

**TOWN OF CHARLOTTE
SELECTBOARD MEETINGS
May 18, 2009**

Approved June 8, 2009

MEMBERS PRESENT: Charles Russell, Chairperson; Jenny Cole, Winslow Ladue, Ed Stone, Frank Thornton

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: Jack Clemmons, Lydia Clemmons, Andy Deeds, Robbie Stanley, Alice McEnaney, Spin Richardson, Hugh Lewis Junior, Gretchen Morse, Deb Smith, Carl Lisman, Ray Curtis, Karah Brown, Dawn Holbrook, Lisa Hauenstein, John Hauenstein, Susan Horsford, Bob Botjer, Leslie Botjer, Whitney Dunsmore, Barry Dunsmore, Joan Jamieson, Andy Jamieson, Tom Bates, Janie Cohen, Steve Kantor, Chris Davis, Emily Ferris, Raven Davis, Andrew Thurber, Eddie Krasnow, Stuart Bennett, Kerry McManus, Josh Flore, Michael Frost, Karen Frost.

NOTE—a site visit was held at 6 PM to view potential alignments of paved pedestrian and bicycle lanes on Ferry Road.

1. CALL TO ORDER

Mr. Russell called the Selectboard meeting to order at 7:00 PM.

2. ADJUSTMENTS TO AGENDA-None.

3. PUBLIC DISCUSSION-None.

4. APPROVAL OF THE MINUTES OF 03/30/2009 –postponed.

5. RE-PAVING OF FERRY ROAD

Mr. Russell asked Hugh Lewis, Jr., Road Commissioner, to present the measurements of the Ferry Road and the proposed lanes. Ms. Cole asked if there could be a sketch. Mr. Russell said the road could be striped to create a 10 foot travel lane for cars on the south side of the road, a 9 foot travel lane for cars on the north side of the road, and a 2 foot bicycle land and 4 foot pedestrian lane both on the north side of the road.

Mr. Thornton entered the meeting.

Ms. Cole asked if there are any state or federal standards that should be used for the lanes.

Michael Frost said that the lanes will either pass in front of the fire station or the post office. He added that people park right next to the Old Brick Store, so maybe a curb could be added next to the store to allow pedestrians to walk to the inside of the parked cars.

Mr. Ladue asked if the whole curb (in front of the Frosts' house) could be moved over (northward) to allow for the lanes.

Mr. Lewis said that he was thinking the lanes should be on the south side to match Ferry Road west of Greenbush Road, and also Church Hill Road, where the bicycle lanes are striped on the south side.

Alice McEnaney, who is the Associate Director of the Charlotte Children's Center, said she thinks connecting the Little Garden Market to the Old Brick Store would be great. Anything is an improvement. She supports adding curbing next to the Old Brick Store.

Mr. Russell asked Mr. Lewis about the paving schedule. Mr. Lewis said that he has held off on paving because the monument is still being discussed. He didn't want to pave Ferry Road and then have the monument move.

Spin Richardson asked how will the curbed area be maintained? Mr. Russell said that landowners would be responsible for clearing snow. Mr. Richardson asked how people will be kept from parking in the bicycle and pedestrian lanes? Mr. Russell answered that there could be a parking ordinance, and people would get ticketed for parking in these lanes.

Mr. Stone said that he favors having the lanes on the south side of Ferry Road. Mr. Ladue said that if the Selectboard is just going to paint the lanes, they can be changed—if they don't work out on one side, they can be moved to the other side. He said he is in favor trying them on the north side. Mr. Thornton said he favors the north side.

Mr. Russell said he favors the north side. He asked about creating plans for the June 8th Selectboard meeting, when this would be discussed again. **NO ACTION TAKEN.**

6. JOHN HAUMENTSTEIN—REQUEST FOR REFUND OF FEE

Mr. Hauenstein was present, and explained that the matter of concern had been settled because he appealed. His neighbor had built too close to the property line, and they resolved the matter by doing a boundary adjustment, but he shouldn't have to pay to force his neighbor into compliance. Ms. Cole indicated that when Mr. Hauenstein previously came to the Selectboard, the Selectboard told him to go through the process, and the Selectboard would then consider a refund of his fee.

