

**TOWN OF CHARLOTTE  
SELECTBOARD  
MINUTES OF MEETING  
JULY 11, 2011**

*APPROVED*

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

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

**OTHERS PRESENT:** Deb Stone, Nancy Wood, Stephen Pintauro, Sallie Pintauro, Mary Mead, Moe Harvey, Carlie Krolick, Sheri Duff, Charlotte Citizen; and others.

**6:30 p.m. SITE VISIT: 6110 Mt. Philo Road – for Highway Access Permit application by Stephen & Sallie Pintauro**

**CALL TO ORDER**

Mr. Russell, Chairperson, called the meeting to order at 7:01 p.m.

**ADJUSTMENTS TO AGENDA**

Add: Possible CSWD funding to be used to clear rubble from Thompson's Point Road; Flea Market Survey report; Bids for Brush hogging; and Wastewater Disposal report update.

Delete: Nancy and Tom Smith request to name private road "Champion Drive".

**PUBLIC HEARING**

None

**MINUTES**

**MOTION** by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of 06/27/2011, as written, with edits.

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

**STEPHEN & SALLIE PINTAURO – request for a Highway Access Permit at 6110 Mount Philo Road for a driveway for residential use – action under consideration: approve access**

**MOTION** by Mr. Stone, seconded by Mr. Delaney, to grant a request for a Highway Access Permit at 6110 Mount Philo Road for a driveway for residential use by Stephen and Sallie Pintauro, with a culvert as specified by the Charlotte Road Commissioner as depicted on a Site Plan.

**DISCUSSION:**

Mr. Russell asked for an update on the sight distances. Mr. Bloch explained that Mr. Lewis was fine with the proposed driveway as staked in the field and the sight distances. Mr. Delaney noted that the sight distances were now measured as 460' at the new driveway location versus 260' at the previous location.

Mr. Delaney asked if the trees at the Kauflin's property would block the sight distances. Mr. Pintauro said that the trees could be taken down or cut higher to improve the sight distances.

Mr. Ladue asked if the 2' high berm to the north was a problem. Mr. Pintauro replied that the berm could be flattened.

Mr. Russell said that the Board could add a requirement that brush along the roadway would be kept cut back.

Mr. Ladue expressed concern regarding trees, which were on Town property, and high snow banks that could block a driver's view.

Mr. Pintauro explained that there were long lines of sight as measured by Mr. Lewis. The sight distances were tested with a car at the Kauflin's and it could be seen through the shrubbery. Distances were 460', confirmed Mr. Pintauro.

Mr. Stone asked if a culvert was included as part of the permit. Mr. Bloch said that Mr. Lewis did have a culvert in the previous driveway location. It was not clear if one was included for the new driveway location, said Mr. Bloch.

AMENDMENT to the motion by Mr. Stone, seconded by Mr. Delaney, to add a 15" x 30' culvert to the permit, and to have Mr. Lewis recheck sight distances once the driveway was completed and to remove trees as necessary.

Mr. Ladue suggested installing a "blind driveway" or "dangerous driveway" sign at the location. Mr. Delaney said he thought that the Kauflin's driveway was in a more dangerous location. Mr. Pintauro said that the Kauflin's driveway was on a knoll. VOTE on the amended motion: 5 ayes; motion carried.

MARY MEAD, TOWN TREASURER – REQUEST TO OBTAIN A TAX ANTICIPATION NOTE FROM PEOPLE'S UNITED BANK FOR \$300,000 – action under consideration: approve note

MOTION by Mr. Stone, seconded by Mr. Owen, to approve a request by the Charlotte Town Treasurer to obtain a tax anticipation note from People's United Bank for \$300,000 as presented.

DISCUSSION:

Mr. Ladue asked if the Town Treasurer could provide a calculation as a basis that supported the amount requested. Ms. Mead explained that she has sent a Cash Flow Statement to the bank in support of the request. Historically, \$300,000 has been what the Town needed. There was a \$4,000 checking account balance, actual, said Ms. Mead. Mr. Ladue suggested that in future he would like to see a calculation done as a basis for a note amount. He would abstain from voting on the proposed motion until he could see a Cash Flow Statement, said Mr. Ladue.

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

The Board members signed the note anticipation document.

**APPOINTMENT OF E-911 COORDINATOR – action under consideration:**

**appoint Mary Mead**

**MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Mary Mead as the Charlotte E-911 Coordinator.**

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

**E-911 ORDINANCE – action under consideration: begin amendment process to include E-911 Coordinator in road-naming process and incorporate references and requirements to recent statute and state policies**

Mr. Russell briefly reviewed proposed changes to the Charlotte E-911 Ordinance, page 1, which would replace the Charlotte Fire Department with the Charlotte E-911 Coordinator.

Mr. Bloch explained that the state was updating standards currently. The Town could use the standards as a guideline for now, said Mr. Bloch.

Mr. Stone explained that the Town of Shelburne has two E-911 Coordinators. They decided on a road name, which was vetted by the Shelburne Police and Fire departments, and then the proposed road name went before the Shelburne Selectboard. Should we follow the same procedure, or rubberstamp what the Charlotte E-911 Coordinator proposes. If the Board rubberstamped it then the E-911 Coordinator should be authorized in the ordinance, said Mr. Stone.

There was lengthy discussion regarding the role that a E-911 Coordinator plays in a road name approval; having the E-911 Coordinator vet a proposed road name by the dispatch services to make sure a road name is clear and understandable over radio/telephone connections; have the E-911 Coordinator make a final road name decision and have appeals come before the Selectboard; and a Board member concern that giving responsibility for decisions made outside the Selectboard, which was an elected body, would create a liability for the Selectboard. Mr. Delaney said that he had no problem with the E-911 Coordinator getting/vetting requests, but the Selectboard should retain the decision making authority.

Mr. Ladue read state statutes related to naming roads.

Mr. Russell said that if someone came to the E-911 Coordinator with a name request and the coordinator denied it, then how would the Selectboard know that. Or, should the E-911 Coordinator assist someone to select a road name, and then it comes before the Selectboard for approval, asked Mr. Russell.

Ms. Mead said that as the E-911 Coordinator she did not discuss road name requests with Shelburne dispatch, or the state. Common sense was used regarding road names. A road is not to sound similar to another road name in Town. She can make that call. She has a

list of existing road names, a road map and addresses of all residential units in Town that she uses in a road name selection, stated Ms. Mead.

Ms. Wood suggested having a road name request reviewed by the Charlotte Fire and Rescue departments, and the E-911 Coordinator. The Selectboard should have the final opinion. The ordinance may last longer than the current sitting Selectboard and Mary Mead may not be the E-911 Coordinator forever, pointed out Ms. Wood.

Mr. Owen suggested having an applicant vet a road name through the Charlotte Fire and Rescue departments. Mr. Ladue suggested having Mary Mead in a coordinating role. Mr. Stone suggested language that read "...subject to E-911 Coordinator review and the final approval by the Selectboard."

Mr. Russell suggested deferring further action until the next Selectboard meeting.

**NANCY AND TOM SMITH – request to rename private road (serving Clark Hinsdale Subdivision) “Champion Drive” – action under consideration: approve name.**

Mr. Bloch reported that the applicants have withdrawn their request.

**JUVENILE DIABETES RESEARCH FOUNDATION – REQUEST TO USE GREENBUSH ROAD (NORTH), LAKE ROAD, FERRY ROAD, AND GREENBUSH ROAD (SOUTH), AND BASEBALL FIELD PARKING LOT AT TOWN BEACH (FOR REST STOP) FOR 100 MILE FUNDRAISING BICYCLE RIDE ON JULY 30, 2011 – action under consideration: approve use of town highways and property**

**MOTION by Mr. Ladue, seconded by Mr. Delaney, to approve a request by the Juvenile Diabetes Research Foundation use of Town highways and property as follows: Greenbush Road (north), Lake Road, Ferry Road, and Greenbush Road (south), and baseball field parking lot at Town Beach (for a rest stop) for a 100 mile fundraising bicycle ride on July 30, 2011.**

**DISCUSSION:**

**Carlie Krolick reviewed that VLCT had raised a question regarding an indemnifying clause to protect the Town during these events. The Recreation Committee would work with the Selectboard Clerk on language for a future discussion, said Ms. Krolick. Mr. Bloch clarified that language has not been finalized yet. The current practice is to have the Town named as an additional insurer on the event sponsor’s insurance, said Mr. Bloch.**

**Mr. Delaney asked if the Charlotte Fire and Rescue departments have been contacted regarding the event. Ms. Krolick replied that she would contact the departments.**

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

**CLEAN-UP OF BEACH – action under consideration: approve contractor**

**MOTION by Mr. Stone, seconded by Mr. Ladue, to approve a contract with James Kastner for a bid of \$950 to clean up the Beach by Friday, July 15, 2011.**

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

The Selectboard thanked Ms. Stone for handling the bid process.

