

**TOWN OF CHARLOTTE
SELECTBOARD MEETINGS
APRIL 10, 2006**

APPROVED

MEMBERS PRESENT: Eleanor Russell, Chairperson; Jenny Cole, Charles Russell, Ed Stone, Frank Thornton.

OTHERS: Larry Hamilton, Jonathan Couture, Carlie Krolick, Andy Broderick, Ann Eishenberger, Gary Pittman, Ron Miller, Robert Mack, Clark Hinsdale III, Bonnie Heaslip, Richard Pete, Liam Murphy, Patrick Swift, Diane McCargo, John Hammer, Charlotte News.

1. CALL TO ORDER

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

2. ADJUSTMENT TO AGENDA

None.

3. PUBLIC DISCUSSION

Larry Hamilton, Charlotte Tree Warden, reviewed past Arbor Day Celebrations held at the Charlotte School. Grants paid for the purchase of trees for planting. The State of Vermont has asked for evidence of Town support in the form of an official Town proclamation regarding the planting of trees.

MOTION by Mr. Thornton, seconded by Mr. Russell, to issue an Official Town Proclamation in support of planting trees for Arbor Day Celebration(s), and to authorize the Charlotte Selectboard Chairperson to sign the Proclamation on behalf of the Town.

DISCUSSION:

There was brief discussion if the proposed Arbor Day Celebration would fall on the same date as Green Up Day, May 6th.

FRIENDLY AMENDMENT by Mr. Thornton to have all the Selectboard members sign the Proclamation.

VOTE: 5 ayes; motion carried.

Jonathan Couture, resident, explained a request for permission to have a power/utility company bring lines across the road to 2149 Hinesburg Road, a private home.

MOTION by Mr. Russell, seconded by Mr. Thornton, to approve a request by Jonathan Couture to allow a utility company to put power and telephone lines across the road to provide service to a new house, located at 2149 Hinesburg Road.

DISCUSSION:

Ms. Cole asked if the utility lines would service one house. Mr. Couture replied yes.

VOTE: 5 ayes; motion carried.

Bonnie Heaslip, Mt. Philo Road resident, reported that speeding cars were an issue on Mt. Philo Road. Neighbors were surveyed and it was agreed to ask the Town to do something about the problem. Ms. Heaslip explained that she has contacted the Vermont AOT and the Chittenden County Regional Planning Commission (CCRPC). Ms. Heaslip handed in a copy of a 2005 CCRPC speed study on Mt. Philo Road that showed 46 percent of the vehicles were traveling over 55 mph. Most of the speeding vehicles were traveling north bound versus south bound, at all times of the day. The Shelburne Police Department has offered to place a speed cart on the road.

Ms. Cole said that she would bring up the topic at a Citizen's Advisory Committee meeting.

4. APPROVE MINUTES FOR MARCH 27

Approval of the Selectboard minutes of March 27, 2006, was tabled until the next meeting of the Board.

5. INTERVIEW APPLICANTS

The Selectboard interviewed the following candidates for Town committees/commissions:

Carlie Krolick – Recreation Commission
Andy Broderick – Affordable Housing Committee
Ann Eichenberger – Conservation Commission
Gary Pittman – Conservation Commission
Ron Miller – Conservation Commission
Robert Mack – Planning Commission

Clark Hinsdale, III, resident, spoke in support of Robert Mack as a Planning Commissioner. Mr. Mack brings a long-standing history of Charlotte to the Commission as well as an understanding of agriculture and wildlife resources.

6. REAPPOINTMENTS

MOTION by Mr. Russell, seconded by Mr. Stone, to appoint Harvey Sharrow, Andy Mansfield, and Larry Hamilton as Fence Viewers for one-year terms.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Russell, seconded by Mr. Stone, to appoint Larry Hamilton as Tree Warden for a one-year term.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Russell, seconded by Mr. Thornton, to appoint Lucia Plante as Town Service Officer for a one-year term.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Russell, seconded by Mr. Thornton, to appoint Brady Toensing to the Zoning Board of Adjustment for a four-year term.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Russell, seconded by Mr. Stone, to appoint Jonathan Fairbanks to the Design Review Board for a three-year term.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Russell, seconded by Mr. Stone, to appoint J. P. Vettencourt as Emergency Management Director for a one-year term.

VOTE: 5 ayes; motion carried.

7. THOMPSON'S POINT – POLICY REGARDING USE OF WASTEWATER SYSTEM AFTER YEARLY SHUT-DOWN

Ms. Russell reviewed a Wastewater System Disposal Ordinance that outlines the length of time the Thompson's Point camps could stay open (from April 1st to October 31st). The Town camp leases go to November 15th, which means the camp residents cannot use the waste water system beyond the time the waste water system is closed.

Mr. Russell read Section 506 of the ordinance that there would be no discharge into the public subsurface sewer system after November 1st.

Ms. Cole said that she had spoken to Avery Hall regarding four camps on the lake where people stay full time beyond the November 15th date. That causes the holding tanks to be pumped out several times. A question was who pays for the pumping service. Mr. Pete, Waste Water Committee representative, explained that in the past the bill was paid out of the Sewer Commission general fund, and that has become unacceptable. If the people that stay longer pay for the pumping service, then there should be a plan to coordinate pumping out the tank all at the same time for a lower price. If the service has to return for someone and the service isn't contacted before hand then it would be a higher price.

There was lengthy discussion regarding potential solutions that included a placing a porta-potty at the camps after the shut-down date; making those who stay beyond the date responsible for arranging to be pumped out (Mr. Pete said that the waste water could not be left in the tanks over the winter); a question if the date on the leases should be changed to coordinate with the ordinance; putting something in place that would hold the 3-4 people accountable; and the procedure for shutting down the system that included having the lines blown out.

Mr. Russell asked if \$500 would cover the cost of the extra pumping and line clearing. Mr. Pete replied that according to Marty Williams it would. There was nothing final about the rates, which could be raised next year. The Selectboard had the ability to change fees/regulations at anytime. As a leaseholder, that would allow a method to recoup some of the additional expense. A water meter determined the bills, but some people disconnect the meters when they leave for the season. There were no regulations regarding the meters and Mr. Pete asked the Board to address the controls for reading of meters. Ms. Russell asked Mr. Pete to draft language.

8. SHELBURNE ATHLETIC CLUB – REQUEST TO CLOSE A SECTION OF HINESBURG ROAD ON MAY 6

Rayne Herzog reviewed a request to close a section of Hinesburg Road for a May 6th Spring Fling one-half marathon run. The request was to stop traffic for 5-10 minutes at the four corners at the top of the hill by the school to Guinea Road.

MOTION by Mr. Russell, seconded by Ms. Cole, to close Hinesburg Road on May 6, 2006, for ten minutes, some time between 8:30 a.m. and 8:45 a.m., for a Spring Fling one-half marathon run as requested.

DISCUSSION:

Mr. Herzog said that his organization would place road signs in appropriate locations.

Mr. Thornton pointed out that the road was the only way to get to Hinesburg and stopping traffic could cause problems.

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

9. WARN HEARING FOR THE DISCONTINUANCE OF A PORTION OF SPEAR GERVIA ROAD, RUNNING APPROXIMATELY FROM MOUNT PHILO ROAD TO THE INTERSECTION WITH McGUIRE PENT ROAD

Dean Bloch, Charlotte Town Planner, asked that the Selectboard set a date to warn a public hearing regarding the discontinuance of a portion of the Spear Gervia Road. The Town Attorney, Tim Eustace, needs to do title work.

Liam Murphy, attorney for the Swift-McCargo's, said that he had talked with Mr. Eustis, who said the Board should set a specific date. It was understood that the discontinuance was to be for the entire east-west Spear Gervia Road and a substitute "floating" easement would be grant so to connect to trails at the best place. If the warning was for less then that you couldn't expand the length of the road to be discontinued at the hearing. There is a 50' section where McGuire Pent and Spear Gervia come close, but do not meet. Mr. Bloch said the Board could warn for the entire road to cover all possible contingencies. The Town Attorney said that a floating easement should be specified in a location, said Mr. Bloch. Mr. Murphy said that a location hadn't been determined. The Swift-McCargo's were willing to work on a location of the easement, but it is up to the Selectboard. Ms. Russell recalled that Mr. Murphy was to provide language regarding an easement back in November.

There was brief discussion regarding a public hearing date. Mr. Thornton suggested holding a meeting and then walk the road.

MOTION by Mr. Stone, seconded by Ms. Cole, to set a date for a Public Hearing on June 12, 2006, at 7:15 p.m., for a discontinuance of Spear Gervia Road and a site visit at 5:00 p.m.

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

10. THOMPSON'S POINT LEASE – REWORD MAP REFERENCE

Ms. Russell reviewed a lease for Lot 202, which was referred as depicted on the Thompson's Point Survey Map, 1932. The lot is on Lane's Lane and did not show up on the map. The Town Attorney, Tim Eustis, said to substitute the words "...as depicted on the Town Tax Map, Map 41; B50-L22."

Ms. Russell said a second issue was an inconsistency in language between the state waste water discharge permit, from April 1st to October 31st, and the Town Ordinance close-up date related to the leases that says "on or after November 1st."

Mr. Russell noted that Lot 202 on Lane's Lane was not listed in the appendix and appeared to be a year-round camp. Lot 202 should not be included in the discussion regarding a closing date since it has a separate septic system.

Mr. Thornton stated that all leases should conform.

**MOTION by Mr. Stone, seconded by Ms. Cole, to authorize the Charlotte Selectboard Chairperson to sign a lease for Lot 202, located on Lane's Lane, between the Town of Charlotte and John and Nancy Kerr, as amended and a new closing date of October 31, and as referenced on the Town Tax Map.
VOTE: 5 ayes; motion carried.**

Ms. Russell signed the lease document.

11. PARKING AT THE FLEA MARKET

Ms. Russell read a section of the Flea Market lease related to parking on-site.

There was discussion regarding parking in the past (along Route 7 and the north end of the market); and a suggestion that the flea market tables move to the north end of the market and parking allowed in the south end.

Mr. Stone suggested inviting Mary Conlin to a Selectboard meeting for a discussion. Mr. Bloch pointed out that the lease commences the first week in April.

MOTION by Mr. Russell, seconded by Mr. Thornton, to authorize Ed Stone, Charlotte Selectboard, to negotiate a designated parking area with Mary Conlin on the south border of the Flea Market.

DISCUSSION:

There was discussion that the tables for the Flea Market should be at the north end of the market, no parking during the time that the Flea Market was closed, no occupancy of vehicles, no on-site vehicle storage, or campers. Mr. Bloch said the Board would need to re-word the lease after language changes were made.

VOTE: 5 ayes; motion carried.

12. SELECTBOARD UPDATE/CHAIR'S REPORT

SPEEDING ON MT PHILO ROAD

Ms. Russell noted that the issue was addressed under Public Discussion.

RESCUE MEETING

Ms. Russell reported that she had met with the Rescue Committee regarding a potential collaboration of resource sharing with the Shelburne department for mutual economies of scale.

MOTION by Mr. Thornton, seconded by Mr. Russell, to authorize the Charlotte Selectboard Chairperson to provide up to \$250 in support of a Rescue Feasibility Study.

VOTE: 5 ayes; motion carried.

Ms. Russell reported that Kay Galt has been hired as the Fire and Rescue Office Administrator.

FIRING RANGE

Mr. Stone reported that he had met with the parties and discussed the issues, which were solved. It appeared that bird hunters were in the area. The property owners adjacent to the Laberge firing range had asked that the firing range be monitored. It was concluded that patrons at the range would sign in and out.

OTHER BUSINESS

Ms. Cole asked if the Board should consider a policy regarding undergrounding of power/utility lines under roadways. Mr. Russell pointed out that there was a recommendation in the ordinance to underground lines. There is a \$1,000 fee to encourage boring versus cutting pavement or overhead poles. Mr. Bloch pointed out the ordinance language encourages overhead lines.

Mr. Couture noted that the cost of boring for undergrounding lines was \$3,000.

MOTION by Mr. Russell, seconded by Mr. Thornton, to invite the Governor of Vermont, James Douglas, to attend a Charlotte Selectboard meeting for the purpose of discussing the VELCO Northwest Reliability route in Charlotte.

FRIENDLY AMENDMENT by Mr. Thornton, to authorize Jennifer Cole to draft a letter to the Governor.

DISCUSSION:

Mr. Stone read a letter received from the Governor's office, dated 04/05/2006.

Mr. Stone called the question.

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

13. BILLS AND WARRANTS

The Selectboard signed bills and warrants as presented.

14. EXECUTIVE SESSION – OLD LANTERN

MOTION by Mr. Russell, seconded by Mr. Stone, to recess the regular meeting and enter Executive Session for the purpose of discussing Real Estate Negotiations, and to invite the Selectboard Assistant to attend.

VOTE: 5 ayes; motion carried.

The Selectboard recessed the meeting and entered Executive Session at 9:50 p.m.

MOTION by , seconded by , to adjourn Executive Session and reconvene the meeting. VOTE: .

The Selectboard adjourned Executive Session and reconvened the meeting at p.m.

15. ADJOURNMENT

MOTION by , seconded by , to adjourn the meeting.

VOTE: .

The meeting was adjourned at p.m.

Respectfully submitted, Kathlyn 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.