

**TOWN OF CHARLOTTE  
SELECTBOARD MEETINGS  
MARCH 10, 2008**

***APPROVED***

**MEMBERS PRESENT:** Charles Russell, Chairperson; Jenny Cole, Winslow Ladue, Ed Stone, Frank Thornton (arrived at 7:15 p.m.)

**OTHERS:** Peter Doremus, Tom Mansfield, Marty Illick, Rayne Herzog, Carlie Krolick, David Krolick, Kelly Wilson, Jack Pilla, Mac Keyser, Mike Russell, Frances Russell, John Hammer, Charlotte News.

NOTE: The agenda was heard out of order, but appears in order for continuity.

**1. CALL TO ORDER**

Mr. Russell called the meeting to order at 7:00 p.m.

**2. ORGANIZATION**

**MOTION by Mr. Stone to nominate Charles Russell as Charlotte Selectboard Chairperson and Jenny Cole as Charlotte Selectboard Vice Chairperson for a one year term each. Nominations were closed.**

**VOTE: 5 ayes; motion carried.**

**MOTION by Mr. Stone, seconded by Mr. Thornton, to establish Charlotte Selectboard meetings on the second and fourth Mondays of each month at 7:00 p.m. at the Charlotte Town Hall.**

**VOTE: 5 ayes; motion carried.**

**MOTION by Mr. Stone, seconded by Mr. Thornton, to name *Seven Days* as the official newspaper for proper notification of public hearings as required.**

**VOTE: 5 ayes; motion carried.**

**3. ADJUSTMENTS TO AGENDA**

None.

**4. PUBLIC DISCUSSION**

None.

**5. APPOINTMENTS**

**A) THREE FENCE VIEWERS**

**MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Larry Hamilton, Mary Cheney, and Harvey Sharrow as fence viewers.**

**VOTE: 5 ayes; motion carried.**

**B) POUNDKEEPER FOR EACH POUND**

**MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint John Hammer as Poundkeeper for each Pound.**

**VOTE: 5 ayes; motion carried.**

C) ONE OR MORE INSPECTORS OF LUMBER, SHINGLES AND WOOD  
**MOTION by Mr. Thornton, seconded by Mr. Stone, to appoint Andy Mansfield as Inspector of Lumber, Shingles and Wood.**

**VOTE: 5 ayes; motion carried.**

D) ONE OR MORE WEIGHERS OF COAL  
**MOTION by Ms. Cole, seconded by Mr. Ladue, to appoint Carrie Spear as Weigher of Coal.**

**VOTE: 5 ayes; motion carried.**

E) TREE WARDEN  
**MOTION by Mr. Stone, seconded by Mr. Thornton, to appoint Larry Hamilton as Charlotte Tree Warden.**

**VOTE: 5 ayes; motion carried.**

**6. PETER DOREMUS – Request to Create Up to Three Parking Spaces on the East Side of North Shore Road, Across from 154 North Shore Road**

Peter Doremus, resident, handed out copies of photographs of his camp located at North Shore Road, and explained a request to add three parking spaces on the east side of North Shore Road. Mr. Doremus showed the location of his camp, existing garage, which was built up by the edge of North Shore Road, and potential parking space across the road on a Site Map.

It was noted that the Doremus lot was steep and fell off sharply to the lake.

Mr. Doremus reviewed that a request for the parking spaces was denied by the Board two years ago when a neighbor to the north of his camp objected to the parking location arguing that it was not consistent with the character of the neighborhood. He was out of town and could not attend the meeting. Currently there was a space to park one car in front of the garage, and a space on his neighbor’s property on the south side of the garage. His neighbor has now asked that he no longer park on the property to the side of his garage. A Site Plan and survey was done when the property was purchased. He had asked about parking at that time.

The Board asked for the location of property lines, the garage and location of the camp on the topographic map submitted by Mr. Doremus.

There was lengthy discussion regarding an area identified by Mr. Doremus as cleared space for potential parking across the road (Mr. Doremus said that there were some Buckthorn trees that needed to be cut and some fallen cedar trees to clean up.); the lot dimensions of 100’ of lake frontage, 130’ on the short side and 150’ on the long side for a

one-third acre; a property line that fell along side the garage; and an offer by the Winter's to park up along his driveway.

