

**TOWN OF CHARLOTTE
SELECTBOARD
MINUTES OF MEETING
DECEMBER 12, 2011**

APPROVED

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

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS PRESENT: Lars Cartwright, Ellie Russell, Clare Leonard, Gerald Bouchard, Carrie Spear, Jenny Cole, Anne Owen, David Marshall, Peter Walker, Meg Walker, Carlie Krolick, John Limanek. Mary Mead, Moe Harvey, Walter Gates, Bill Harris-Frazer, Jessie Price, Kate Lampton, Stephen Brooks, David Miskell, Jane Lawlis, Frances Foster, Beth Merritt, Theresa Hudziak, Margaret Woodruff, Vincent Crockenberg, David Mullin, Nancy Wood, Charlotte News; Carol Casey, Charlotte Citizen; and others.

CALL TO ORDER

Mr. Russell, Chairperson, called the meeting to order at 6:04 p.m.

ADJUSTMENTS TO AGENDA

Add: Volunteer Recognition – Executive Session.

PUBLIC COMMENTS

None.

MINUTES

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of 10/24/2011, as written, with edits.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Owen, seconded by Mr. Stone, to approve the minutes of 11/14/2011, as written, with edits.

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

MOTION by Mr. Ladue, seconded by Mr. Delaney, to approve the minutes of 11/21/2011, as written, with edits.

VOTE: 5 ayes; motion carried.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of 11/25/2011, as written.

VOTE: 5 ayes; motion carried.

CHARLOTTE SOLAR FARM PROPOSAL ON HINESBURG ROAD – action under consideration: determine process for commenting to applicant and Public Service Board

Mr. Russell briefly reviewed a 12/27/2011 deadline to submit Selectboard comments to the Public Service Board (PSB) regarding a proposed commercial solar farm in Charlotte.

Mr. Bloch explained that the Charlotte Planning Commission would discuss the project at a public meeting on Tuesday, 12/20/2011, at 6:00 p.m. It was not anticipated that testimony would be taken at that meeting, said Mr. Bloch. Mr. Russell suggested that Selectboard comments could be added to a Planning Commission letter to the PSB. The Agency of Natural Resources (ANR) had requested that the project applicant relocate the array to a site away from the woodlands and deeryards, noted Mr. Russell.

Mr. Delaney said that he would like to hear the 12/20/2011 Planning Commission discussion before making any comments.

Mr. Russell asked if the comment period could be extended. Mr. Cartwright, Charlotte Solar Farm representative, said he was not sure if an extension was possible. His anticipated PSB filing date was 01/03/2012. Comments could be submitted up to 7 days before that date. If the application was changed significantly, then there would be another 45 day comment period. The Selectboard could still comment up to 12/27/2011. If the Town had party status then the Town could participate all through the process, which is up to the PSB to decide, or the Selectboard could comment as the 'general public', said Mr. Cartwright.

Mr. Russell suggested that the Selectboard could decide what, if any, pre-application comments to make at the 12/19/2011 Selectboard meeting. Mr. Delaney asked if a simple comment would suffice to establish party status. Mr. Russell asked Mr. Cartwright if he would be willing to listen to Selectboard comments. Mr. Cartwright replied that he has been listening to comments, which was why he was working with the Vermont Fish and Game regarding the solar array location. The Selectboard has an option to either make no comments, or to make comments, said Mr. Cartwright.

Mr. Russell asked if the Board would need to make comments in order for the applicant to make changes. Mr. Cartwright replied that it would give the PSB a chance to review Town comments prior to the application filing. We could also review the comments and make any feasible changes before submitting the application. He would look into how 'status' was defined beyond the 7 days. A person, or group, would need to request party status directly to the PSB, said Mr. Cartwright.

The Selectboard asked staff to add commenting to the applicant and PSB discussion to the 12/19/2011 Selectboard meeting agenda.

Mr. Walker, adjacent landowner to the proposed solar project, asked if there was an opportunity to make comments. Mr. Stone said that Mr. Walker should take his comments to the Planning Commission meeting on 12/20/2011. Mr. Russell suggested that Mr. Walker should submit written comments to the Planning Commission. Ms. Russell, Planning Commission member, said the official place to speak was directly to the PSB.

Ms. Spear said that the Town should think positively regarding the project. She would be willing to speak with people about the project at her store, said Ms. Spear.

THOMAS AND NANCY SMITH – REQUEST TO NAME PRIVATE ROAD VINEYARD VIEW DRIVE – action under consideration: approve name

Mr. Bloch said that the name has been vetted by the 911 Coordinator and the Fire/Rescue departments.

