

**TOWN OF CHARLOTTE  
SELECTBOARD  
APRIL 25, 2011**

**APPROVED**

**MEMBERS PRESENT:** Charles Russell, Dennis Delaney, Winslow Ladue, John Owen, Ed Stone.

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

**OTHERS:** Lee Mayo, Lisa Mayo, Brian Machanic, Ellie Russell, Tom Kenyon, David Kenyon, Nancy Wood, Jenny Cole, Sue Smith, Judy Laberge, Louis Laberge, Steven Frank, Williston Observer; and others.

(Note: the published agenda was heard out of order, but appears in order for continuity.)

**Call to Order**

Charles Russell, Chair, called the meeting to order at 7:00 p.m.

**Adjustments to Agenda:**

Add to Selectboard Updates: Plouffe Lane Litigation; and West Charlotte Wastewater Committee Update.

**Public Comments**

Mr. Machanic, Mt Philo Road resident, asked that the Selectboard designate Mt Philo Road as a dangerous road. Since 2005 road traffic has tripled and is far from safe. Drivers have discovered the road as an unimpeded detour around Route 7 all the way to Falls Road in Shelburne. It is narrow, and has soft shoulders. Painted center stripes only last a short time. Speed enforcement and bicyclist who don't follow the rules of the road are problems. Is it the state, or Town, that has jurisdiction over the road, asked Mr. Machanic.

**Minutes: April 11**

**MOTION by Mr. Owen, seconded by Mr. Ladue, to approve the minutes of 04/11/2011 as written with edits.**

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

**Thorpe Barn roof – action under consideration: authorize expenditure of up to \$800 from the Thorpe Barn Restoration Fund to repair the roof**

**MOTION by Mr. Ladue, seconded by Mr. Owen, to authorize an expenditure of up to \$800 from the Thorpe Barn Restoration Fund to repair the barn roof as presented.**

**DISCUSSION:**

**Ms. Cole, Thorpe Barn Committee representative, explained wind damage to the lower barn roof and screws on the lean-to roof that needed to be re-secured. The Thorpe Barn Restoration Fund balance is \$8,000 currently.**

**Mr. Owen asked if there was a policy that addresses when to put a project out to bid. Mr. Ladue explained procurement processes, which was not uncommon. Mr. Owen said he would approve the request as long as the Town adopts some process.**

**Ms. Cole said she would e-mail a list of smaller project cost estimates related to the barn to the Board.**

**There was a brief discussion regarding investing similar funds to earn interest income. Mr. Russell said that was a discussion to have with the Town Clerk/Treasurer.**

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

**Future use of the east end of the Burns property – discussion only**

Mr. Owen explained a proposal to form a group to explore options/recommendations for the Burns property. For example; draft and send out a survey, do nothing and simply maintain it, or use it for a farmer's market/flea market. Mr. Owen said he was willing to get a committee started. Mr. Russell suggested adding representatives from the Land Trust, Recreation and Trails committees. There was already a farmer's market operating on Mt Philo Road, pointed out Mr. Russell.

Mr. Mayo, Colchester resident, explained that his family rented table space at the Charlotte Flea Market since 1969, selling maple syrup and honey. If a farmer's market was set up then rules should be in place regarding hours of operation, no overnight stays, and taking away tables/canopies at the end of the day. The Waterbury flea market charges \$20 per day for an 8' X 20' space and a service charge of \$5 per table and \$21 per tarp.

Ms. Cole asked if the former flea market operator has cleaned up the area yet. Mr. Russell reported that the operator has been notified. He has a May 1<sup>st</sup> deadline to clean up the market.

Mr. Ladue asked if there could be CSWD funding to clean up the flea market area. Mr. Stone suggested that the Town wait for the operator's deadline first, and then explore if there was any CSWD funding.

Mr. Russell asked for suggestions of what to do about the privy on the flea market grounds.

Mr. Delaney said he would contact the person running the Shelburne Farmer's Market for information.

Mr. Mayo said he understood that the Army Corps of Engineers said the Burns Farm land was unbuildable. Mr. Russell pointed out that there was septic capacity on the Burns property. The land was not unbuildable, stated Mr. Russell.

**Agricultural leases for Thompson's Point and the Burns property – action under consideration: approve lease proposal(s)**

Tom Kenyon and David Kenyon explained a proposal to lease agricultural land at Thompson's Point and the Burns property for \$1 per year. Mr. Kenyon said he had leased the land for 20 years, except for the last 4-5 years. Drainage was a problem and solutions put in by the Town did not work.

In response to Selectboard questions regarding Sections A, C, D and E, Mr. Kenyon said that corn was planted on Section D last year. He had tried to hay Section E, the Thompson's Point mound system, but it was not seeded for hay and was brush hogged instead. Section C was used by the Pony Club, which he brush hogged. The land should be in production to reach its full potential as agricultural land. There was a mowing zone around the Thompson's Point mound system, which has been re-staked twice. Down slope from the mound it is wet, and getting wetter than previously. Weeds are a problem at the mound and there will be the same problem if the grass land is managed for bird habitat. The risks for catastrophic losses were greater for organic farming. Pesticides, herbicides and commercial agricultural tools were not an option for organic farming.

Mr. Stone asked how much money was needed to improve the land and drainage. Mr. Kenyon replied that further discussion was needed. Improvements could be done over time.

Mr. Ladue asked if Mr. Kenyon would be interested in round baling Sections B, G and F. Mr. Kenyon replied that it was wet land and not worth baling. Ms. Cole pointed out that Robert Mack had brush hogged Sections G and F in the past. There are old fences in there, said Ms. Cole. Mr. Ladue expressed concern that the Town would pay \$1/year and pay someone to brush hog Sections B, G and F in addition. Ms. Cole said that brush hogging those sections had been done in exchange for agricultural leases, and included section C as well.

Mr. Ladue, Mr. Stone and Mr. Kenyon would meet to discuss the proposal further. Mr. Stone would coordinate a meeting date and time, and contact the Charlotte Road Commissioner regarding lake drainage issues.

**Route 7 paving between Ferry Road and the Shelburne Town line – discussion only**

Mr. Bloch briefly reviewed an e-mail from Mike Yantachka, dated 04/10/ 2011, regarding potential for paving Route 7 from Ferry Road to the Shelburne Town line.

Ms. Russell suggested that Route 7 from the Ferrisburgh Town line to Ferry Road would be a better project.

Mr. Russell noted that VTrans has pushed out the Route 7 reconstruction project again. If the Town requested repaving Route 7 from Ferrisburgh to Ferry Road, would that impact the reconstruction schedule, asked Mr. Russell.

The Selectboard would discuss how to respond to Mr. Yantachka's e-mail at the next meeting of the Board.

**Worker and volunteer insurance policy – discussion only**

There was discussion regarding what, if any, action the Town needed to take to add volunteers to the Town insurance policy, what notification the insurance company required, and what procedure was needed.

Ms. Cole said that some groups required volunteer workers to sign in to track hours worked. Ms. Smith said that the Adirondack Club has a printed disclaimer on their volunteer sign-in sheets.

Mr. Stone asked if a person was hired with a chainsaw wouldn't they have their own insurance. Ms. Smith asked what if it is a volunteer with a chainsaw working at the Park. Mr. Ladue stated that the Board needed to refresh an understanding on what steps are needed to have insurance. It would be good to have a release they sign.

**Chittenden County Regional Sustainability Project – action under consideration: approve agreement**

Mr. Russell reviewed a Steering Committee meeting regarding a Chittenden County Regional Sustainability project and potential grant funding. Transportation issues were a topic of discussion at the kick-off meeting.

**MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a Chittenden County Regional Sustainability Project agreement as presented.**

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

**Selectboard Updates**

- Plouffe Lane Litigation – discussion

**MOTION by Mr. Ladue, seconded by Mr. Owen, to enter Executive Session for the purposed of discussing Plouffe Lane litigation matters, and to invite the Selectboard Clerk to attend.**

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

The Selectboard recessed the regular meeting and entered Executive Session at 7:16 p.m.

**MOTION by Mr. Ladue, seconded by Mr. Owen, to adjourn Executive Session and reconvene the regular meeting.**

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

The Selectboard adjourned Executive Session and reconvened the regular meeting at 7:30 p.m. Mr. Russell reported that no action was taken.

- Laberge Shooting Range – Ms. Laberge reviewed steps taken to improve access and use of the range. There are three places users can stop for permission to enter the range, or by telephone. There is no fee for service. There is a donation box. The range is not a business. Dairy cows are pastured there and the gate is not locked. There are signs posted at the gate, said Ms. Laberge. Mr. Delaney reported that the Town had held public hearings regarding the range in the past,

and it was thoroughly investigated. The range had rules and was well run, said Mr. Delaney.

- Vote tabulation machine statute – Mr. Delaney said that Charlotte should be heard on this. Mr. Yantachka should be asked to bring the issue up in the Legislature in January.
- Water system, Library and Town Hall – Mr. Russell reviewed that both buildings were served by one water well. The Library would like an improved filtration system. A question was should the Town spend money for a transient non-community system. Mr. Ladue would research if the system is a public water system, or not.
- Letter reappointing Josh Flore as Constable – There was discussion regarding the 3<sup>rd</sup> paragraph, related to reduced winter hours and increased summer hours, potential clarifying language “...at his discretion...”, or should the Town set the hours. Mr. Ladue suggested that Mr. Flore should track hours and invoice the Town. Would it be helpful to have cumulative hours, asked Mr. Ladue. Mr. Owen asked if the Town Clerk/Treasurer could keep track of cumulative hours. The Selectboard asked Staff to rewrite the letter.
- Draft lease of the Galbreath parcel –

**MOTION by Mr. Stone, seconded by Mr. Owen, to authorize the Charlotte Selectboard Chair to sign a lease of the Galbreath parcel, with additions/clarifications.**

**DISCUSSION:**

**Mr. Ladue reviewed the following:**

- 1. The lessee said he would put in hay, but there was no obligation in the draft lease for him to do so. Staff to add language.**
- 2. The Town’s farm tenant has expressed disagreement regarding the Town’s ability to discontinue the lease. Language should be added to clarify if there are other reasons to discontinue a lease.**
- 3. Item 2, 2<sup>nd</sup> paragraph, lease renewal, rewrite as one sentence “...the Town reserves the right not to renew the lease...” and have the Town Attorney review language.**

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

- West Charlotte Wastewater Committee Update – Mr. Ladue stated that the committee would issue a report to the Selectboard next week.

**Approval of Bills and Warrants**

The Selectboard signed Bills and Warrants as presented.

**Adjournment**

**MOTION by Mr. Stone, seconded by Mr. Owen, to adjourn the meeting.**

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

The meeting was adjourned at 9:20 p.m.

Respectfully submitted, Kathlyn L. Furr, Recording Secretary