

**TOWN OF CHARLOTTE
SELECTBOARD
MINUTES OF MEETING
JUNE 13, 2011**

Approved on June 27, 2011

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

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS PRESENT: Spin Richardson, Robert Mack, Steve Davis, Nancy Wood, Ellie Russell, Clark Hinsdale III, Jim Donovan, Ed Cafferty, Marty Illick, John Linanek, Jenny Cole, Jonathan Atwood, S Hodges, Nancy Smith, Lucy Beck, Larilee Suiter, Sheri Duff, Charlotte Citizen; and others.

CALL TO ORDER

MOTION by Mr. Owen, seconded by Mr. Ladue, to appoint Ed Stone as Charlotte Acting Chairperson.

VOTE: 3 ayes, 1 abstention (Mr. Stone), 1 absent (Mr. Russell); motion carried.

Mr. Stone, Acting Chairperson, called the meeting to order at 7:00 p.m.

ADJUSTMENTS TO AGENDA

None.

PUBLIC HEARING

Mr. Richardson, resident, expressed concern that the Selectboard had called a special meeting regarding the issue of sidewalks without sufficient public warning. He was very interested in the sidewalk topic, stated Mr. Richardson. Mr. Stone explained that an issue for a \$20,000 sidewalk engineering study grant was added to the 05/23/2011 meeting agenda. Since it was not a warned item the Board decided to hold a special meeting due to the grant application deadline. The grant required a Town match of \$5,000. The Board does warn special meetings 24 hours ahead of time, said Mr. Stone.

Following further discussion, the Selectboard members spoke in favor of alerting interested parties of special meetings via a Front Porch on-line service, or by creation of a town-wide e-mail list.

Mr. Mack asked where the ground swell for sidewalks was coming from. The Selectboard agenda indicates that the Town might spend \$50,000 for various items. Where would the money come from, asked Mr. Mack.

MINUTES

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of 05/23/2011, as written, with edits.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of 05/26/2011, as written.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Steve Davis subdivision documents (and possibly road name) – action under consideration: approve the following documents:

- **Roadway Agreement and Waiver**
- **Sewage Service Agreement, Waiver, and Easement**
- **Water Service Agreement, Waiver, and Easement**
- **Pedestrian Easement Deed.**

MOTION by Mr. Owen, seconded by Mr. Ladue, to approve the following documents regarding the Steve Davis subdivision (and possible road name):

- **Roadway Agreement and Waiver,**
- **Sewage Service Agreement, Waiver, and Easement,**
- **Water Service Agreement, Waiver, and Easement,**
- **Pedestrian Easement Deed,**

subject to review by the Town Attorney.

DISCUSSION:

Mr. Delaney asked if there was proven sewage and water capacity for the four dwellings. Mr. Davis replied that the water well was adequate. The dwellings included sprinkler systems and there was a storage tank for that. An engineer was hired to conduct capacity studies, explained Mr. Davis.

Mr. Bloch explained that the well was a private well. The proposed pedestrian easement was outside of the right-of-way. There is a large ditch in the right-of-way and the Planning Commission thought it would be good to have a pedestrian easement for future use, said Mr. Bloch.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Letter to the EPA to become an EPA Energy Star partner – action under consideration: approve letter

MOTION by Mr. Ladue, seconded by Mr. Delaney, to approve a letter to the EPA requesting that the Town of Charlotte become an EPA Energy Star partner as presented.

DISCUSISON:

Ms. Hodges explained that the Town will get credit for energy improvements already done.

Mr. Stone noted that the Town has not been reimbursed for money spent on energy improvements to the Town Hall, and asked Ms. Hodges to work with Town staff to recover the reimbursement funds.

Mr. Bloch explained that the Davis/Bacon forms were submitted incorrectly. A corrected form was re-submitted. The funds should be received before June 30th, said Mr. Bloch.

Mr. Stone asked if the Town has been reimbursed for money spent on trees at the park. Mr. Bloch replied that staff would contact the Park Oversight Committee.