MOTION by Mr. Stone, seconded by Mr. Owen, to approve a request by Thomas and Nancy Smith to name a private road Vineyard View Drive, as presented.

VOTE: 5 ayes; motion carried.

ALL HAZARD MITIGATION PLAN – action under consideration: approve plan

Ms. Leonard, Regional Planning Commission representative, briefly reviewed a conditional approval for the All Hazard Mitigation Plan. The Town of Charlotte needs to adopt an All Hazard Mitigation Plan, said Ms. Leonard.

MOTION by Mr. Stone, seconded by Mr. Owen, to approve adoption of a Chittenden County Multi-jurisdictional All Hazard Mitigation Plan and Annex 4, and the Town of Charlotte All Hazard Mitigation Plan.

VOTE: 5 ayes; motion carried.

Ms. Leonard said that the Selectboard needs to sign the Resolution on Town letterhead, and send it to FEMA before mid-January, 2012.

SIDEWALK COMMITTEE PRESENTATION – discussion only

Mr. Owen said that his wife, Ann Owen, served on the Sidewalk Committee, and he would recuse himself if necessary. The Selectboard members said they didn't think that was a conflict of interest.

Mr. Bloch thanked Jim Donovan and David Marshall for donated time and energy devoted to the Sidewalk Committee and report.

Ann Owen and David Marshall, Sidewalk Committee members, reviewed a written report related to existing conditions along the West Village Ferry Road corridor, pedestrian, bike and vehicular travel flows, targeted higher density within the village, existing cultural features, and challenges to providing for a safe village corridor. A proposed phased Segment A and B plan would achieve inter-village connections. Funding may be an issue. Phase 1, segments A and B should be self-funded, suggested Mr. Marshall.

Mr. Stone asked how this would be presented to the public. Ms. Russell replied that self-funding could be budgeted as a one-year only one-cent on the tax rate at the March Town Meeting. Phase 1, at \$85,000, could be voted on by the Town, and Phase 2 could be privately funded, or through federal and state grants. Federal and state grants come with more extensive planning and design requirements that increase costs, noted Ms. Russell.

Mr. Marshall explained that there were a number of scoping study requirements associated with federal/state funding. That would take the project through another calendar year to achieve, and then the Town would stand in line for the grants. Concerns included what amount, if any, funds might be available. The Town could save those 'soft' costs with up front self funding the project. The proposed design would meet the standards for state/federal funding for future consideration, pointed out Mr. Marshall. Ms. Owen said that by self funding the project could be done next summer.

Mr. Russell asked for clarification of the sidewalk/parking design proposed at the Old Brick Store. Mr. Marshall explained that stakeholders were surveyed on how a sidewalk could work in that area. A 6' section had been marked out in purple lines as a visualization on the roadway to show how it would be a balancing act in that area. Currently, parking in that area is inefficient. Painted lines move people through/around the monument. The Town had a wide right-of-way that could be used to accommodate parking space and a travel way in front of the store and allow a pedestrian way in the corridor, said Mr. Marshall.

Mr. Delaney said he was in favor of the plan as per the report, minus segments E and F. The plan should be done in its entirety, minus E and F, at the same time by using private funding coupled with taxpayer support, suggested Mr. Delaney.

Ms. Spear, resident, said it was a great report, but as a community member she had a number of questions. Does the Town Plan language support sidewalks. What does 'slightly dysfunctional' mean, asked Ms. Spear. Mr. Marshall explained that the Town Plan includes the tools to make the project successful. Citizens approached the Selectboard with safety concerns and the Selectboard appointed a Sidewalk Committee. The village is 'dysfunctional' in that there are sidewalks at the Post Office and the Library that bring people out to the street. Once at the street there are no sidewalks that connect properties along Ferry Road. In addition, crossing Route 7 is a gauntlet. This is a master plan to connectivity, said Mr. Marshall.

Ms. Spear said that Charlotte was unique from other towns. Steve Davis suggested using a material base versus a paved sidewalk, said Ms. Spear. Mr. Marshall said that the committee was thinking outside the box regarding materials, such as colored concrete, or exposed aggregate in the concrete for a softer view.

Ms. Spear asked if the project would end at Phase 1 if there was no more funding for Phase 2. Mr. Marshall replied that the committee would be very comfortable with Phase 1 since that would establish safe connections.

Mr. Russell said that further debate on the merits of the project could take place at March Town Meeting. The committee report includes tax rate information, said Mr. Russell.

The Selectboard thanked the Sidewalk Committee members for their report and presentation.

**RAYNE HERZOG, RACE VERMONT.COM – TRIATHLON RACE SCHEDULE
– action under consideration: approve request to use town roads**

Rayne Herzog, Race Vermont.com representative, thanked Mr. Bloch and the Charlotte Recreation Committee members for input and discussion of issues and safety, and reviewed Plan A and Plan B Triathlon race dates in Shelburne and Charlotte. A meeting was held with Shelburne Police Chief Warden, Mr. Bloch and Ms. Krolick. Police officers would man the intersections at Greenbush Road, the Old Brick Store and at the Beach. Cones would not be used along Greenbush Road as per the Police Chief, said Mr. Herzog.

MOTION by Mr. Ladue, seconded by Mr. Delaney, to approve a request by Race Vermont.com for a triathlon race schedule as outlined in a Charlotte Recreation Committee Outside Events document and to use Town of Charlotte roads, and to delegate John Owen to administratively approve the schedule upon receipt of the Outside Events form and documentation indicating that Rayne will hire two Shelburne police officers for the two problem intersections in Charlotte.

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

BUDGET REVIEW – discussion only

Recreation

Jessie Price, Carlie Krolick, Bill Harris-Fraser reviewed a written proposed budget that included a reduced dockage amount due to a new contract. Weather and lake levels, which would affect the docks, were an unknown. Beach salaries were increased to \$9.00 per hour. The Vermont League of Cities and Towns insurance inspector has advised the Town that the beach house and play ground were not ADA compliant. The committee is working with an ADA contractor to identify what needs to be done for ADA and safety requirements.

Mr. Russell asked if the ADA and safety improvements would be a Capital expense, or a budget line item. Ms. Krolick explained that it could be both ways as a Long Range Plan, and as a budget item for addressing the most immediate repair issues within the next 8 months.

Mr. Ladue asked for a copy of the VLCT inspector's report.

Town Clerk

Mary Mead, Town Clerk, reviewed a written proposed Town budget spread sheet. The County tax rate has not been received yet. Requests included a five percent increase for the Assistant Town Clerk, and a three percent increase for the Town Clerk to cover billing for Thompson's Point leases. An amount for maintenance and repair was needed - \$50,000 was suggested, said Ms. Mead.

Mr. Owen said that the Flea Market would not be rented out and should be removed.

Mr. Ladue asked if the employee insurance rate increases were risk based, and if there was a list of all employees and what plans they had. Ms. Mead said she did not have an employee insurance spread sheet.

Library

Theresa Hudziak, Margaret Woodruff, Beth Merritt and Vince Crockenberg reviewed a proposed Long Range Capital Maintenance plan, and asked the Selectboard for funding input.

Mr. Stone asked the Library Trustees to propose a funding schedule on the tax rate for a 5, or 10 year period. Mr. Crockenberg said he would provide a schedule for the Board tomorrow.

Mr. Ladue suggested that the Town should aggregate a combined maintenance schedule across the board to include the Library, Senior Center, Town Hall, etc.

Ms. Hudziak reviewed increased library use over the FY.

Senior Center

Walter Gates, Senior Center representative, reviewed a proposed budget and a parking lot light improvement project. Mr. Ladue suggested that the Senior Center contact the Energy Committee regarding dark sky lighting programs.

Mr. Russell asked for a Senior Center design site plan.

The Selectboard thanked Mr. Gates for his report.

Cemetery Commission

Stephen Brooks and Andrew Haigney, Cemetery Commission members, reviewed completed cemetery projects at the East and West Burial Grounds, proposed projects at the Leavenworth, "Sherman-Quinlin", Thorpe Burial Ground, and the Reverend Dorian cemeteries. The commission has a \$2,500 non-taxpayer fund on the Town budget as a line item, and are requesting Town funding of \$8,000.

Mr. Bloch asked if the non-taxpayer funds were on the Town books. Should Town funds be used on cemeteries not on Town land, asked Mr. Bloch. Mr. Brooks explained that the commission has some private funds and Mary created a line item for the commission. The commission raised the money for cemetery projects. For example, contractors donated time and material to improve a driveway located on private land to the East Burial Ground. Those costs do not show up on the books. The commission has been successful in fostering good working relationships with private land owners where cemeteries are located, said Mr. Brooks.

Charlotte Land Trust/Charlotte Conservation Fund

Kate Lampton, Frances Foster, and Jane Lawlis, Charlotte Land Trust members, reviewed a \$5,000 allocation request to assist landowner's in appraisals and for outreach,

a Conservation Fund report for a proposed project list, and a request for funding the Conservation efforts. If the fund were zero funded for two years in a row, that might created a spike in requests later on, which was a concern.