In response to a Board member question, Ms. Stone explained that she had compiled two lists that required attention/repair at the Beach: an A list of items needing immediate repair, and a B list of items for future additions/repairs, such as meeting the new ADA regulations by March 12, 2012.

Mr. Ladue pointed out that a Wild Parsnip patch at the Beach would need to be mowed.

The Board asked Ms. Stone to get the costs to fix the stairs and improvements noted on the A list to Mr. Stone in the next day, or two.

**ESTABLISH 35 MILES PER HOUR AS THE DEFAULT SPEED LIMIT ON ALL GRAVEL ROADS, UNLESS APPROVED OTHERWISE – action under consideration: begin process to amend Motor Vehicle and Traffic Ordinance**

Mr. Bloch handed out copies of 23 V.S.A. §1007, Local Speed Limits, for Board review.

Mr. Stone expressed concern regarding potential expenses to post signs on Town roads. He would like to know the cost for the signs, said Mr. Stone.

**MOTION by Mr. Delaney, seconded by Mr. Ladue, to begin the process to amend the Motor Vehicle and Traffic Ordinance to establish 35 miles per hour as the default speed limit on all gravel roads, unless approved otherwise.**

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

**ORDINANCE REGARDING NUISANCE ANIMALS – AMEND TO CLARIFY PROCESS FOLLOWING DOG BITES – action under consideration: begin amendment process**

Mr. Russell reviewed the current Town ordinance. A question is: what is an appropriate complaint, asked Mr. Russell.

Mr. Stone suggested changing the word “may” in Section 3 to “shall”. The state statutes were clearer than the Town ordinance and that language should be used, said Mr. Stone.

There was further discussion regarding Section D – needs clarification on a legal definition of “not a rabies suspect”, and Section B – timelines related to “recognizing a complaint”.

Mr. Russell and Mr. Bloch would draft language based on state statute and bring it to the Board for consideration at a future Board meeting.

**SELECTBOARD UPDATES:**

**Flea Market**

Mr. Owen reviewed results of a Flea Market survey that indicated people would like a craft and agricultural products market at the Flea Market site. People were in favor of forming a committee, but no one signed up to work on it. He would put a notice seeking committee volunteers in the Charlotte News, said Mr. Owen.

Mr. Owen reported that Ms. Conlin has requested permission to post and leave up a 2' x 2' sign to let people know the Flea Market days and hours of operation.

Following a brief discussion, Mr. Russell read the Town Sign Ordinance.

**MOTION by Mr. Owen, seconded by Mr. Ladue, to modify the Flea Market lease to allow one sign noting that the Flea Market is open on "Saturday, Sunday and Holidays," and to include hours of operation.**

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

**Wastewater Study Report**

Mr. Ladue said he would present a Wastewater report at the next Board meeting.

**Thompson's Point Road**

Mr. Bloch reviewed a request by the Thompson's Point lessees to paint a line on Thompson's Point Road for walkers/bikers. The Town recommends that the lessees work with the Road Commissioner.

**Shelburne Police Traffic Enforcement**

Mr. Owen reported that he was working with the Shelburne Police Department regarding speeding issues in Charlotte.

**Whiskey Bay Public/Private Property**

Mr. Ladue reported that he spoke with Bill Fraser-Harris regarding marking a line that would delineate public and private property at Whiskey Bay. Mr. Russell would work with Mr. Fraser-Harris.

**Brush hogging bids**

Mr. Stone suggested including brush hogging at Thompson's Point. There are two dump sites and the Burn's property. Hay at the Burn's property could be cut and baled at no cost to the Town, or it could be put out to bid for brush hogging, said Mr. Stone.

There was discussion regarding the value of hay (Mr. Delaney suggested letting someone hay it this year, and find out what the value would be for future consideration); brush hogging at the Greenbush Road dump; and meeting a July 1<sup>st</sup> date for brush hogging as per Town agreement language.

**MOTION by Mr. Owen, seconded by Mr. Delaney, to authorize Ed Stone and Dean Bloch to solicit bids for brush hogging at the Greenbush Road landfill.**

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

Mr. Ladue will contact Tom Kenyon regarding an agricultural lease of land on Thompson's Point.

**APPROVAL OF BILLS AND WARRANTS**

The Selectboard signed bills and warrants.

**ADJOURNMENT**

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

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

The meeting was adjourned at 8:50 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary