

**TOWN OF CHARLOTTE  
SELECTBOARD MEETINGS  
NOVEMBER 5, 2007**

***APPROVED***

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

**ADMINISTRATOR:** Dean Bloch.

**OTHERS:** Ellie Russell, Linda Hamilton, Andrew Thurber, Brooke Scatchard, David Miskell, Nancy Barnes, Dorothy Hill, Jack Pilla, Robin Reid, Jack Barnes, Chris Davis, Ray Curtis Jr, Paul Arthaud, Josh Flore, Ker Walker, and others.

**1. CALL TO ORDER**

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

**2. ADJUSTMENT TO AGENDA**

Add: Discussion Sheriff

**3. PUBLIC DISCUSSION**

None.

**4. MINUTES**

**MOTION** by Ms. Cole, seconded by Mr. Stone, to approve the minutes of 10/15/2007 as written, with the following corrections:

Page 1, Public Discussion, 1<sup>st</sup> sentence, change to read: "Gary Pittman...said that Charlotte was selected as a ground water mapping project.";

Page 5, 4<sup>th</sup> paragraph, last sentence, change to read "...the septic capacity.";

Last sentence, change to read "...should also set boundaries of the area it wants to research."

Page 6, 5<sup>th</sup> paragraph, 3<sup>rd</sup> sentence, change the word "money" to "capacity";

Page 7, add the following to the end of the last sentence "...plantings at the..." continuing on the top of page 8, change the word "with" to "and with Ed..."; and add the word "store" at the end of the 6<sup>th</sup> sentence;

Page 9, 4<sup>th</sup> paragraph, 1<sup>st</sup> sentence, change the word "farm" to "property" and add the word "not" between the words "should" and "use";

Page 11, last sentence, change to read "..three hours per week."

Page 13, 6<sup>th</sup> paragraph, last sentence, change to read "...the Town Clerk mentioned that there was ample funding for the project."

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

**MOTION** by Mr. Ladue, seconded by Mr. Thornton, to approve the minutes of 10/22/2007 as written, with the following correction:

Globally correct the spelling of the name Lehmann.

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

**MOTION by Mr. Ladue, seconded by Mr. Thornton, to approve the minutes of 10/29/2007 as written, with the following corrections:**

**Globally correct the spelling of the names Bradley and Allmon.**

**Page 2, Item #5, 4<sup>th</sup> paragraph, change the sentence beginning (Ms. Foster noted...would donate a portion of the rights...”**

**Page 3, 2<sup>nd</sup> paragraph, change the word “appraisal” to “conservation”**

**Page 4, item #9, 5<sup>th</sup> paragraph, add “It was felt that the money should go into the Reserve Fund versus the General Fund.”**

**Page 5, item #12, delete the 4<sup>th</sup> sentence.**

**Page 7, 6<sup>th</sup> paragraph, 1<sup>st</sup> sentence, change to read “...a written Monument Committee Summary report...”.**

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

##### **5. VARNEY FARM - ACCESS EASEMENT TO CHARLOTTE PARK AND WILDLIFE REFUGE, AND ACCESS PERMIT APPLICATION**

Mr. Bloch reviewed a site map of the Varney Farm showing a proposed 50’ right-of-way with access off Route 7 to the rear of an existing shed (parking area), and extending as a trail easement to the Charlotte Park and Wildlife Refuge. It is an existing farm road. The Town Attorney was reviewing the proposed easement language, which would incorporate points made at the last Selectboard meeting. A revised easement document would be made available to the public.

Jack Pella, resident, said that the easement language was a big issue. The public needs to see what it is before the Board takes action.

Mr. Russell clarified that the use of the lot was for parking horse trailers and for handicap parking. There would be two documents; one for an easement, and a second that addressed use.

Dorothy Hill, abutter, expressed concern regarding security at the proposed access that was a town-operated property. The easement was off Route 7. Who would make sure that vehicles were not left in the parking lot overnight, or abandoned, and who would control activities at the site, asked Ms. Hill. Mr. Russell said that use was not included in the easement document. The other document on use would be discussed at the Planning Commission level during a public review process.

Ms. Hill said as the adoption of an easement goes through the Selectboard process and gets approved, or not, it is still un-gated and left open 24/7 off Route 7. The Board should discuss use at the same time and not put it off to “some day”, said Ms. Hill. Ms. Cole replied that the issues have come up and the Board has just as many concerns regarding use and activities at the park. Use would be a part of the plan. Right now the Board was dealing with the easement part that doesn’t include use.