AMENDMENT to the motion by Mr. Ladue, seconded by Mr. Delaney, to authorize the Charlotte Selectboard Chair to sign the letter on behalf of the Town of Charlotte.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Request to re-name private road (serving Clark Hinsdale subdivision) “Windever Lane” – action under consideration: approve name

Mr. Bloch reported that the Charlotte Fire Department and the E-911 Coordinator had vetted the road name change.

MOTION by Mr. Delaney, seconded by Mr. Ladue, to approve a request to re-name a private road (serving Clark Hinsdale subdivision) “Windever Lane”.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Police contract with the Town of Shelburne – action under consideration: approve contract

Mr. Owen and Mr. Ladue stated that they had suggested changes to the draft contract as follows:

- Under Scope of Service, change to read: “...30 hours per week...”;
- Change “..a range of 0 to 30 hours...” to read “...a range of 20 to 30 hours...”;
- Add a “not to exceed” amount to prevent over spending the line item;
- Appoint a Board liaison to the Shelburne Police Department to establish a number of hours for summer and winter coverage as previously discussed.

Mr. Delaney reported that he had attended a Rural Roads Initiative meeting. The Town would need to conduct a traffic volume count focused on Mt Philo Road and Spear Street for a signage project, for example; “reduced speed ahead” signs. Mr. Delaney suggested asking the Shelburne Police Department to provide that service to save money. Mr. Ladue asked if someone else could do the service for a lower rate. Mr. Bloch said that the CCMPO conducts traffic volume studies with the rubber tubes.

Mr. Cafferty, Charlotte resident and State Police Officer, asked if an increase of \$40,000 in the Town budget was reflected in the proposed Shelburne Police contract. Mr. Owen replied that it was not reflected in the contract. He would like to have “not to exceed” language added to the contract, said Mr. Owen. Mr. Bloch clarified that the contract was for traffic enforcement. It says “...shall not...”.

Mr. Stone asked Mr. Cafferty to work with Mr. Owen on the draft contract.

Action on the contract approval was deferred until the next meeting of the Board.

Co-housing Trail:

1. Approve Contracting with University of Vermont Consulting Archaeology Program for archaeological Phase 1 study for \$6,517 (to be reimbursed by the Vermont Recreation Trails Program grant).

Mr. Stone reviewed a proposed contract for an archaeological Phase 1 study, and asked Town staff to provide more information. Mr. Bloch explained a \$20,000 grant that required a 15 percent Town match, and grant guideline requirements for three estimates. He had talked with VTrans regarding how to decide what was a “good” bid. UVM’s estimate was in the middle. Staff recommended UVM since they were familiar with the Charlotte area, said Mr. Bloch.

Mr. Ladue asked what else the grant would cover. Mr. Bloch replied construction of one-fourth to one-fifth of the trail for \$13,000.

Mr. Linanek, Trails Committee representative, said that the Board should not look at the \$13,000 as a percentage of \$270,000.

MOTION by Mr. Owen, seconded by Mr. Delaney, to approve a contract with the University of Vermont Consulting Archaeology Program for archaeological Phase 1 study for \$6,517, to be reimbursed by the Vermont Recreational Trails Program grant as presented.

DISCUSSION:

Mr. Ladue noted that there was a substantial cost difference between estimates. What is the basis for the staff recommendation. The Booth estimate has 9 people days, and an hourly rate of \$50 per hour versus UVM’s 10 people days and \$100-300 per hour, said Mr. Ladue. Mr. Stone asked if the state would accept outcomes from the Booth company. Mr. Bloch replied that at this stage he didn’t know.

Mr. Owen and Mr. Delaney withdrew the motion for further discussion.

Ms. Suiter, Co-housing Committee representative, asked if there was a way to ask bidders that a report outcome would be accepted by the state in the contract.

The Selectboard members were unanimous that the matter should be deferred until the next meeting. Staff would check the Booth and UVM references.

2. Approve contracting with Erin Haney and Jim Donovan to undertake wetland and ACT 250 permitting for \$720 and \$2,510, respectively, (to be considered a partial match for VRTP grant in 2011 and 2012)

Mr. Bloch reviewed that the cost of the study could be used as a part of \$19,000 match. Staff would keep track of the match portion and report it to the state and Selectboard.