Mr. Thornton recalled that the application failed in the past because the Charlotte Tree Warden objected to cutting of trees across the road.

Mr. Russell suggested that abutting neighbors should be notified of the request and a site visit was scheduled for Monday, 04/14/2008 at 6:00 p.m.

#### **7. THOMPSON'S POINT BUDGET AND MAINTENANCE CONTRACT**

Tom Mansfield reported that a meeting was held. Thompson's Point fees, budget and contract with Steve Williams were approved. The contract capped the cost of living increase at 5 percent over three years. Mr. William's had agreed with the contract. The Selectboard needs to sign the Thompson's Point budget and three-year contract.

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve a preliminary Thompson's Point Budget for FY08 for the Thompson's Point Wastewater Collection, Treatment and Disposal System of \$111,575.00.**

#### **DISCUSSION:**

**Mr. Mansfield noted that last year Mr. Williams went over budget and that was approved and paid. There were extra expenses on the budget, such as \$31,000 to replace sand filters.**

**VOTE: 5 ayes; motion carried.**

**MOTION by Mr. Ladue, seconded by Mr. Thornton, to approve a proposed Contract for the Thompson's Point Wastewater Collection, Treatment and Disposal System Operations and Maintenance Contract as presented.**

**VOTE: 5 ayes; motion carried.**

The Selectboard signed the Thompson's Point FY08 Budget and Maintenance Contract documents.

#### **8. VERMONT LAND TRUST REQUEST FOR LETTER SUPPORTING APPLICATION TO THE VERMONT HOUSING AND CONSERVATION BOARD REGARDING BURLEIGH APPLICATION**

Marty Illick, Lewis Creek Association representative, explained that a Selectboard letter of support would be one of exhibits to attach to a Vermont Housing and Conservation Board application related to the Burleigh Farm. Currently the Burleigh property was not subdivided yet. The Burleigh's are ready to sign a purchase and sales agreement. The land would not be developed with the exception of one excluded lot that is the homestead piece, which is still a part of the 68 acre parcel. The forest piece would be sold to the Nature Conservancy. The Nature Conservancy would do the subdivision process.

Mr. Russell asked if the Planning Commission was in support of the application. Mr. Bloch replied that the Planning Commission was writing a letter of support.

Ms. Illick reported that the Charlotte Land Trust was playing a vital role in the process. Two separate funding applications would be forwarded to the Town for use of Conservation funds.

Mr. Ladue asked if there would be public access on the property. Ms. Illick replied that there would likely be public access. The purchase is a priority due to the natural community values.

There was further discussion regarding an existing right-of-way that allowed the Burleigh's access to their property; a property and gravel pit owned by Barlow/Hinsdale's; potential for trails; a goal to conserve land values in terms of agricultural value, a back pasture, a Maple/Ash forest, wetland restoration and a 70 acre hayfield.

Mr. Thornton asked how many acres were conserved in Charlotte. Ms. Illick answered that less than 25 percent of Charlotte land was conserved. The Burleigh's and the Planning Commission want this project to happen. We need to complete the fundraising piece, stated Ms. Illick.

**MOTION by Ms. Cole, seconded by Mr. Ladue, to write a Letter of Support to the Vermont Land Trust in support of the Burleigh Farm project.**

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

#### **9. SHELBURNE ATHLETIC CLUB – Race Schedule**

Rayne Herzog, Shelburne Athletic Club representative, handed out copies of a proposed 2008 Race schedule.

There was lengthy discussion regarding the proposed race schedule that included the Covered Bridge half marathon on 04/26/2008, which would require one lane of the Hinesburg/Charlotte Road be closed to car traffic from 8:30 a.m. to 8:40 a.m.; proper notification of neighbors and the Charlotte Road Commissioner; and police coverage.

Carlie Krolick, Charlotte Recreation Commission representative, but speaking for herself, said that there was a discussion between the commission and Herzog last August on utilizing the Recreation Commission as a coordinating body so that race schedules didn't conflict. For example the Tour de Cure race committee coordinates with the Recreation Commission. Ms. Krolick suggested that the Covered Bridge half marathon be run on Town Party Day.

