

**TOWN OF CHARLOTTE  
SELECTBOARD  
JANUARY 9, 2006**

***APPROVED***

**MEMBERS PRESENT:** Ellie Russell, Chairperson; Jenny Cole, Charles Russell, Ed Stone, Frank Thornton (arrived 7:03 p.m.).

**ADMINISTRATION:** Dean Bloch, Selectboard Assistant.

**OTHERS:** David Miskell, Carrie Spear, Robert Mack Jr., Steve Denton, Liam Murphy, John Hammer, Charlotte News.

**1. CALL TO ORDER**

Ms. Russell called the meeting to order at 7:02 p.m.

**2. ADJUSTMENT TO AGENDA**

Add: approval of the 12/12/2005 Selectboard minutes.

**3. PUBLIC DISCUSSION**

None.

**4. APPROVE MINUTES OF MEETINGS**

**MOTION by Mr. Russell, seconded by Mr. Thornton, to approve the minutes of the meeting of 12/12/2005 as written, with the following corrections/additions:**

**Page 2, 3<sup>rd</sup> paragraph, change to read “legal right to roads...”;**

**Paragraph 7, add “...in other towns...” and last sentence, “...the north-south part of the road.”;**

**Page 3, Item #5, under discussion, correct to read “...Town Line Road was formerly known as Hicks Road.”;**

**Page 4 and 5, change “Open Space Fund” to read “Conservation Fund”;**

**Page 6, Article 10, Salt, delete the sentence.**

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

**MOTION by Ms. Cole, seconded by Mr. Russell, to approve the minutes of the meeting of 12/19/2005, as written, with the following corrections/additions:**

**Globally correct the names: Sulva, Robin Reid, Mead.**

**Page 2, review of audit, change to read “...would meet with the Board.”**

**Page, 4 #8, change to read; “Land Use Regulation hearings on 01/09/2006.”**

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

**5. PUBLIC HEARING TO AMEND THE ZONING BYLAWS IN RESPONSE TO A PETITION TO ALLOW CONTRACTOR’S YARDS IN THE COMMERCIAL DISTRICT (AND INDUSTRIAL DISTRICT) AND AMEND THE PUD PROVISIONS**

**MOTION by Mr. Thornton, seconded by Ms. Cole, to open a Public Hearing to amend the Zoning Bylaws to allow contractor’s yards in the Commercial District (and Industrial District) and amend the PUD provisions.**

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

Attorney Murphy, representing Steve Denton, said that Mr. Denton wants to continue operation of his Route 7 business. Mr. Denton is working to create an efficient solution to the Zoning issues and has prepared a petition. Comments on the revised petition have been submitted to the Planning Commission and Selectboard. The Planning Commission held a public hearing, took comments and forwarded the petition onto the Selectboard without changes. Attorney Murphy asked the Board to put the petition on a ballot for consideration at the March Town Meeting. Even if the Town update of Zoning Ordinance was done concurrently Mr. Denton would still want to continue with the petition in case the Zoning Ordinance wasn't approved by the voters.

Mr. Thornton suggested a language change: "Landscaping" yards versus "Contractor's" yards. Attorney Murphy said that the landscaping definition was similar to Contractor's Yard. A Contractor's Yard is more inclusive than Landscaper's Yard, which doesn't include snow plowing or have excavation equipment.

Mr. Bloch handed out materials including a Planning Commission report, Planning Commission minutes of 12/1/2005, and notice of Public Hearing regarding proposed Charlotte Zoning Bylaws and reviewed comments received at a Planning Commission hearing. In general the Planning Commission supported the petition and didn't feel that the petition needed changes.

Ms. Russell asked if the (Planning Commission report) amendment is in keeping with the Town Plan. Mr. Bloch replied that statutes require that the Planning Commission must prepare a report and there are three specific sections to the report.

Ms. Russell said that the Selectboard recommendations include additional language to define gas stations to prevent large retail stores. Mr. Bloch said there was not much discussion on single uses.

Attorney Murphy said that it is contrary to the spirit of state statutes to add in other issues on a specific problem that five percent of registered voters signed a petition on. (We) tried hard to limit the focus of the issue. The Planning Commission said the proposal is consistent with the Town Plan. To tack on other policy goals would violate the process and (Attorney Murphy) would question if that would be a material change, which would require another public hearing. That might mean missing the Town Meeting time frame.