MOTION by Mr. Delaney, seconded by Mr. Ladue, to approve a contract with Erin Haney and Jim Donovan to undertake wetland and ACT 250 permitting for \$720 and \$2,510, respectively, (to be considered a partial match for VRTP grant in 2011 and 2012) as presented.

DISCUSSION:

Mr. Atwood, Co-housing representative, asked if this contract was approved, could the archaeological study be done afterward. Mr. Donovan replied yes.

Mr. Stone asked if Mr. Donovan had a conflict of interest as a member of the Planning Commission. Mr. Donovan replied no. The Planning Commission was not hearing the issue. Moving an easement can be done administratively by the Selectboard, said Mr. Donovan.

Mr. Ladue suggested that action be deferred until the next Board meeting so he could review the documents.

Mr. Delaney and Mr. Ladue withdrew their motion.

3. Waive liability insurance requirement for all.

Mr. Bloch said that UVM has its own liability insurance. The Selectboard had decided to tie liability insurance to contracts, reviewed Mr. Bloch.

No action was taken.

4. Move location of easement to minimize impacts to wetland

Mr. Bloch reviewed a proposal to move an existing Co-housing easement donated by the applicant/developer as shown on a site map.

MOTION by Mr. Ladue, seconded by Mr. Owen, to move an existing Co-housing easement shown as an “orange” line on a site map, to a proposed new location shown as a “yellow” line on a site map.

DISCUSSION:

Mr. Atwood, Co-housing representative, spoke in support of the motion, and explained that a site walk was done and yellow flags marked a proposed path through the woods. The Board should walk the marked path so they would know what they were signing, suggested Mr. Atwood.

Mr. Linanek, Trails Committee representative, said that the Trails Committee has walked the path.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Knowles (Cowboy) Trail – approve contractor to move fence (for a cost between \$1,900 and \$3,000)

Mr. Stone reviewed two bids from Ag Fence Company for \$1,900 and Scott Barnes Company for \$3,000.

Mr. Mack asked if the contractor would use some of the existing posts, or would there be all new posts. Why not move the fence and the ditch, and add a culvert. There is a seasonal stream there. The existing ditch is too close to the road. The proposal will still put people back on the road, said Mr. Mack.

Mr. Stone suggested getting the Boy Scouts to build a bridge over the stream. A motion should include that funding would come from next year's budget, said Mr. Stone.

Ms. Illick said that Holmes Brook issues should be addressed.

In response to questions, Mr. Bloch clarified that the fence would be moved 10' and a path mowed. Junior Lewis may need to provide more information regarding ditching. Staff could contact the Youth Conservation Corps regarding a bridge, suggested Mr. Bloch.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve an expenditure of \$1,900 to create a Knowles "Cowboy" Trail, to be billed on next year's budget. VOTE: 2 ayes, 2 nays (Mr. Delaney, Mr. Stone), 1 absent (Mr. Russell); motion failed.

Quinlan Bridge – action under consideration: approve conceptual plans

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a conceptual plan for the Quinlan Bridge.

DISCUSSION:

Mr. Ladue reviewed a proposal to replace two 30" I-beams with four 36" I-beams. The state Historic Preservation Office was OK with the proposal. The bridge would function the same as it currently does, with the exception that loaded trucks would be able to cross the bridge.

Mr. Bloch clarified that funding was provided through a \$500,000 earmark obtained by Senator Jeffords five years ago. Staff would confirm with the state that the remaining money would come from the state, said Mr. Bloch.

Ms. Illick said that Junior Lewis said he could go over the bridge now with a scant sand load, and that was sufficient for sanding the three miles of roads on the other side of the bridge.

Mr. Ladue suggested an AMENDMENT to the motion that Town approval is pending a funding package for the bridge with a breakdown on how funding impacts the alternative choices.