MOTION by Ms. Cole, seconded by Mr. Ladue, to refund the \$500 fee paid by Mr. Hauenstein to appeal the zoning permit issued to Carl and Dorothy Partelow for the construction of their garage.

VOTE: 5 ayes; 0 nays; MOTION CARRIED.

7. CHARLOTTE VOLUNTEER FIRE AND RESCUE SERVICES, INC.

Ray Curtis, Dawn Holbrook, Karah Brown and Chris Davis were present. Ray Curtis indicated that there is a new Rescue Chief, Dawn Holbrook, and a new Assistant Chief, Karah Brown, and he wanted to introduce them to the Selectboard.

Mr. Curtis stated that CVFRS is facing a \$35,000 shortfall for Emergency Medical Technician payroll in the current fiscal year, ending June 30th. He said that they have decided to use \$15,000 from the Tower Fund and \$5,000 from the Barrows Fund to help fill this gap, but they still have a \$15,000 gap. Mr. Curtis provided several reasons for the shortfall, including the loss of volunteers, which is cyclical. He also indicated the workers compensation is over budget by \$12,000, which they think they can make up by cutting in other places.

Mr. Curtis said that another option is to go out of service for one day per week. They are allowed to be out of service for 10% of the year. Their payroll is about \$10,000 per month.

MOTION by Mr. Stone, seconded by Ms. Cole, to provide \$15,000 to CVFRS to be applied towards EMT payroll during the current fiscal year.

DISCUSSION: Mr. Russell asked what is the saving for going out of service for one day per week? Mr. Curtis estimated about \$8,000 or \$9,000. Mr. Russell asked whether it would be possible to share coverage with other towns. Mr. Curtis replied that other towns are having trouble as well. Charlotte has been getting calls for Vergennes, because they were out of service, and Shelburne has been out of service occasionally as well.

VOTE: 5 ayes; 0 nays; MOTION CARRIED.

Mr. Ladue asked if CVFRS had any opinions about the pedestrian and bicycle lanes. Mr. Curtis said that he felt the lanes should go on the north side, partly because the post office gets a lot of traffic. Mr. Davis said that the lanes could be fine on either side.

8. ANCIENT ROADS

Ms. Cole passed out a list and map she had created that outlines potential processes for discontinuing some roads through a formal process, discontinuing others by not mapping them, and considering others to map. Mr. Ladue said he thinks the "do not map" list should be made as small as possible, since there would be a need to compensate landowners for the road/trail if the Town decided to keep any of these, and also since there would continue to be some questions as to encumbrance on the affected properties.

Ellie Russell said that the longer the process goes on, the longer the properties are encumbered, so she recommends resolving this as soon as possible.

Mr. Ladue said that the categories are good because they are based on statute. The question is which roads should go in which categories.

Mr. Russell left the meeting.

Jack Clemmons said that he needs more description of the two roads on his property.

Barry Dunsmore stated it's not clear where the roads are actually located? He said the map on the web-site is not at all clear.

Eddie Krasnow stated there is a question as to whether the roads were ever used. Mr. Thornton said that they did exist and were used, and that he has walked all of them. Andrew Thurber stated that he disputes that Dan Horsford Highway can be found.

Mr. Clemmons said there might be some advantage to keeping some portion of some of the roads, at least on his property.

Carl Lisman said that he is unclear what process, if any, will be undertaken. Will people be given an opportunity for input? The Planning Commission did not want to take any public input.

Ms. Cole said that what we're trying to do is develop a process. Each category has a different process.

Mr. Dunsmore said he is concerned, as a taxpayer, about the Town's potential liability for litigation related to this.

Mr. Ladue described his analysis. Mr. Lisman suggested that 2-4 hours is needed to get public feedback.

Tom Bates asked what is meant by "partial discontinuance." Mr. Ladue explained this means discontinuing a portion of the road.

A request was made for Dan Horsford Highway to be moved to the category of "discontinuance by formal action."

Raven Davis said that people don't want these any more. The roads were laid out for a reason, but those reasons don't exist anymore. We are trying to fit these ancient roads into a modern framework and they don't work. There is a matter of fairness. People bought their property without any notice that these roads might exist, and now they are being told a road exists on their property.

Mr. Krasnow said that the Town has acted for many years as though these roads don't exist. This could be a mess, and it's unnecessary.