Following a brief comment regarding security and use at the Town Beach, Plouffe Lane and Demeter’s Park, Nancy Barnes, abutter, noted that Demeter’s off Greenbush Road was locked after hours. Mr. Russell reiterated that the easement to the proposed Varney

Farm parking lot would be located behind a shed and would not be as visible from Route 7. From Route 7 you would see horse trailers, and it might not look like a party spot.

Ms. Cole said that details, such as gates, setting hours and patrolling the area needed further discussion. The access to the Thorp barn is closed, which makes it difficult for agricultural farming.

Mr. Ladue suggested adding language in the easement agreement that would not preclude installing a gate. Mr. Bloch reported that the land owner has not seen the proposed easement agreement yet, or the site plan. The Board could either approve an easement, or continue the discussion to the next Board meeting. The purpose of the discussion is to gather public comments.

It was the consensus of the Board to continue discussion of a proposed easement on the Varney Farm to access the Charlotte Park and Wildlife Refuge to 11/19/2007.

Ms. Hill asked to see a revision of the proposed site plan and easement language prior to the next meeting.

## **6. TOWN PLAN PUBLIC HEARING**

Mr. Russell opened the floor for a Town Plan Public Hearing.

Mr. Bloch reviewed that the current Town Plan has expired. Two public hearings must be held for a March adoption. If substantial changes are made at the second hearing then a third hearing would be held.

Mr. Bloch said that written comments were received from Ellie Russell, Linda Hamilton, Winslow Ladue and Marty Illick related to a September public hearing on the proposed Town Plan update. The written comments were reviewed.

Mr. Miskell said that the words "high public value" were arbitrary. How can you assess a value when it is arbitrary, asked Mr. Miskell.

Brooke Scatchard, Trails Committee member, said that the Trails Committee would like to add a section to support an update of the Town Vision Map. Public meetings would be held. The committee would like to see specific consideration given to ancient roads, for example; to identify best practices to identify and preserve the roads. The committee would also like to state the committee's goals. Mr. Bloch said that the Planning Commission discussed if those suggestions should be incorporated in the Town Plan update. It is needed, but the commission wanted the Town Plan updated and adopted first.

Robin Reid, resident, asked if there was discussion to amend the Town Plan in a few years versus 5 years.

Linda Hamilton, Conservation Commission, said that the Conservation Commission worked on a narrative related to the Critical Wildlife Habitat section and to incorporate

the State of Vermont language. The commission recommends adding language from paragraph 4.4.5 (page 53).

Mr. Russell asked for clarification regarding the words “minimum network of area” related to the map. Ms. Hamilton replied that all of Charlotte is a potential area for wildlife. To define that, a map was created to show critical wildlife areas as an inter-connected network. The map is advisory to let the Planning Commission and citizens know where critical wildlife areas are. The Planning Commission takes that into consideration when they review a subdivision application.

Mr. Ladue asked if the Conservation Commission had discussed language to include mitigation guidance. Ms. Hamilton replied not at this time. The Planning Commission was clear that they wanted minor tweaks (to the Town Plan update). A new map data base would include that kind of information, such as “this is a pinch point.”

Ms. Reid pointed out that it was important to included changes/impacts from projects, such as VELCO, and if Charlotte supports wildlife.

Norman Pellett spoke in support of strong language to maintain genetic diversity and inter-connectivity related to wildlife habitat.

Margaret Woodruff, resident spoke in support of wildlife habitat, but asked for clarification regarding page 39, 4<sup>th</sup> paragraph. Ms. Woodruff expressed concern regarding future growth and sprawl, which would stress Town services and resources.

There was further discussion regarding the definition of a “hamlet” and the need to further define what it is, or is not. Mr. Russell said that the issue was addressed in the Land Use Regulations.

Mr. Miskell said that he would submit written comments.

**MOTION by Mr. Stone, seconded by Ms. Cole, to continue the Public Hearing discussion regarding a Town Plan Update to 11/19/2007 at 7:30 p.m.**

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

#### **7. FIRE AND RESCUE – PRELIMINARY BUDGET DISCUSSION**

Josh Flore, Paul Arthaud, Ker Walker, Ray Curtis Jr, and Chris Davis reviewed a preliminary Fire and Rescue budget that represented a 3 percent increase.

Mr. Davis recommended the purchase of two 100’ lengths of 4” hose per year to replace worn out hose. The departments would like the budget on a March Town Meeting ballot.

Following a discussion regarding a draft Rescue budget, a suggestion was made to donate the 1998 Ford ambulance to Lumberton, MS.