Mr. Delaney asked what the urgency for bridge construction was. Mr. Ladue explained that the existing structure is severely damaged due to neglect. The structure serves the Town's needs, but there is a challenge of carrying capacity and historical preservation needs. Currently, Junior either needs to move equipment around Town on the highway, which is dangerous, or through the bridge, which needs to take the Town's vehicle weight, explained Mr. Ladue.

Mr. Stone asked if there wasn't a conversation with the historical people that there would be funding if the historical design was kept. Staff needs to check if the

\$275,000 funding comes out of the Highway funds, said Mr. Stone. Mr. Bloch said that the state could provide answers regarding financing sources.

Mr. Delaney spoke in support of moving forward. Issues could be solved as the project progresses, suggested Mr. Delaney.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Review of budget – year to date – discussion only

Mr. Stone reviewed snags related to receiving reimbursement payments for projects that the Town has fronted funding for, such as the Town Hall energy improvements.

There was discussion regarding year end budget projections; a suggestion for Selectboard members to contact Ms. Mead on a regular basis (once a month, for example); budget items that were overspent, such as legal expenses; and a Board member request to have Ms. Mead highlight areas of budgetary concern.

Mr. Owen said he would like to know how much the budget would be over once all the reimbursed funds were received.

Technical Advisory Committee of the Chittenden County Regional Planning Commission for two year term (July 1 through June 30, 2013) – action under consideration: appoint town representative

MOTION by Mr. Ladue, seconded by Mr. Delaney, to appoint Dean Bloch to the Technical Advisory Committee of the Chittenden County Regional Planning Commission for two year term, starting July 1, 2011 through June 30, 2013, as presented.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Charlotte Park and Wildlife Refuge – action under consideration: extend grant agreement with National Audubon Society to December 31, 2011

Ms. Cole, Charlotte Park and Wildlife Refuge representative, explained a proposal to extend a National Audubon Society grant agreement to the end of the year. The grant total of \$2,500 is divided into two portions. The Park Committee spent \$350 last fall for brush hogging. James Bell, Enviropac Company, would do brush hogging and mowing work on the northwest corner of the Park, said Ms. Cole.

MOTION by Mr. Owen, seconded by Mr. Ladue, to extend a National Audubon Society grant agreement as requested by the Charlotte Park and Wildlife Refuge to December 31, 2011, as presented, and to authorize the Charlotte Selectboard Chair sign the agreement on behalf of the Town of Charlotte.

DISCUSSION:

Mr. Stone asked Ms. Cole when the Town would be reimbursed for trees planted in the Park. Ms. Cole replied that Jessie had talked to Mary Mead regarding an invoice submittal. Mr. Stone asked Ms. Cole to let Mr. Russell know when the money comes in.

VOTE: 4 ayes, 1 absent (Mr. Russell); motion carried.

Selectboard updates: Flea Market; Route 7 paving; other – discussion only

- Flea Market - Mr. Owen reported that the Flea Market site has been completely cleaned up. Junior Lewis has improved the vehicle access into the site. A lease has been signed with Ms. Conlin.
- Route 7 paving – Mr. Bloch reported that Route 7 below the Berry Farm may be paved according to David Blackmore, VTrans. A Band-Aid approach will be taken from F5 to Ferrisburgh.
- Wastewater Committee – Mr. Ladue said that there has been a delay in the Wastewater Committee report.
- Deer Point – Mr. Ladue asked if it went before the Town Council. Mr. Bloch replied that he would talk with Mr. Russell.
- Sidewalk Grant – Mr. Ladue said that an engineer that lives in Charlotte might do an engineering study for free. A proposed sidewalk concept should be given to the local newspapers to clarify the project information, suggested Mr. Ladue. Mr. Bloch said that staff would forward a copy of the grant application to Mr. Ladue.
- Emergency Watershed Program – Mr. Stone said that an Emergency Watershed Program brochure with information regarding flood damage would be available in the Town Hall. Lake damage was not covered by the program.
- Mt Philo Road/Spear Street traffic study – Mr. Delaney said he would give the Rural Roads Initiative information to Mr. Bloch.

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: 4 ayes, 1 absent (Mr. Russell); motion carried.

The meeting was adjourned at 9:33 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary