

**TOWN OF CHARLOTTE
SELECTBOARD MEETINGS
APRIL 14, 2008**

APPROVED

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

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: Lynne Jaunich, Larry Hamilton, Ellie Russell, Deb Stone, John Evans, David Miskell, Carlie Krolick, Todd Smith, Carrie Spear, John Owen, Ted Montgomery, Dieter (?), Allen Jordan, John Hammer, Charlotte News; and others.

SITE VISIT: 5:30 p.m.: Peter and Jain Doremus, Lot 154, 260 North Shore Road.

TOWN HALL: 6:00 p.m.: Work Session on Selectboard Work Plan.

1. CALL TO ORDER

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

2. ADJUSTMENT TO THE AGENDA

None.

3. CONSENT AGENDA – Items Listed on the Consent Agenda will be approved unless a Selectboard member requests that an item be removed from the Consent Agenda and discussed separately

MOTION by Mr. Ladue, seconded by Ms. Cole, to approve Consent Agenda items #1, 4, 5, 6, 7, 8 and 9; and to pull Consent Agenda items #2 and 3 from the Consent Agenda for further discussion.

VOTE: 3 ayes, 2 nays (Mr. Thornton, Mr. Stone); motion carried.

MOTION by Ms. Cole, seconded by Mr. Ladue, to approve Consent Agenda item #3, the 6th Annual Champ Run on May 31st and to close Hinesburg Road between 4:15 p.m. and 5:15 p.m.

DISCUSSION:

Mr. Ladue asked if the Recreation Commission was consulted.

Mr. Thornton asked for clarification on the portion of road that would be closed. Lynne Jaunich replied that the road would be closed from Churchill Road to Mt Philo Road.

AMENDED by Ms. Cole, seconded by Mr. Ladue, to close Hinesburg Road between Churchill Road and Mt Philo Road.

DISCUSSION:

Ms. Cole asked if there was any discussion with the Recreation Commission. Did Ms. Jaunich have any safety concerns. There are a lot of activities planned in town

and the Recreation Commission wants to coordinate use of town resources, said Ms. Cole. Ms. Jaunich explained that number of events, such as bike races, etc, don't close the road down. We have 400 kids running on the road and want to make it safe. Mr. Thornton suggested re-locating the event to the ball field. Ms. Jaunich said there were a number of issues that make the ball field non-usable to us. We need a place to go inside if rains. We do a barbeque, etc. We raise \$10,000 and this is the PTO's single largest fund raiser.

Mr. Bloch pointed out that the event is scheduled for May 31st and there is time to go to Recreation Commission.

Carly Krolick , Recreation Commission representative, said that there was no objection to closing the road on May 31st. There was no other activity scheduled. The Recreation Commission has drafted a form for event sponsors to fill out for Board review. Ms. Krolick handed a form to Ms. Jaunich to fill out.

Mr. Thornton asked what would the event coordinators do if an emergency vehicle needs to get through on the road. Ms Jaunich replied that there were course marshal's with walkie-talkies at the event's start and end. I am on the radio all during the race.

Mr. Thornton stated that last year there was a car blocking the road. I have a concern that emergency vehicles wouldn't get through.

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

MOTION by Mr. Ladue, seconded by Ms. Cole, to approve Consent Agenda item #2, a-e, and to authorize the Charlotte Selectboard Chair to sign on the agreement documents on behalf of the Town of Charlotte.

DISCUSSION:

Mr. Russell asked if the documents have been reviewed by the Town Attorney. Mr. Bloch replied they are boiler plate and have been reviewed by the Planning Commission.

David Miskell said the documents have been through the Selectboard review and Dean's review as well. Mr. Stone said he didn't think Town Attorney review was needed.

Mr. Ladue asked where is the receipt of funds recorded. Mr. Bloch said he didn't think the transaction takes place. It is legalese. Mr. Miskell said that the trail easement is signed and recorded with the Town.

Mr. Ladue recalled that there was a discussion by the applicant to change Lot 1. Was that done, asked Mr. Ladue. Mr. Miskell replied no, the issue would come back for subdivision modification later.

Mr. Ladue asked what the town's role was in the review of the Forest Plan. Mr. Bloch replied that the Forest Plan would get updated every five years and any substantive changes would get reviewed.

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

4. PUBLIC DISCUSSION

None.

5. MINUTES

Approval of minutes was deferred until the next meeting of the Board.

6. PETER DOREMUS – REQUEST TO CREATE UP TO THREE PARKING SPACES ON THE EAST SIDE OF NORTH SHORE ROAD, ACROSS FROM Lot 154 260 North Shore Road

Mr. Russell noted that the Selectboard conducted a site visit this date at 5:30 p.m. to view proposed three parking spaces on the east side of North Shore Road.

Mr. Stone spoke in favor of the request.

Ms. Cole asked what sort of agreement was required, if an agreement was needed.

Mr. Ladue said that he took a tour of the Flat Rock Road area and most of the parking spaces were on the other side of the road (from the driveways) as winter storage.

There was discussion regarding parking on the other side of the road; what the right-of-ways were (it was noted that the Town owned the land and a right-of-way was not necessary); and Mr. Doremus' proposal to put down stone dust to level a parking area.

Mr. Ladue said that the layout of the road could be determined as adjoining pins that layout the lot lines. (He) had observed a pin 17' off the center line. For purpose of this conversation the "on lease" land starts at the pin.

There was further discussion if an agreement should be formalized, or a suggestion to set a time limit as a condition for approval; staff would forward a boiler plate license agreement that the Town uses for Board review; potential parking lot dimensions of an 18' X 22' wide area and no trees could be cut without approved. The Board conducted a straw poll with three Board members in favor of the proposal, 1 opposed and a suggestion to research a mechanism/agreement document.

Virginia Foster, camp owner, said that where Mr. Doremus' cars are parked now was very close to the road. It would be safer on the east side of the road. The garage is close to the road.

MOTION by Mr. Stone, seconded by Mr. Ladue, to grant Peter Doremus up to three parking spaces on the east side of North Shore Road, across from Lot 154 260 North Shore Road.

Friendly Amendment by Ms. Cole, to add “pending determination of a mechanism.”

DISCUSSION:

Mr. Hamilton asked to review an agreement. He would like to ensure that a white pine was saved.

Friendly Amendment by Mr. Ladue, to add the following “and to abide by the recommendations of the Tree Warden regarding tree cutting.”

Discussion:

John Hammer noted that there had been an attempt to get parking on the other side of the road in the past. That attempt was turned down because it was determined that would change the character of the area. Once a person was allowed to put down white crushed stone then everyone would want to do that. A mechanism should include language that every camper can’t put down white crushed stone and park on the other side of the road.

Mr. Doremus suggested that language in the agreement would spell out the type of stone to use. The proposal was to use brown fractured stone, which would look like leaves.

VOTE: 3 ayes, 2 nays (Mr. Thornton, Mr. Russell); motion carried.

7. INTERVIEW OF VIRGINIA FOSTER FOR THE RECREATION COMMISSION

Virginia Foster, resident, appeared before the Board.

The Selectboard reviewed the candidate’s qualifications.

MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Virginia Foster to the Recreation Commission for a three year term.

VOTE: 5 ayes; motion carried.

8. POINT BAY MARINA – Request for a 2nd Class Liquor License

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

VOTE: 5 ayes; motion carried.

John Evans, Todd Smith, and Steve Gutowski, Point Bay Marina representatives, appeared before the Board.

Mr. Evans explained an application for a Second Class Liquor License to sell beer and wine at a Point Bay Marina convenience store for provisioning boats and walk-ins. Mr. Smith has attended the Vermont State liquor control course. We donate use of a boat slip to the State Police so there is a presence on site. The boating season opens May 1st through October 31.

MOTION by Mr. Stone, seconded by Mr. Thornton, to grant a Second Class Liquor License to the Point Bay Marina.

DISCUSSION:

David Miskell spoke in favor of the new owners of the Point Bay Marina.

Mr. Russell expressed concern of liquor abuse by boaters. Mr. Evans said that most boaters remain tied up to the dock while imbibing.

VOTE: 3 ayes, 1 nay (Mr. Russell), 1 abstention (Mr. Ladue); motion carried.

MOTION by Mr. Stone, seconded by Mr. Ladue, to grant a Second Class Liquor License for the Old Brick Store as presented.

VOTE: 5 ayes; motion carried.

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

VOTE: 5 ayes; motion carried.

The Board signed Liquor License application documents.

9. VELCO –Request for Temporary Access at John and Wesley Pataude property, Greenbush Road

John Stamstov, VELCO representative, explained a proposal for a temporary gravel path “mud trap” access on the John and Wesley Pataude property. Jr Lewis indicated that a permit was not required for a temporary access. Culverts would be installed in some places. Mud traps would be put in at Town Line Road, the Mack Farm, at the Charlotte Park and Wildlife Refuge, the Baker/Hinsdale property, Pataude’s, and the Berlin driveway.

Ms. Cole noted that there was no existing access on the Pataude property, or Park, and VELCO must restore the areas to its original state when done.

Mr. Stamstov said that the Ferry Road south section will be underground under the road. A private drive would be used off the industrial area. Access off Thompson’s Point Road is directly off the road via a farm road and would we would have mud traps there.