**MOTION by Mr. Stone, seconded by Ms. Cole, to donate the 1998 Ford ambulance to the town of Lumberton, MS, and to authorize the Selectboard Chair to sign the title transfer on behalf of the Town of Charlotte.**

**DISCUSSION:**

**Mr. Curtis said that the department would send a complete maintenance and repair record to Lumberton regarding the condition of the ambulance.**

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

**8. APPROVE FUND-BASED DRAFT AUDIT FOR FIRE AND RESCUE**

Mr. Arthaud reviewed a Fund-based draft Audit for the Fire and Rescue departments, and noted that the I-9's and W-9's were up to date. A formal Accounts Payable line item was needed. Staff was working on networking the department computers for a regular nightly back up of files. The Building Maintenance line item incorporated the contract for the generator, snow plowing and air compressor.

The Selectboard would consider approval of the draft Audit for the Fire and Rescue departments at the 11/29/2007 meeting.

Josh Flore, Charlotte Constable, reported that a recent incident at the State Park Road off Mount Philo Road appeared to be benign and not a malicious intent.

Mr. Arthaud, Fire and Rescue department representative, explained that an Ambulance Policy outlined where the ambulance crew could go related to response time and mileage limits, such as going out to lunch, or meeting with Shelburne Rescue.

There was discussion regarding a perception by taxpayers when the crew and ambulance were seen at a restaurant, or at the Town Beach; differences between a First Response volunteer crew versus a paid crew; quality of service; and a Board suggestion for (Mr. Arthaud) to update the Ambulance Policy.

**9. APPROVE FUND-BASED DRAFT AUDIT FOR TOWN**

Action was delayed until the next meeting of the Board.

**10. ESTABLISH TERM FOR EMERGENCY MANAGEMENT DIRECTOR**

**MOTION by Mr. Thornton, seconded by Mr. Ladue, to establish a term of three years for the position of the Emergency Management Director.**

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

**11. BURNS PROPERTY – MOBILE HOME**

Mr. Russell reported that the Zoning Administrator/Health Officer, Tom Mansfield, had inspected the mobile home located on the Burns property. It was found to be in bad shape. The tenant would be asked to sign a Notice of Termination and Settlement of the Lease agreement.

**MOTION by Mr. Thornton, seconded by Ms. Cole, to request that John and Jody Wright, tenants of the mobile home located on the Burns property, sign a Notice of**

**Termination and Settlement Lease agreement and a General Release and Covenant Not To Sue; and for the Town of Charlotte to pay the tenants a sum of \$5,000; and to authorize the Selectboard Chair to sign the documents on behalf of the Town of Charlotte.**

**DISCUSSION:**

**Mr. Stone reported that Ms. Wright would sign the documents this weekend. They would move to the brick house at the old Bean Farm.**

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

Mr. Stone recommended that Junior Lewis dismantle the mobile home before the winter.

It was the consensus of the Selectboard to have (Mr. Stone) contact John Hammer for potential uses for the home, or to have Junior Lewis dismantle the mobile home before winter.

Mr. Stone said that he would contact the sheriff that was hired to monitor and patrol speed limits regarding incidents that have been reported to the Town. No tickets were issued during the traffic stops, but a warning was given to the motorists.

Ms. Cole reported that she had attended a Shelburne Police Citizen Advisory Board meeting. She would copy material for Board review.

Mr. Russell reported that Constable Flore has requested a blue bar light to replace a red bar light.

**MOTION by Mr. Stone, seconded by Ms. Cole, to allocate a sum of \$319 to Josh Flore, Charlotte Constable, for the purchase of a R-1 Responder Mini-bar light.**

**DISCUSSION:**

**Ms. Cole said the request goes back to the issue of the constable's role and service, which has not been identified. Mr. Russell said that the Board voted to appoint Mr. Flore as the Charlotte Constable. His hours and pay have been limited.**

**Mr. Stone reviewed that Mr. Flore would be paid \$50 per week. There was a concern that the request for the blue light bar would start a precedent for more requests.**

**Ms. Cole expressed concern that without a job description Mr. Flore would be expected to respond to burglaries, etc.**

**Ms. Russell, resident, said it speaks to the need of a job description.**

**VOTE: 2 ayes, 3 nays (Ms. Cole, Mr. Thornton, Mr. Ladue); motion failed.**

**12. BILLS AND WARRANTS**

The Selectboard signed Bills and Warrants as presented.

**13. ADJOURNMENT**

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

The meeting was adjourned at 10:10 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.*