There were no further comments.

**MOTION by Mr. Russell, seconded by Mr. Thornton, to close the Public Hearing.  
VOTE: 5 ayes; motion carried.**

Ms. Russell commented that the Selectboard could deliberate the issue.

It was the consensus of the Board to approve adding Mr. Denton's petition as a separate ballot item as presented.

**6. HIGBEE ROAD – REVIEW SURVEY AND APPROVE CONDEMNATION REPORT AND ORDER**

Mr. Bloch presented a Mylar Survey that would be recorded and required the Selectboard signatures. The re-routing of Higbee Road is not a right-of-way, would be an owned parcel.

**MOTION by Mr. Russell seconded by Ms. Cole, to accept the Higbee Road Condemnation Report and Order, and Mylar Survey as presented.**

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

The Selectboard members signed the condemnation documents and Mylar Survey.

**7. REAPPRAISAL – Discussion about skipping this year**

Ms. Russell suggested accepting reappraisal every second year as suggested by the Listers based on a 96.66 percent CLA. It would be better to wait another year before going through the time and expense.

Mr. Mack asked what the cost of reappraisal was. Ms. Russell replied it is more a question of what the market will do in the coming year. The market made a big jump this year. A question is if the market would go down.

**MOTION by Mr. Thornton, seconded by Ms. Cole, to skip reappraisal for the coming year on the advice of the Charlotte Listers.**

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

**8. THOMPSON'S POINT LEASE RENEWAL FOR LOT 24**

**MOTION by Mr. Thornton, seconded by Ms. Cole, to authorize the Selectboard Chairperson to sign a Thompson's Point lease for Lot 24 for a term from January 2006 to December 2025 as presented.**

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

**9. HUMANE SOCIETY RENEWAL OF ANNUAL CONTRACT**

**MOTION by Mr. Russell, seconded by Ms. Cole, to approve renewal of a Chittenden County Humane Society contract regarding an animal control housing agreement as presented.**

**DISCUSSION:**

Ms. Cole asked if point #4 of the contract would require the Town to provide emergency veterinary care before the animal was taken to the Humane Society.

Mr. Russell asked how the agreement meshes with the Town ordinance.

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

**10. LETTER TO VERMONT LAND TRUST IN SUPPORT OF HINSDALE/QUICKEL APPLICATION TO VHCB**

**MOTION by Mr. Stone, seconded by Mr. Russell, to approve a draft letter to the Vermont Land Trust in support of the Hinsdale/Quickel application to the VHCB as presented.**

**DISCUSSION:**

**Mr. Russell stated that the Burns property shouldn't be mentioned in the letter. Ms. Russell pointed out that VHCB wouldn't give the Town money if affordable housing wasn't discussed.**

**Mr. Russell "executory interest" isn't relevant to this letter. A question was what effect would the Governor's suggestion to open conservation easements to development have.**

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

**11. WORK ON BUDGET AND WARNING FOR TOWN MEETING**

Ms. Russell reported that the proposed warnings have been reviewed and revisions made and read the draft articles.

Ms. Russell reviewed items as follows:

- Capital Reserve budget – Fire Department would be reviewed again.
- Repair and Maintenance fund proposal to fund for a reserve of \$10,000 needs discussion.

The Board would review the items again at the next Selectboard meeting.

The following Revenue budget items were discussed:

Page 1

- Need Planning and Zoning numbers
- Rental property should be a total of \$9,700
- A Highways-State Aid letter was expected
- Court fines should be \$1,000
- Intramural Sports need number from the Recreation Chair

The following Expenses budget items were reviewed:

Page 1

- Selectboard salaries – consider a 3.5-4 percent cost of living increase
- Administrative Assistant needs review
- Adjust Assistant Clerk salary
- Treasurer, Audit Expenses, adjust up \$12,000
- Lister salaries adjust up by 4 percent
- Appraiser, FY06-07 \$35,000 review with Listers

Page 2

- Fire and Rescue, Ms. Russell would be meeting with the Fire and Rescue departments
- Gravel Road Upgrade, add \$150,000 for FY06-07, and change Highway total to \$936,000

- Town lands, Park Security increase 4 percent
- Trail, delete “Maintenance”, FY06-07, add \$10,000 for survey of Class IV roads and \$1,500 for Plouffe Lane