There was further discussion regarding the proposed project list, and three possible projects that could come to fruition next year. Mr. Owen suggested one-half a cent yearly.

RICHARD AND PATRICIA WATERS – REPAIR OF SEAWALL, FLAT ROCK ROAD, THOMPSON’S POINT – action under consideration: authorize conditional use review application to the Zoning Board of Adjustment

Mr. Russell reported that the Waters’ request has been postponed to a future date.

GREEN MOUNTAIN HABITAT FOR HUMANITY – REQUEST TO WAIVE FEES FOR BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY OF \$1,000 AND \$150, RESPECTIVELY, PER DWELLING FOR FIVE DWELLINGS ON FORMER GECEWICZ PROPERTY – action under consideration: waive fees MOTION by Mr. Stone, seconded by Mr. Ladue, to approve a request to waive fees for building permits and Certificates of Occupancy of \$1,000 and \$150, respectively, per dwelling for five dwellings on the former Gecewicz property, as presented.

VOTE: 5 ayes; motion carried.

EMPLOYEE BENEFITS – discussion only

Mr. Russell reviewed proposed employee benefit issues involving a 90/10 deductible, questions regarding costs and employee contributions. Mary said that 65 percent would use up their deductible, said Mr. Russell.

Mr. Ladue asked what the difference was in cost to the Town. Mr. Russell explained that \$135,000 would pay the same now as before. The proposed plan is the better plan. An employee could go out of network. A family plan would be \$11,090 with the new plan. There was no dental plan included. The question was if the Town should go with 90/10, or prorate 90/10, said Mr. Russell.

Mr. Ladue suggested setting up an employee account and a Town account. Details of payout were needed, said Mr. Ladue.

Mr. Owen spoke in favor of a shared 90/10 deductible. Mr. Stone agreed with Mr. Owen, and suggested checking with Mary.

Mr. Bloch noted that if the Library added another person that would push the cost to \$150-154,000 versus \$138,000.

SELECTBOARD UPDATES

Mr. Russell suggested a salary discussion in Executive Session, or added to the next meeting agenda, 12/19/2011, at 8:00 p.m.

Mr. Owen suggested discussing volunteer recognition in Executive Session.

MOTION by Mr. Stone, seconded by Mr. Owen, to enter Executive Session to discuss Volunteer Recognition

MOTION withdrawn by Mr. Stone and Mr. Owen.

Mr. Stone asked why the Town would want to comment on a commercial solar project. It was a PSB decision, said Mr. Stone. Mr. Owen replied that the Town Plan supports alternative energy projects, but the Planning Commission should comment on site selection. Mr. Ladue asked if the Town should act as a collective Town voice, or should each individual resident have a voice. Mr. Stone said that it was up to the PSB to take comment. It is up to each individual to go to the PSB and ask for party status, stated Mr. Stone. Mr. Russell explained that the Planning Commission meeting is to provide a public forum for people to decide whether they want to get involved, or not. Ms. Russell said that if the Planning Commission expressed an opinion then that may be a bigger voice. It might be a good idea to have a PSB hearing to take testimony.

Ms. Wood noted that the PSB had a meeting for a large solar project in South Burlington. The state allows for a comment period. What exactly does the Town Plan say, asked Ms. Wood.

Ms. Russell said a good question was if it was a good use of agricultural land.

Mr. Delaney said he read the applicant proposal and he has questions. Ms. Russell said that the Selectboard should attend the Planning Commission meeting on 12/20/2011 at 6:00 p.m.

Mr. Russell said that the Selectboard would invite the Planning Commission to attend a public information session and a Charlotte Solar Farm presentation at the Monday, 12/19/2011 meeting at 6:00 p.m., and then the Selectboard would attend the 6:00 p.m. Planning Commission meeting on 12/20/2011.

Mr. Ladue reviewed tree cutting at the Park Overview. Some trees to be retained were marked by ribbons. Mr. Ladue expressed concern that when those trees grew up they would block the views. Crop land along the ridgeline not owned by Clark Hinsdale to the north also blocks the westerly view, pointed out Mr. Ladue. Mr. Russell said the Selectboard could do a site visit, or write a letter to the Park Oversight Committee to communicate those concerns. Mr. Delaney, Selectboard liaison to the Park Oversight Committee, said he would bring up those concerns to the committee at the next committee meeting.

APPROVAL OF BILLS AND WARRANTS

The Selectboard signed bills and warrants.

ADJOURNMENT

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

The meeting was adjourned at 9:53 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary