.

Peter Moskovites moved to approve minutes of the August 3, 2023, special meeting as written, with a second by Tim Jenness. The minutes were approved without discussion.

**PUBLIC COMMENT**

Holly Bull, representing Echo Lake Protective Association (ELPA), referred to a letter from VT DEC saying the lake reclassification petition has stalled at the state. DEC hopes to lift the 1000 gallon/day septic discharge limit (the amount of a 10-bedroom house or small hotel) for A1 watersheds so more lakes will want to reclassify. A proposal to raise the limit to 6500 gallons failed in the house this year but will be retried next year. Currently, four lakes want to reclassify (Echo, Shadow, Caspian, and Maidstone) but only Maidstone cares about the discharge limit due to their state park campground. Tom Wagner said that Echo already meets the criteria for A1 status, and as an "A1" lake would have priority for funds to maintain that status should a water quality issue come up. Pat Austin asked if there were currently any A1 lakes. As there were none yet, the priority for funding could not be guaranteed. Holly Bull said ELPA appreciated the town being a co-petitioner for reclassification.

With board approval, Holly Bull raised concerns about wake boats. David Bradshaw said wake boats are large, powerful boats with ballast tanks holding 1-3000 pounds of water, with the purpose of making waves large enough to surf behind without being towed. He said he was nearly run over by one while swimming in Willoughby last summer. Concerns include the erosive effects of large swells on lake shore, docks, other boats and wildlife, and the danger of carrying invasives from one lake to another in the ballast tank which cannot be cleaned out completely. Holly Bull said DEC is proposing a rule to ban these boats within 500 ft of shore, which would not prohibit them on Echo Lake. David Bradshaw said an organization called Responsible Wakes for Vermont Lakes proposed a 1000 standoff, which would still leave Echo available for wake boat use. He said the state does not seem interested in banning the boats outright, so towns and lakes must petition the state individually.

Chair Pat Austin what would be accomplished by banning wake boats on Echo Lake since the town cannot provide any enforcement. Peter Moskovites clarified that ELPA and residents are asking the town to sign on to their state petition to prohibit wake boats on Echo Lake. Tom Wagner said no action can be taken until the rule is in place, and the state is leaning toward a 500-ft standoff. Once final, ELPA could petition for a ban. Holly Bull said that ELPA would like to petition the state to allow Echo Lake to opt out of wake boats. The lake is unique, and they intend to use its uniqueness to justify a ban. Echo is one of six lakes with native Vermont trout population, and anglers fish the deepest waters, which is where wake boats would operate if permitted, creating a danger for those in

drift boats. She asked, would the Selectboard as representatives of the town sign the petition in support?

Tim Jenness asked who provides enforcement. Tom Wagner said the state has said Fish and Wildlife and the state police have said distances would be difficult to enforce. Prohibition is clearer and would involve signs prohibiting use.

David Bradshaw asked the board to support ELPA's petition to the state of Vermont to opt out of allowing wake boats on Echo Lake. Peter Moskovites offered a motion to that effect, but the motion did not receive a second. Pat Austin said he sees the argument about transferring water and invasives between lakes, but wants lakes to be available to all, and questions why the state isn't taking the lead. He said he is inclined to wait until the state rule is in place in September before deciding on any action. Peter Moskovites is in favor of petitioning the state. Board members agreed to put the item on the next meeting agenda as business.

Robert Devaney had called the town office to request a cross culvert on Hudson Rd be replaced, and the matter was taken up under Road Report.

#### ROAD REPORT

Robert Devaney called to report that an 18" cross-culvert on Hudson Rd couldn't take the rain during recent storms, and this led to water running into his basement. He believes some culverts there are undersized. Wendell Hastings said the culverts are sized appropriately according to state standards, and they are open and working. He said there may be an issue with too many driveway accesses along that stretch of Hudson. He counts eleven, with three being used. Board members agreed that property owners will eventually need to update access culverts they want to keep to 15" per town policy.

Peter Moskovites pointed out the town has no official access permit, but property owners must get permission from the Foreman on placement and size. The town should look into an official permit/policy going forward to avoid issues like placing culverts higher than the road, so water drains into it. Board members agreed to put a driveway culvert policy on the agenda. Wendell Hastings said it would benefit the town to have property owners buy culverts but have the town crew install them to ensure correct placement and elevation.

Mr. Hastings said the roads are bumpy, but the crew is working on gravel and grading. They installed a waste block headwall to fix a storm washout at a culvert on Hudson Rd near Center School. Fontaine, upper Dane Hill, Mt. Bess, and a good section of Echo Lake have been graveled.

Discussing the town's gravel stockpile, Mr. Hastings estimates 2,000-3,000 CY left, which is enough to get through the rest of summer. Pat will reach out again to JA McDonald about honoring the remainder of their bailing and crushing contract, although the town may need to do more than the 8,000-9,000 CY remaining on contract—probably 10,000 total. Peter Moskovites suggests setting a time limit, so the town can put the job to bid needed. Wendell Hastings said bailing needs to happen this year so material is dry for crushing, which could wait until spring if needed. The matter will be put on the next agenda.

#### OLD BUSINESS

- Pat Austin spoke with Constable Mike Tynio. He is planning to attend police academy this September and must have a polygraph test and background check. The town must request these as the sponsoring agency. The Clerk's Office has ordered the background check from a VLCT recommended vendor and is scheduling the polygraph test.

- Board members reviewed an email from Ben Gauthier, VT ANR, Solid Waste Management Program reporting that a site visit was conducted at 780 Crawford Hill Rd and found that solid wastes have been removed from the stie and things were cleaned up satisfactorily. They view the complaint as resolved. The Chair said the town took action at the right time to keep the enforcement process on track.
- With new Crew Member Joseph Mead hired between meetings, Mr. Austin made this formal by making a motion to offer the truck driver position to Joe Mead at a rate of \$20/hr. with a review after \$90 and an increase to \$21 depending on a favorable performance review. The motion was seconded by Tim Jenness and approved by all members.
- Pat Austin spoke with Currie Construction. The work to install a catwalk and door to access tire storage in the town garage will happen toward the end of September.

#### NEW BUSINESS

- Pat Austin moved to place an appropriation request from Orleans County Essex County VNA & Hospice on the 2023 Town Meeting warning, seconded by Tim Jenness, and the request was approved for placement on the warning.
- Peter Moskovites suggested allowing time at meetings for a clerk's report to pass along comments received at the town office. Ms. Kellogg said that people contacting the office with issues to bring the Selectboard are advised to attend a meeting, if possible, or submit a request/comment in writing if they are unable. Board member telephone numbers are shared in cases of emergency. Board members said that townspeople can call them with concerns or comments.

Selectboard and Road orders were approved for payment and signed.

#### ANNOUNCEMENTS & INFORMATION

- 2023 Property Tax Bills were mailed Tuesday.
- Board members received information from the Declaration of Inclusion project with an offer of presentation by Al Wakefield.

Seeing no other business, the meeting was adjourned at 7:30 pm. The next regular meeting will be held Thursday, August 24th, 2023, at 6:00 pm.

Approved this 24th day of August 2023:

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Selectboard, Town of Charleston