## Page 3

- Library, Custodial Services, increase to \$10.40 per hour
- Donations, Visiting Nurses, FY06-07 , change to \$5,885
- Rape Crisis Center, FY06-07, change to \$1,000
- Charlotte Food Shelf, FY06-07, change \$700
- Delete \$200 from the Chittenden Food Shelf
- COTS FY06-07, change to \$1,000
- Recreation, Beach Maintenance, Fy06-07, change to \$5,000
- Beach Security, FY06-07 increase 4 percent

## Page 4

- Trash Removal, FY06-07, change to \$900
- Senior Center, Building Repairs, remove \$5,000
- Miscellaneous, Charlotte Land Trust, \$10,000

There was discussion regarding police coverage (the board decided not to add money in the Town budget for coverage this year), should consider appointing, or hiring, an assistant constable, identify issues, such as speeding and posting speed limits; Robert Mack suggested discussing a plan to evaluate and/or acquire a gray water septic area in the Charlotte School area (the feeling was it was a school issue); a suggestion to discuss bonding for \$2 million to purchase land from Clark Hinsdale; and interest in scheduling a joint Selectboard/School Board meeting. A joint meeting budget/hearing was set for 02/13/2006.

**12. SELECTBOARD UPDATE/CHAIR’S REPORT**

Ms. Russell reviewed a memo from VLCT regarding health insurance for Town employee retirees. A question is does the Town support health insurance for truly retired employees versus those leaving a job.

Mr. Thornton asked what a definition of “truly” retired was. Ms. Russell explained a change in policy to set limits to age and length of service. Mr. Thornton said he had no problem with limits of age, but length of service should include, for example, 25 years rather than a short term of 3-5 years on the job. The policy should be a minimum age of 62 years old and 25 years service.

It was the consensus of the Selectboard to look at the concept as presented.

Ms. Russell said the Selectboard was asked to provide comments/input on a draft Annual Report.

Mr. Thornton said Paragraph 3 talked about Land Use Regulations. What would happen if the petition fails and the Land Use Article passes. Ms. Russell stated that what’s in the

Land Use Regulations would supercede the petition. Following a brief discussion of time either would go into effect, Mr. Bloch clarified that both would go into effect immediately if passed. Mr. Mack said that both were "appeal-able".

Ms. Cole would rewrite language regarding the 2<sup>nd</sup> paragraph regarding VELCO; and the 4<sup>th</sup> paragraph, access Varney Farm not developed yet. Say "it is anticipated." Regarding the Monument Committee should read: "...for veterans that have served and not yet been recognized."

Any further Selectboard comments should be sent in by the end of the week for a revision, or re-write, of the Selectboard Report.

Mr. Bloch reviewed that a federal bill for Route 7 is formula funding and also includes the Quinlan Bridge. There is a 10 percent local (state) match required. The federal funding is earmarked, but the match money is not. The match would be \$450,000 of a \$4 million federal earmark. The budget was discussed with the MPO. There is nothing The Town needs to do now. The state is still reviewing what projects would be done state wide. There was a question regarding the rating of the bridge. No Board action was required at this time.

Ms. Russell reviewed an update to the Greenbush Road/Thompson's Point Road intersection and read a letter regarding a redesign of the intersection.

Ms. Cole said a resident questioned the need for changes to the intersection since there have been no accidents.

There was brief discussion regarding past changes to the Greenbush Road/Thompson's Point Road intersection. Mr. Thornton said that 30 years ago the road was reconfigured to modify a curve on the road for Greenbush Road traffic.

Mr. Russell said a letter from Valerie Graham was received regarding issues at the crest of the hill.

Other roads identified with potential problems: Greenbush Road at the pine woods curve, and Lime Kiln Road/Spear Street.

It was the consensus of the Selectboard to send a letter to the MPO regarding the Greenbush Road/Thompson's Point Road intersection.

### **13. BILLS AND WARRANTS**

The Selectboard signed bills and warrants.

### **14. ADJOURNMENT**

Budget meeting dates:

- Thursday, 01/12/2006
- Friday, 01/13/2006, 11:00 a.m.

- Tuesday, 01/17/2006, 7:00 p.m.
- Final hearing 01/30/2006

**MOTION by Mr. Stone, seconded by Mr. Russell, to adjourn the meeting.  
VOTE: 5 ayes; motion carried.**

The meeting was adjourned at 10:00 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.*