

**TOWN OF CHARLOTTE
SELECTBOARD
MARCH 14, 2011**

APPROVED

MEMBERS PRESENT: Charles Russell, Dennis Delaney, John Owen, Ed Stone, Winslow Ladue (arrived 6:30 p.m.).

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: Patrice Machavern, Mary Mead, Ray Curtis, Bonnie Batchelder, Patty Ristan, Ellie Russell, Carrie Spear, Nancy Sabin, Hugh Lewis, Jenny Cole, Mark Dillenbeck, Peter Trono, Stephany Hasse, Liam Murphy, Jessie Bradley, Marty Illick, David Conard, Erick Finley, Jim Foster, Dan Albrecht, Paula Spadaccini, Israel Phelps, Juliann Phelps, Sue Smith, Nancy Wood, Charlotte News.

Call to Order

Charles Russell, Chair, called the meeting to order at 6:00 p.m.

Interview for FY2011 Town and CVFRS Audit

- **Telling & Associates**
- **Batchelder Associates**

The Selectboard interviewed representatives from Telling & Associates and Batchelder Associates for Town of Charlotte and Charlotte Fire and Rescue department audits for FY2011.

Selectboard Organization:

- **Determine Board structure and elect leadership**
- **Adopt rules of procedure**
- **Select newspaper of record**
- **Approve schedule of regular meetings**
- **Determine how agendas will be created**

Determine Board structure and elect leadership

There was brief discussion regarding pros and cons of a Chair and Co-Chair and concern that a Chair would shoulder the bulk of the workload and burn out.

MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Charles Russell as Charlotte Selectboard Chair for one year.

VOTE: 5 ayes; motion carried.

Adopt rules of procedure

Following a brief discussion a decision was reached to continue current practices regarding rules of procedure.

Select newspaper of record

MOTION by Mr. Stone, seconded by Mr. Owen, to use the Burlington Free Press as the Charlotte newspaper of record.

DISCUSSION:

Mr. Ladue suggested utilizing the Town website, or other electronic media versus a print media.

Mr. Russell reviewed costs and readership for both the Burlington Free Press (BFP) and Seven Days. Ms. Sabin pointed out that the Addison Eagle was delivered weekly and was cheaper. Mr. Owen said that notices have to be in print media. If the question is getting word out, then the Town should go with the BFP.

Mr. Russell asked if notices could be placed in Seven Days and the Charlotte News. Mr. Stone pointed out that the Charlotte News was not published weekly year round and there may be issues with delays in warning Zoning meetings.

Mr. Bloch reviewed a 15 day lead time to warn meetings. The official newspaper of record could be Seven Days, or other paper, and the Charlotte News.

Mr. Stone spoke in favor of the BFP. Mr. Delaney spoke in favor of the BFP and Charlotte News. Mr. Owen spoke in favor of the BFP.

VOTE: 4 ayes, 1 nay (Mr. Russell); motion carried.

Approve schedule of regular meetings

MOTION by Mr. Stone, seconded by Mr. Ladue, to set the Charlotte Selectboard meeting schedule on the 2nd and 4th Mondays of each month at 7:00 p.m.

VOTE: 5 ayes; motion carried.

Determine how agendas will be created

Mr. Bloch would send out agenda drafts to the Selectboard members a week ahead of the meeting date. Items to be added should be submitted through Mr. Russell, who would contact Mr. Bloch.

Adjustments to Agenda:

Add Other Business:

- Flea Market Cleanup – discussion
- CSWD cleanup funds – discussion
- Consider Policy on Insurance – discussion
- Special Funds for Cemetery donations - discussion

Public Comments

Ms. Wood handed out brochure copies of a Farm To Plate Strategic Plan for Selectboard review.

Selection of financial auditor for FY2011 and possibly additional years – action under consideration: approve proposal

MOTION by Mr. Stone, seconded by Mr. Owen, to hire Bonnie K Batchelder Association, Barre, Vermont, as financial auditor for FY2011 for one year to conduct Charlotte Town and Charlotte Fire and Rescue audits.

VOTE: 5 ayes; motion carried.

**Interview Stephany Hasse for Trails Committee – action under consideration:
appoint to a full term (ending April 2013)**

The Selectboard interviewed Stephany Hasse for a Trails Committee position.

**MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Stephany Hasse to the
Trails Committee for a full term ending April 2013.**

VOTE: 5 ayes; motion carried.

**Liam Murphy – request to name private road as Wexford Lane – action under
consideration: approve name**

**MOTION by Mr. Stone, seconded by Mr. Owen, to grant a request by Liam
Murphy to name a private road, formerly Liam Murphy’s driveway, as the new
Wexford Lane.**

Mr. Bloch confirmed that the Town has vetted the road name.

**Peter Trono – request to name private road as Mandi’s Way – action under
consideration: approve name**

**MOTION by Mr. Stone, seconded by Mr. Ladue, to grant a request by Peter Trono
to name a private road off Bingham Brook Road as Mandi’s Way.**

VOTE: 5 ayes; motion carried.

**Interview Mark Dillenbeck and Jenny Cole for appointment to the Charlotte Park
and Wildlife Refuge Oversight Committee – action under consideration: approve
appointments**

The Selectboard interviewed Jenny Cole for a position on the Charlotte Park and Wildlife
Refute Oversight Committee.

**MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Jenny Cole to the
Charlotte Park and Wildlife Refuge Oversight Committee.**

VOTE: 5 ayes; motion carried.

Mr. Russell noted that a Selectboard member should be appointed to serve on the
Charlotte Park and Wildlife Refuge Oversight Committee. Mr. Owen suggested drafting
a chart with a listing of all committee assignments for Selectboard members to sign up as
Town representatives.

The Selectboard interviewed Mark Dillenbeck for a position on the Charlotte Park and
Wildlife Refute Oversight Committee.

**MOTION by Mr. Ladue, seconded by Mr. Owen, to appoint Mark Dillenbeck to the
Charlotte Park and Wildlife Refuge Oversight Committee.**

VOTE: 5 ayes; motion carried.

Offer of Shrubbery by Fish and Wildlife for Charlotte Park and Wildlife Refuge/Holmes Creek buffer area – action under consideration: accept offer and sign contract

Sue Smith, Jessie Bradley, Jenny Cole and Mark Dillenbeck, Charlotte Park and Wildlife Refuge Oversight Committee members, explained a two-phased proposal to plant native shrubs in the Charlotte Park and Wildlife Refuge/Holmes Creek buffer area. A colored site drawing was submitted for Board review. Red maples would be cleared out and volunteers would remove invasive species. A management plan describes “windows” in an existing hedge, which are vegetative breaks for farm tractors to drive through. Management also includes a three-year selective cutting cycle for maintaining healthy shrubs.

There was discussion regarding a stream buffer (8-10’), future plantings at the overlook area, a time frame to order plants (03/15, 2011), a Town match consisting of “in-kind” volunteer hours/labor, and a concern that good farmland would be removed from use ((Ms. Cole explained that the area of concern was wetland and heavily rutted. Corn should not be planted in that area).

Mr. Ladue asked if taller trees would be removed in the management plan. Ms. Cole replied that invasive plants and taller trees would be removed from the hedge row.

Mr. Russell asked if the funds covered all the plant purchases. Ms. Smith replied yes.

Mr. Stone asked for clarification regarding paragraph 1, “...with financial or material support from the Service or its Partners...”. Did this mean sweat equity, or a financial obligation that would carry forward. If the Town signs the agreement document would this mean the Town has to keep funding the project, asked Mr. Stone. Ms. Bradley said she would get a clarification from the Fish and Wildlife representative tomorrow.

In response to Board concerns related to tall plants that might block views, Ms. Bradley explained that we are the ones choosing what plants to put where. She would e-mail plant heights to the Selectboard. Most of the tall plants would be placed in 2012. There are two purchases with three exceptions. We can change those three, said Ms. Bradley.

Ms. Smith read a Lewis Creek Association report related to phosphorous levels.

MOTION by Mr. Stone, seconded by Mr. Owen, to approve an offer of Shrubbery by the US Fish and Wildlife Service for Charlotte Park and Wildlife Refuge/Holmes Creek buffer area, and to accept the offer and sign the Partner for Fish and Wildlife - Fish and Wildlife Habitat Restoration Agreement with the following additions:

- **That Ms. Bradley return to Mr. Russell with an answer to a clarification question regarding paragraph 1, “...with financial or material support from the Service or its Partners...”.**
- **Attach the clarification to the Partner for Fish and Wildlife - Fish and Wildlife Habitat Restoration Agreement.**

DISCUSSION:

Mr. Ladue asked for clarification regarding fund expenditures. Ms. Bradley explained that the committee would spend 3/4^{ths} of the funds this year.