MOTION by Ms. Cole, seconded by Mr. Stone, to approve a temporary access for the VELCO construction project at the Pataude property, the Charlotte Park and Wildlife Refuge, Thompson’s Point Road, and the north side near the rail road tracks for one year, and that VELCO must remove the material at the completion of the project.

VOTE: 5 ayes; motion carried.

10. CHARLOTTE HOUSING TRUST FUND – Interim report on implementation of the Fund

John Owen, Charlotte Housing Trust Fund Advisory Committee representative, handed out revised Grant Award Policies. We are seeking Selectboard comments/input. The focus was on rental units and median income. We hope to start receiving applications in July.

Ms. Russell briefly reviewed changes to the policy document that included funding, and penalties. Mr. Ladue expressed concern regarding the Town's ability to collect fines/penalties.

There was discussion regarding apartment/rental units remaining affordable if a property were sold; potential mechanisms to ensure affordability that could include deed covenants; correct agreement language to clarify "affordable rentals" versus "affordable housing"; add other criteria versus income in the agreement, and change language to read Charlotte resident/land owner, and "...and/or as updated annually".

Mr. Owen suggested adding the numbers in the brochure. There was \$80,000 currently for a total of \$120,000. The committee would put an article in the newspaper and send out brochures. Mr. Ladue said the penalty provision and on-going management screening provisions may need to be adjusted. Mr. Russell suggested that the Town Attorney should review documents.

Mr. Owen said that the brochures would cost \$300, which would come from the town budget.

11. RECREATION COORDINATOR – JOB DESCRIPTION

Deb Stone, Recreation Coordinator, reviewed a Summer Beach Manager draft job description. Policies regarding adverse weather conditions were needed. Ms. Stone would track her hours worked at the beach, which would be treated as a separate position.

Mr. Russell explained that Josh Flore would check the beach area every night. Potential changes to the gate and fence location are considered. It was suggested that the beach attendant close the gate at the end of the day (8:00 p.m.). Fees would remain the same and summer months at the beach would remain the same.

Ms. Stone would research the ordinance regarding beach rules.

MOTION by Mr. Stone, seconded by Mr. Thornton, to appoint Deb Stone as the Summer Beach Manager with a job description to be reviewed and approved by the Selectboard, and the Summer Beach Manager to be in charge of interviewing, hiring and firing Beach Attendants.

DISCUSSION:

Mr. Ladue said that members of the Recreation Commission, Selectboard and Heather Manning would be invited to participate in the interview process.

VOTE: 5 ayes; motion carried.

12. REVIEW OF BIDS FOR LAND MAINTENANCE CONTRACT, AND SELECTION OF CONTRACTOR(S)

Mr. Russell noted that the Charlotte Park and Wildlife Refuge bid was misunderstood by some of the contractors and were re-bid.

Following discussion the Board awarded the maintenance contracts.

MOTION by Mr. Thornton, seconded by Mr. Ladue, to award the Mack Trail, Trails at Plouffe Lane and brush hogging Land Maintenance contracts to Prestons for a total of \$1,760.00.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Thornton, seconded by Mr. Ladue, to award the Town Beach/Lake Field, Town Green, Charlotte Park and Wildlife Refuge, and Berry Farm Ballfield Land Maintenance contracts to A Fix It Rich for a total of \$21,758.00.

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

13. LEADER PROGRAM – Approve Disbursement of Refunds

Mr. Russell noted that the Leader Program encouraged that 50 percent of the insurance refund be returned to the participant employees. A \$1,250 refund was received.

MOTION by Mr. Stone, seconded by Mr. Thornton, to approve a disbursement of refunds from the 2007 VLCT Leader Incentive Program as listed and deposit \$400 to the General fund.

VOTE: 5 ayes; motion carried.

14. SELECTBOARD UPDATES

a) LITIGATION UPDATE

Mr. Russell reported that he met with Mr. Gadue last week regarding a zoning violation. The violation has been cured. It was suggested that Mr. Gadue donate \$500 to the Affordable Housing Trust Fund.

Mr. Ladue suggested that the donation go to an alternate Supplementary Environmental Project (SEP), which could be a town project at the Town Beach, or Whiskey Bay.

15. ADJOURNMENT and EXECUTIVE SESSION

MOTION by Mr. Stone, seconded by Mr. Thornton, to adjourn the meeting and enter Executive Session to discuss Litigation Matters, and to invite the Selectboard Clerk to attend.

VOTE: 5 ayes; motion carried.

The meeting was adjourned and the Board entered Executive Session at 10:20 p.m. The Executive Session ended at 11:15 PM. No action was taken. The Board adjourned.

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.