

Town of Charlotte
Selectboard Minutes
July 27, 2009

Members Present: Ed Stone, Charles Russell, Winslow Ladue, Jenny Cole, Frank Thornton

Administration: Dean Bloch, Selectboard Assistant

Others: Stephanie Choate, Rich Lynn, Katie Webster, Robert Paul, John Zahn, Susan Zahn, Matt McGrath, Dorothy Pellett, Jim Barker, Nancy Wood, Edd Merritt, Steve Kantor, King Milne.

1. **Call to Order:** Mr Russell called the Select Board to order at 7:06
2. **Adjustments to Agenda:** Someone may come in from Comcast to discuss a dig that took place without permission
3. **Public Discussion:** None
4. **Approval of Minutes**

Adjustments were made to June 8th minutes. Minutes approved
Adjustments were made to June 15th minutes. Minutes approved

MOTION by Ms. Cole to approve minutes from 6/8 and 6/15

5 ayes 0 nays; Motion carried

5. **Fritz Tegatz – application for a Highway Access Permit (HAP-09-01) for a new residential access on Guinea Road. *Potential action: approve application***

There is an existing agricultural road and Tegatz plans to cut a new road south of the existing road and abandon the old road. Purpose is to have a straighter path for snow plowing. Neighbor, Jim Barker asked if there is a building envelope on the property. The answer was no. Tegatz has purchased three separate lots. He owns all the property and can build wherever he wants. Neighbor, Susan Zahn asked what is the agricultural use of the land and if the agricultural use changes will the neighbors be notified. There is no legal requirement to inform the neighbors of a change in agricultural use. If the farm becomes a large farm the neighbors will be notified.

MOTION by Mr. Ladue to approve residential road cut as described in the application provided that the other road goes away.

5 ayes 0 nays; Motion carried

6. **Set tax rate, review financial status, select auditor**

The board discussed the town's financial status. The total was around \$300,000 under. Mr. Ladue requested that the board get a copy of the analysis.

MOTION by Mr. Stone to set the Municipal tax rate at .1592

5 ayes 0 nays; Motion carried

The issue is whether to keep the same auditor or to select a new one. Hopefully next year there will be a better audit from Fire and Rescue. All members approve keeping the same auditor.

7. Mount Philo State Park—farmers’ market & sign on Route 7. *Discussion only*

Matt McGrath announced that farmers markets take place at Mt. Philo on Friday afternoons. The fee for parking is waived during that time. There was a sign along Rt. 7 that was removed by the state. Mr. Ladue asked who McGrath’s employer is. He is employed by the state. Attendance at the markets has been high for an emerging market.

8. Thompson’s Point Tennis Club—request for play structure. *Potential action: approve request*

Katie Webster is requesting to put a playground on Thompson’s point. Robert Paul, the president of Thompson’s point country club, was present. It will be far enough from the road so that it will not cause problems. Most parking is not on the road. The closest corner to the road is 7 feet. The road is not plowed in winter so there is no danger for the plow. Mr. Russell asked if there will be an issue regarding visibility. No there will not. Katie Webster said she has spoken to club members and they do not mind paying. Two trees will need to be cut. Insurance will cover liabilities. Mr. Thornton said that the power lines may be too close to the trees. Mr. Stone requested a letter from the insurance company. Mr. Thornton said the power lines would be the only concern. The playground will be inspected year round even during winter while camps are closed. Mr. Paul asked why insurance is an issue. Mr. Thornton responded that it was because it was on town property and it cost a lot of money to get sued.

MOTION by Mr. Thornton to approve the play structure provided the town is given insurance information.

5 ayes 0 nays, Motion carried.

9. King Milne brought up the issue that there is a lack of speed limit enforcement along Greenbush Road.

The lack of enforcement of the speed limit is concerning the residents. The residents are considering other legal alternatives. Mr. Milne proposed putting up a radar sign on the side of the road to measure drivers’ speeds when they drive by. He also proposed adding speed bumps on the road and painting three crosswalks on the road. Small removable speed bumps are a possibility. The four way intersection on Greenbush is the most travelled four way intersection within ten miles. The vehicles

that speed the most were found to be SUVs, pick-ups, and business trucks. A dog was recently killed. The incident was a hit and run which is a felony in the state of Vermont. Ms. Cole Asked if there had been any Shelburne police. They had been asking where the problem areas are. Mr. Milne said that ticket machine that photograph license plates are legal in Vermont as long as the driver is warned. Speed limits have been a problem for nearby towns also. Mr. Stone suggested that there be a meeting to hear other opinions on the issue. Mr. Russell said if we can get the Shelburne police to help to enforce the speed limit it will help. The board will see what Shelburne has for help.

10. Interview Edd Merritt for vacancy on the Zoning Board of Adjustment (3 year term). *Potential Action: approve appointment*

He has read over the duties of a Zoning Board member. Mr. Merritt asked about the large amount of vague words in the duties and authorities of a Zoning Board member. Mr. Stone asked if he would be willing to attend a few classes by the Vermont League of Cities and Towns. Mr. Merritt said that he works under the assumption that growth is inevitable but must be reasonable. Mr. Stone asked if he would negotiate the rules with someone. Mr. Merritt said he is not sure. He does not know the situation but he believes that rules are rules. Mr. Russell commented that it is called a “Board of Adjustment” because they must do some adjusting sometime. Mr. Merritt said he would like to build trust among the community that the board speaks on their behalf.

MOTION was made by Mr. Stone to appoint Edd Merritt for a 3 year term on the Zoning Board of Adjustment.

5 ayes 0 nays; motion carried

11. Spencer Harris: renew 1 year contract for reviewing of wastewater disposal applications. *Potential Action: approval renewal*

The town spent \$5355 on the last contract. The hourly rate will be the same \$70/hour.

MOTION made by Mr. Thornton to renew Vermont Contours’ 1 year contract.

5 ayes 0 nays; Motion carried

12. Staff performance reviews. *Potential action: select members to participate in reviews.*

Mr. Stone said that there is a performance based pay increase. Mr. Russell said that if there is a problem, this is a chance to discuss them. Mr. Bloch said that it is a good way for workers to hear comments on their performance and to document any problems that might exist. Mr. Stone said that there are only 5 people that will be reviewed. Ms. Cole said it gives them a good opportunity to meet with each

employee and go through the list of job requirements. Ms. Cole and Mr. Stone have volunteered to participate in the reviews.

13. Vermont League of Cities and Towns' annual meeting. *Potential Action: select delegate; determine protocol for representing Town in policy discussion and vote(s)*

Mr. Russell has been selected to go. The board will discuss the discussion when the date is closer.

14. Comcast cable – representative did not show up.

Comcast Cable Company has been digging without permission. They are already finished. Mr. Ladue said the Town should have a say in digs that occur on town property. Mr. Stone said that since it is on a town right of way they needed to get permission but they might have had a past right of way. Mr. Ladue asked what utility rights of way have been granted. Has the Select Board already granted the right of way? Mr. Russell said the Select Board needs to find out more information about it.

15. MOTION was made by Mr. Stone at 9:15 to adjourn the meeting.

5 ayes 0 nays; Motion carried. Meeting adjourned.

Respectfully Submitted,

Christopher St. Martin
Recording Secretary