AMENDMENT to the MOTION by Mr. Stone, seconded by Mr. Owen, to have the Charlotte Park and Wildlife Refuge Oversight Committee come back to the Selectboard before the 2nd year plant purchases were made.

VOTE: 5 ayes; motion carried.

Lewis Creek Association: recommendation to replace culvert west of the Quinlan Bridge using funding from the US Fish and Wildlife Service – action under consideration: approve purchase of culvert

Marty Illick and Hugh Lewis appeared before the Selectboard, and reviewed a proposal to replace an existing culvert west of the Quinlan Bridge. The price of the culvert was not known at this time.

Mr. Ladue asked for clarification regarding the price of the project, excluding a new culvert. Ms. Illick replied that Mr. Lewis would spec out the project and present an invoice to the Fish and Wildlife Service for direct payment. It is not reimbursable. The Town is not paying for anything. We are working with Chris Metz and can get a formal document if needed, said Ms. Illick.

MOTION by Mr. Stone, seconded by Mr. Owen, to approve a Lewis Creek Association recommendation to replace a culvert west of the Quinlan Bridge using funding from the US Fish and Wildlife Service, and approve the purchase of a culvert.

VOTE: 5 ayes; motion carried.

Speeding cars – actions under consideration: request CCMPO to undertake speed studies; request Shelburne Police to patrol certain locations at certain times

Ms. Spadaccini, Mt Philo Road resident, stated that vehicle traffic has increased 4-5 times over the last few years in front of her house. The road is posted at 45 mph, but most motorists drive 50 mph. A family member has been injured and we have spoken to Mr. Delaney and Selectboard members about this. The road should be posted at a reasonable 40 mph. My property is the last house in Charlotte before the Shelburne Town line.

Mr. Russell suggested talking to the Shelburne Police regarding enforcement patrols in that area.

Mr. Stone noted that a speed study on Mt Philo Road was done three years ago. Can another study be done this soon, asked Mr. Stone.

Staff would research to see if the existing study allows flexibility for another speed study, and report back to the Selectboard.

Ms. Phelps, Greenbush Road resident, briefly reviewed a traffic and speed limit study done on Greenbush Road.

Allan Jordan – request to waive recording fees associated with subdivision creating five affordable dwelling units – action under consideration: waive fees

No action was taken.

Thompson’s Point Signage and Parking Conceptual Plan update – discussion only

Dan Albrecht, CCRPC representative, reviewed grants written for the Lake Champlain Scenic Byways programs.

Mr. Bloch clarified that funding might be available through the Byways program to create modest public access signage and parking signage designs at Thompson’s Point. Mr. Albrecht explained the project as a kick-off meeting with residents and an on-site visit to five public access locations, to report recommendations of possible parking locations, and a rough cost estimate. The CCRPC has a grant of \$25,000 to divide between 8 communities as a funding source. We would like to let out a contract soon, said Mr. Albrecht.

Mr. Conard, Thompson’s Point Home Owners Association representative, expressed concern regarding the project. It should include input from the leaseholders and ensure that data used was accurate. There are four public access points, not five. There have been historic misconceptions. For example; a path on the south side of the lease holders along the lake shore called the Indian Path is not a public walkway. The Milkman’s Path is not a controversial trail. The lease for the club can be read two ways and the issue needs clarity, stated Mr. Conard.

Mr. Conard suggested that Erick Finley, a leaseholder representative, and Bob Hall or Robert Colburn from the Club be included.

Ms. Cole said that a trail to the Poor Farm may be a future link to a Town wide trail system.

Mr. Bloch suggested that a designated Selectboard member meet with Mr. Finley, Mr. Conard, and Mr. Colburn. Mr. Albrecht suggested that a Selectboard member review a proposed RFP for Consultant Services for Development of Parking Plans and Signage Plans for the Town of Charlotte.