Ms. Krolick expressed concern that there were six Sprint Triathlons scheduled versus four last year. A small donation to the Recreation program would be a good will gesture on the part of the Shelburne Athletic Club. Mr. Herzog pointed out that he had offered assistance, such as timing equipment and coordinating the recreation events.

Mr. Ladue said that it was reasonable for parties to coordinate with the Recreation Commission. The Shelburne Athletic Club's first event was coming up quickly, pointed out Mr. Ladue.

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve a proposed Covered Bridge Half Marathon on 04/26/2008, and to close one-half of the Hinesburg/Charlotte Road from 8:30 a.m. to 8:40a.m. to Mt Philo Road as presented.**

**DISCUSSION:**

**Mr. Russell asked Mr. Herzog if he was willing to make a good will gesture to the Recreation Club. Mr. Herzog replied that he would like to talk to the Recreation Commission face-to-face regarding potential coordination assistance for Recreation programs.**

**Mr. Ladue asked if the Club carried insurance. Mr. Herzog replied yes. A copy was given to the Town Clerk. Mr. Ladue asked where participants would park. Mr. Herzog said that parking was at the Charlotte Central School. There was a parking crew with radios.**

**Mr. Thornton asked how many participants were expected. Mr. Herzog replied that the most ever were 210, but 100 were anticipated this year.**

**Ms. Cole asked if rent was paid to the school. Mr. Herzog explained that the school received \$350 rent.**

**Mr. Ladue asked if the Fire/Rescue departments were given a donation for their coverage. Mr. Herzog said that depending on the time the Fire/Rescue crews were on site a donation could range from \$15 to \$100. The race takes two hours and there were usually two Fire/Rescue personnel on hand.**

**Mr. Russell asked if any state permits were required. Mr. Herzog replied no.**

**Mr. Thornton asked if the State Police were required to patrol the roads during the race. Mr. Herzog explained that the State Police were notified. The Shelburne Police Department provided race coverage at the Shelburne beach area, the Mt Philo and Hinesburg Road intersection and a cruiser patrolled the course.**

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

There was further discussion regarding volunteers manning intersections during races in the past, and audience concerns related to safety of participants and residents who travel the roadways. Mr. Herzog noted that he manned the Brick Store intersection, posting of notices along the race route, sweeping and cleaning gravel and debris from the shoulders and turns for bike rider safety.

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve a Sprint Triathlon for 06/14/2008 as described on the Race Map.**

**DISCUSSION:**

David Krolick expressed concern for safety of car drivers and race participants. The map shows the race route going down Greenbush Road. Vehicle speed was excessive on that road. The safety of bikers and courtesy of the automobile is imperative. More signs posted on that road were needed. There were dangerous areas along that route, such as the train trestle, the Mack Farm, and the intersection of Ferry/Greenbush roads. Rayne should wear a bright yellow vest for safety and visibility. There is a dangerous curve on Greenbush Road and that volunteer should wear a safety vest. That volunteer has been seen sitting in his car rather than out on the road. A "Code of Safety" should be given to the Selectboard before any approval is given. There should be a listing of all events in the local papers.

Mr. Herzog explained the extent to which he prepares a race course, and that he personally rides and runs the courses to find problems before hand, such as potholes. Turns are marked with cones and dangerous intersections/curves are manned with people. If a volunteer was in his car he may be waiting for participants. A list of safety precautions could be provided.

Ms. Krolick stated that all of us run/bike in Town and we want to make outside use of Town roads discrete. We want to create an overall safety pattern in Town.

Ms. Cole suggested that Mr. Herzog come up with a plan with more detail. Do you have any concerns regarding narrow shoulders, asked Ms. Cole. Mr. Herzog replied that he rides many miles and has concerns over road shoulders everywhere. There are speed limits on Greenbush Road, pointed out Mr. Herzog.

In response to Board questions, Mr. Herzog said that race participants were not allowed to "pack" ride in a triathlon.

Mr. Ladue suggested posting a sign at the marina so that people would know what was taking place. Mr. Herzog said that he would provide a list of intersection safety precautions and a map with symbols of what he intended to do at each intersection. VOTE: 3 ayes, 2 nays (Mr. Thornton, Mr. Stone); motion carried.