Ms. Russell said the question is whether any of the roads have a future value for the Town? When the Planning Commission looked at the roads, they looked for potential future uses. She suggested that the Selectboard decide whether or not it agrees with the Planning Commission's recommendations. She said that neither the Selectboard nor the Planning Commission would put a road through somebody's house or yard.

Andy Deeds said that he thinks the Town has a fiduciary responsibility to not map the roads. The Town should wait until 2015 and let the roads go away.

Gretchen Morse said she hasn't heard why the Selectboard wants to go through this process.

Susan Horsford asked why would anyone would want a trail through a brook bed?

Steven Kantor said that Thornton's Trace should be in the first category for discontinuance. No evidence of the roadbed was found by the surveyor. The road was at a division line, and tree stumps and rocks were piled along the borders of adjoining properties. If people wanted to use these over the past 200 years, they would be getting used now. Thornton's Trace goes through an area of the Stockbridge subdivision that was designated as "open space" and area of the Quarter Mile Road subdivision that was designated as "do not cut."

Emily Ferris requested an explanation of the process for mass discontinuance.

Mr. Thurber said that a Class 4 road was recently discontinued for the Garvey subdivision—the Selectboard did this to protect the privacy of a house that has not yet been built. The ancient roads in some cases go through or near existing residences.

Mr. Krasnow encouraged the Selectboard to use a "good will" process to get trails rather than this process. Also, he recommended the Selectboard act quickly to resolve the shadow on the value of people's properties.

Mr. Ladue suggested dividing the "discontinue group" into two groups.

Mr. Dunsmore asked what is the point of waiting five years?

Mr. Ladue suggested just making two categories. He asked if anyone had any information about the on-line survey.

Robbie Stanley, editor of the Charlotte News, stated that when she left her house for this meeting, 35 people had responded, and 53% voted for mass discontinuance, and the remainder of the votes were evenly split between the other two options.

Lydia Clemmons said she doesn't think any road should be maintained that goes through or near anyone's house.

Mr. Dunsmore said he would like to see a map.

Ms. Stanley said she doesn't understand what "partial discontinuance" means.

Mr. Thurber said there are other potential choices. The Selectboard could warn a hearing to discontinue all roads and then ask people if they disagree.

There was a question as to whether a special meeting could be scheduled the week after the next regular Selectboard meeting on June 8th. Selectboard members indicated that they would look into this. **NO ACTION TAKEN.**

9. INTERVIEW KERRY MCMANUS FOR RECREATION COMMISSION
MOTION by Mr. Stone, seconded by Mr. Thornton, to appoint Kerry McManus to the Recreation Commission to the vacant seat for a two-year term.

VOTE: 4 ayes; 0 nays; MOTION CARRIED.

10. REAPPOINT JOSH FLORE AS FIRST CONSTABLE

MOTION by Mr. Stone, seconded by Mr. Thornton, to reappoint Josh Flore to the position of First Constable. For a two-year term.

VOTE: 4 ayes; 0 nays; MOTION CARRIED.

11. APPOINTMENT OF HOLLY SULLIVAN TO TRAILS COMMITTEE

MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Holly Sullivan to the Trails Committee for a two-year term, replacing Bob Hyams as the Conservation Commission's representative to the Trails Committee.

VOTE: 3 ayes; 0 nays; 1 abstention (Thornton); MOTION CARRIED.

12. REAPPOINTMENT OF DEAN BLOCH TO THE CCMPO TECHNICAL ADVISORY COMMITTEE

MOTION by Mr. Stone, seconded by Mr. Ladue, to reappoint Dean Bloch to the Technical Advisory Committee of the Chittenden County Metropolitan Planning Organization for a two-year term.

VOTE: 4 ayes; 0 nays; MOTION CARRIED.

13. UPDATES

The year-to-date budget was reviewed. The Grist tax appeal was discussed. **NO ACTION TAKEN.**

14. APPROVAL OF BILLS AND WARRANTS

The Selectboard signed bills and warrants as presented.

15. ADJOURNMENT

MOTION by Mr. Stone, seconded by Mr. Thornton, to adjourn the meeting.

VOTE: 4 ayes; MOTION CARRIED.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted, Dean Bloch.

These minutes are subject to correction by the Charlotte Selectboard. Changes, if any, will be recorded in the minutes of the next meeting of the Board.