Mr. Ladue asked if there may be a conflict between the CCRPC goals and the Town. Mr. Albrecht handed out copies of a Lake Champlain Scenic Byways brochure, and noted that Whiskey Bay was included on the brochure map.

Mr. Stone asked for clarification of the extent of the proposed project related to the \$2,500 available funding. Mr. Bloch explained that the funding was just for the design work cost. Mr. Stone asked who would pay for the signs. Mr. Albrecht replied that he would help to write a grant for the signage. Mr. Stone asked if the Thompson’s Point Home Owners Association would donate money. Mr. Conard replied no.

Ms. Smith asked why the Town would point out public places on Thompson's Point. Mr. Albrecht replied that if the Town did not want to be a part of the scenic byways program just say so. Mr. Stone said he was not in favor of maps/signage at Thompson's Point.

There was further discussion regarding a number of issues related to visitors walking on Thompson's Point roads, a lack of parking guidance, and current visitor impacts on leaseholders. Ms. Wood asked if the project would commit the Town to opening public access to the broad public versus local public. Mr. Albrecht replied that he would consult with John Laberge and get back to the Town. It is Town land and you can set whatever rules you want, said Mr. Albrecht.

The Selectboard members expressed interest on going to the site visit. Mr. Stone volunteered as a Selectboard member on the committee.

Mr. Finley suggested that definitions, such as use of the Town beach, access points and times open should be included. Mr. Ladue said that other items, such as trails, land improvement, removing fences, a long term agricultural master plan, and future public access should be included.

Mr. Delaney expressed concern that if the public is encouraged to use public access, then a quality of place may be lost. Mr. Foster agreed with Mr. Delaney. Mr. Bloch said that the desire is to make it in scale with what is there. Mr. Albrecht said that the Town could post rules, have one parking lot and close the ad hoc spaces.

Roland's Place, Incorporated – renewal of 1st Class Restaurant License to Sell Malt and Vinous Beverages – action under consideration (as Liquor Control Board); approve license

MOTION by Mr. Stone, seconded by Mr. Ladue, to recess as the Charlotte Selectboard and convene as the Charlotte Liquor License Board.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Stone, seconded by Mr. Ladue, to approve a request by Roland's Place, Incorporated for renewal of a 1st Class Restaurant License to sell malt and vinous beverages as presented.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Stone, seconded by Mr. Ladue, to adjourn as the Charlotte Liquor License Board and reconvene as the Charlotte Selectboard.

VOTE: 5 ayes; motion carried.

Lucia Plante – application to be Town Service Officer for 2011 – action under consideration: approve appointment

MOTION by Mr. Stone, seconded by Mr. Owen, to appoint Lucia Plante as Town Service Officer for 2011 as presented.

VOTE: 5 ayes; motion carried.

Minutes: February 28 and March Town Meeting

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of February 28, 2011, as written, with corrections/edits.

VOTE: 4 ayes, 1 abstention (Mr. Delaney); motion carried.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of March Town Meeting, March 1, 2011, as written.

VOTE: 4 ayes, 1 abstention (Mr. Delaney); motion carried.

Town Meeting Debriefing – discussion only

There was discussion regarding the Friendship Lodge article that approved one year tax exemption. Mr. Owen would contact Rod Purdum with an invitation to appear before the Selectboard for an opportunity to discuss the Lodge. Ms. Wood suggested waiting until summer to allow Stanley Lane to return to Town.

Staff would add discussion of Town Meeting Advisory Motions on a future Selectboard agenda.

Other Business:**Special Funds for Cemetery Donations - discussion**

The Selectboard spoke in support of establishing an account to accept cemetery donations.

Flea Market - discussion

Staff to contact Dan Jones regarding clean up of the Flea Market by May 1st.

Liability Insurance Coverage

Mr. Bloch reported that he had contacted the Vermont League of Cities and Towns regarding liability insurance coverage. The Town would be liable unless the Town requested that contractor's provide proof of insurance, which could be a condition of bids, or to have temporary employees sign a waiver. A policy was needed across all Town departments.

Mr. Ladue noted that a State Risk Manager lives in Charlotte and he may help if asked.

Approval of Bills and Warrants

The Selectboard signed Bills and Warrants as presented.

Adjournment

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 10:04 p.m.

Respectfully submitted, Kathlyn L. Furr, Recording Secretary