**10. LIQUOR LICENSE FOR TENNEY'S DELI**

MOTION by Mr. Ladue, seconded by Ms. Cole, to recess as the Selectboard and to convene as the Liquor License Control Board.

VOTE: 5 ayes; motion carried.

The Selectboard recessed and convened as the Liquor License Control Board.

MOTION by Mr. Ladue, seconded by Ms. Cole, to approve a Second Class Liquor License application by Tenney's Deli as presented.

VOTE: 5 ayes; motion carried.

The Board signed the liquor license document.

**11. APPEAL OF SUBDIVISION CONDITIONS BY MARY BETH FREEMAN;  
Entry of Appearance**

Mr. Russell and Mr. Stone recused themselves.

Michael Russell and Frances Russell appeared on behalf of the appellant.

Dean Bloch explained that the Planning Commission approved a proposed subdivision by Ms. Freeman with conditions. The applicant appealed the conditions. The Town is seeking permission for the Town Attorney to enter an appearance on behalf of the Town in Environmental Court. The appeal is already underway in court. Entering an appearance allows a discussion with the Town Attorney, and is reversible. The Town could authorize the Town Attorney to withdraw the appearance.

There was discussion regarding a condition to install a fire pond required by the permit; potential options for the Town, which could include a formal mediation (Mr. Bloch said that if the Town did nothing then the court would find for the appellant); a question of why the Fire Department recommended a fire pond at this location; and a process to follow, which would require a letter to the court that the Town Attorney represented the Town.

**MOTION by Mr. Ladue, seconded by Mr. Thornton, to authorize the Town Attorney to file a Motion of Appearance on behalf of the Town of Charlotte in the matter of the Freeman appeal, docket #24-2-08 VTEC.**

**VOTE: 3 ayes, 2 recused (Mr. Russell, Mr. Stone); motion carried.**

Mr. Russell and Mr. Stone rejoined the Board.

**12. ADOPTION OF NIMS RESOLUTION**

Mr. Stone reviewed that the Town would not apply for an Emergency Management Grant, which was voted down at the March Town Meeting. Ms. Cole reported that Christine Brown said that if the Town wanted to re-apply for the grant to let her know by 04/01/2008. Brown suggested that a grant application could be used to pay for preparation work to put a generator at the school. We would need to know if the school was interested. Match money was required and could be private funding.

Ms. Cole was asked to contact the Charlotte Central School.

**MOTION by Mr. Ladue, seconded by Ms. Cole, to authorize the Town of Charlotte to sign a Resolution to adopt the National Incident Management System (NIMS) as the Basis for Incident Management in the Town of Charlotte**

**DISCUSSION:**

**There was discussion regarding requirements as outlined in a NIMS Resolution; an on-line course to be taken by town officials that was a requirement to apply for Emergency Management grants; and that the NIMS language and procedures could be applied town, regionally, and state wide.**

Ms. Cole said that she checked with Kay Gault if the Fire Department was familiar with the NIMS and Ms. Gault said that they have an understanding of the system.

Mr. Ladue asked if the Town Emergency Plan identified three shelters.

Mr. Thornton said that the “uniform personnel standards” language in the Resolution was a concern if the federal government was involved. Mr. Russell pointed out that it doesn’t say we have to do it, only that we think it is a good way to go.

Mr. Ladue pointed out that the state was adopting the system.

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

**13. TOWN WEBSITE – Renewal of Domain Name; Update and Discussion of the Use of the Site**

Ms. Cole explained that the fee for the renewal of the domain name of the Town website was \$220 for five years.

**MOTION by Ms. Cole, seconded by Mr. Ladue, to approve renewal of the domain name Charlottevt.com for a cost of \$135 for three years.**

**VOTE: 5 ayes; motion carried.**

**14. MINUTES**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 02/07/2008 as written with the following corrections:**

**Page 1, bottom of page, change to read “...the Selectboard continued discussion and ...”**

**Last page, add that the Selectboard meeting adjourned at 7:20 p.m.**

**VOTE: 4 ayes, 1 absent (Mr. Thornton); motion carried.**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 02/11/2008 as written with the following corrections/additions:**

**Page 1, Others, correct the name “Monica Smith”;**

**Page 1, change to “Charlotte Park and Wildlife Refuge” globally;**

**Last page, under DISCUSSION: change to read “Ms. Cole explained that the Town was asked to grant permission...”**

**VOTE: 4 ayes, 1 absent (Mr. Thornton); motion carried.**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 01/28/2008 as written with the following correction:**

**Agenda #14, correct the spelling of the word “the” in the heading;**

**Last page, add that the Selectboard meeting adjourned at 11:45 p.m.**

**VOTE: 4 ayes, 1 absent (Mr. Thornton); motion carried.**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 01/24/2008 as written with the following correction:**

Page 1, replace the word “dog” with “litigation”.  
VOTE: 4 ayes, 1 absent (Mr. Thornton); motion carried.

MOTION by Ms. Cole, seconded by Mr. Ladue, to approve the minutes of 01/22/2008 as written, with the following correction:

Globally correct the name “Carol Miklos”;

Page 2, insert the word “between” “Cartularo” and “neighbors”.

VOTE: 4 ayes, 1 absent (Mr. Thornton); motion carried.

Approval of the Minutes of 01/20/2008 was tabled until the next meeting of the Board.

**15. TOWN MEETING RECAP; DONATIONS TO SERVICE ORGANIZATIONS, INVESTMENT POLICY, THOMPSON’S POINT RENT, SOUND SYSTEM, OTHER**

**DONATIONS TO SERVICE ORGANIZATIONS**

Following a brief discussion regarding donations to service organizations the Board suggested that a three-member Advisory Committee should examine benefits to the Town for donations and a review of financial records. The committee would report back to the Selectboard on findings.

**INVESTMENT POLICY**

Mr. Russell noted that there was an elected Town Official that invests the Town’s money.

Mr. Ladue suggested that Mr. Russell should write an article in the local newspapers regarding the issue as expressed during the Town Meeting, and that if there were any questions residents should contact the Town Treasurer.

**THOMPSON’S POINT RENT**

Mr. Russell suggested that either the Selectboard or a committee should explore a means to tie the Thompson’s Point leases to the land assessment and CLA.

**SOUND SYSTEM**

The Board noted that there were several residents with expertise in sound systems that could be asked to review what was needed for a system at during Town Meeting.

**CEMETERY COMMISSION**

Mr. Russell would contact Jim Laberge to see if he was interested in serving on the Charlotte Cemetery Commission.

**16. SELECTBOARD WORK PLAN AND APPOINTMENT OF LIAISONS**

Mr. Russell suggested that the Board consider a Selectboard work plan and appointment of liaisons at the next meeting of the Board.

Mr. Ladue handed out copies of a worksheet review of last year’s agenda’s and reoccurring topics, such as mowing bids, that the Board must consider each year. An

exercise projection of Ancient Roads and planning steps was also handed out for Board review.

The Board asked Ms. Cole and Mr. Ladue to consider what work needs to be done, and what projects still need to be completed. Mr. Ladue suggested conserved land, use of conserved land, providing services that the town wants, and discussions of same were a good starting point.

**17. EXECUTIVE SESSION**

**MOTION by Mr. Thornton, seconded by Mr. Ladue, to recess the regular meeting and enter Executive Session for the purposes of discussing the Plouffe Landfill Matter, and invite the Selectboard Clerk to attend.**

**VOTE: 5 ayes; motion carried.**

The meeting was recessed and the Board entered Executive Session at 10:00 p.m.

**MOTION by Ms. Cole, seconded by Mr. Ladue, to adjourn Executive Session and reconvene the meeting**

**VOTE:**

The Board adjourned Executive Session and reconvened the meeting at 10:39 p.m.

**18. BILLS AND WARRANTS**

The Board signed Bills and Warrants as presented.

**19. ADJOURNMENT**

**MOTION by Ms. Cole, seconded by Mr. Ladue, to adjourn the regular meeting.**

**VOTE:**

The meeting was adjourned at 10:40 p.m.

Respectfully submitted, Kathlyn L. Furr, Recording Secretary.

*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.*