

**Town of Charleston**  
**Selectboard Meeting 9/14/2023**

MINUTES

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

The meeting was called to order at 6:04 pm by Vice Chair Peter Moskovites because the Chair was scheduled to join the meeting late.

Attending: Selectpersons Tim Jenness and Peter Moskovites; Road Foreman Wendell Hastings; Town Clerk & Treasurer Teri Gray; residents Carol Westinghouse, David Bradshaw, Holly Bull, Margaret Maxwell, and Alice Letourneau; and Selectboard Clerk Colleen Kellogg. Resident Tom Wagner joined the meeting by phone, and Selectboard Chair Pat Austin joined the meeting at 6:30.

Peter Moskovites moved to approve the minutes of the August 24, 2023, meeting as written, seconded by Tim Jenness, and the minutes were approved without discussion. Comments from residents were postponed until Mr. Austin could join the meeting.

#### ROAD REPORT

Wendell Hastings reported that the crew is finishing up several washouts from the July storms. VTrans technicians are providing guidance on two areas—Durgin Rd and Fontaine Rd. The board will have a decision to make about how to repair Durgin Rd—how much paving and what is needed on the embankment. Mr. Hastings is waiting for VTrans to determine whether a culvert in need of replacement on Fontaine Rd should be a 36” or 42”. He has obtained some information about dump truck pricing, gravel crushing rates, and a proposal for work on Dane Hill Rd, but these will be discussed later in Executive Session to maintain fairness. FEMA has scheduled a site inspection on Thursday the 21<sup>st</sup> to look at damaged roads that are not scheduled to be completed by the next week or so, and there is a follow-up meeting about documentation on Tuesday the 26<sup>th</sup>.

#### OLD BUSINESS

Discussion of wake boats and gravel crushing was postponed until Mr. Austin’s arrival.

#### NEW BUSINESS

- Returning vendor David White has submitted proposals for 2024 roadside mowing and pavement sweeping for Charleston that are comparable to this year. Motion was made by Peter Moskovites to hire David White to mow roadsides in 2024 for \$14,850 and to sweep pavement in 2024 for \$2800, with second by Tim Jenness, and the matter was approved. Mr. Hastings will work with the Clerk’s office to finalize the list of roads to be mowed.
- Tom Wagner has spoken with Planning Commission Chair John Kellogg and Mr. Kellogg recommends his appointment to the Planning Commission. Motion by Peter Moskovites to appoint Tom Wagner as Planning Commission member, with second by Tim Jenness, and the appointment was approved.

At this time, Chair Patrick Austin arrived and presided over the meeting.

#### OLD BUSINESS (Continued)

With no objection, the Chair allowed residents and Echo Lake property owners to offer comments regarding the ELPA request for selectboard support for a petition to the state to prohibit wake boats on Echo Lake. Holly Bull presented data on lake water quality and inhabitant species and the potential negative impacts of wake boats. Carol Westinghouse and David Bradshaw also offered concerns about lake degradation due to wake boats, spread of invasives, as well as disruptive effects

on other lake users, like swimmers, anglers and drift boats. Tom Wagner cited a town plan priority to protect natural areas and said a ban would be in keeping with the plan. Peter Moskovites offered a motion to support the Echo Lake Protective Association request that the Town of Charleston Selectboard support its petition to the State of Vermont to opt out of being eligible for wake boats and wake sport activities, and the motion was seconded by Tim Jenness. Discussion: Peter Moskovites said it was unfair to allow one boat to disrupt everyone else in a public space and favors being proactive to prevent this. Pat Austin was not convinced that a prohibition would prevent impacts like the spread of invasive species and prefers to let the state make a ruling on wake boats first. Tim Jenness said he was concerned about the spread of invasives to Echo Lake. The Chair called the question, and the motion passed by a vote of 2:1.

#### PUBLIC COMMENT

Margaret Maxwell had previously submitted letters and photographs of Bly Farm Rd, and she and Alice Letourneau were present to ask the Selectboard to address the condition of the road right-of-way, which she says is being damaged by her neighbor Alan Davis. Mrs. Maxwell also provided copies of a letter and exhibits she has submitted to the State of Vermont and Orleans County State's Attorney, so the board is informed. The Chair said Selectboard involvement and even interaction with state police brought no results, and unless the other board members were interested in seeking another legal opinion the matter would be up to the property owners to pursue through legal channels. Peter Moskovites said the Selectboard would have a responsibility over any alteration of the town right-of-way, but Wendell Hastings said he has not seen his maintenance work damaged by the neighbor. The Chair asked that the minutes reflect that Alan Davis is being disruptive to other residents of Bly Farm Rd. Maxwell and Letourneau thanked the board for hearing their concerns.

#### CONTINUED BUSINESS

The board entered executive session to discuss vendor proposals and ended with the following:

- Tim Jenness will speak with Kingdom Gravel again to clarify their estimate for bailing and crushing gravel. Meanwhile, Wendell Hastings is expecting an estimate from Simpson DirtWorx and will keep the board informed.
- In response to an invitation to submit proposals for flood repairs on Dane Hill and Fontaine Roads, JBL Hauling submitted a proposal for culvert replacement, ditch shaping and erosion stone on Dane Hill Rd. Motion by Peter Moskovites to hire JBL for the culvert and ditching work on Dane Hill Rd on a time and materials basis at a price not to exceed \$33,873, with a revised deadline of culvert replacement by October 1<sup>st</sup> and the ditching and stone work to be completed ASAP but not later than July 1, 2024. The motion was seconded by Pat Austin and the award was approved unanimously.
- VTrans is reviewing the scope of work for Fontaine Rd and the job was not awarded.

Two Selectboard orders totaling \$19,198.50 and two Road orders totaling \$33,353.62 were approved unanimously and signed by all members.

Seeing no other business, Tim Jenness made a motion to adjourn the meeting. The motion was seconded by Pat Austin, and the meeting adjourned at 7:49 pm. The next regular meeting will be held Thursday, September 28, 2023, at 6:00 pm.

Approved this 28th day of September 2023:

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Selectboard, Town of Charleston