

**TOWN OF CHARLOTTE
SELECTBOARD
MINUTES OF MEETING
MAY 14, 2012**

APPROVAL

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

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS PRESENT: Peter Trono, Stephen Brooks, Lynne Jaunich, Heather Manning, Liam Murphy, Tom Moreau, Robert Mack, Marty Illick, Jim Donovan, Moe Harvey, Bill Fraser-Harris, Howard Verman, David Miskell, Sylvia Knight, Eva Fraser-Harris, Linda Stowe, Meg Walker, Peter Walker, Hilary Mack, David Mack, Diane Nichols, David Nichols, Kresty Nichols, Phyllis Lary, Robin Reid, Jennifer Adsit, Frances Foster, Carrie Spear, Allen Karnatz, Margaret Russell, John Limanek, Mary Volk, Bob Wright, Nancy Sabin, Clark Hinsdale, Kate Lampton, Ellie Russell, Richard Stowe, Adam Hausmann, Jack Gault, Alex Goodrich, Tricia Coleman, Bob Hyams, Dina Townsend, Michael Townsend, Meg Berlin, Vince Brockenberg, Debbie Ramsdell, John Hammer, Charlotte News; Carol Casey, Charlotte Citizen; and others.

NOTE: the agenda was heard out of order, but appears in order for continuity.

CALL TO ORDER

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

ADJUSTMENTS TO AGENDA

None.

PUBLIC COMMENTS

Mr. Trono, resident, asked for an update on the Charlotte Fire and Rescue audit. Mr. Russell replied that the State Auditor had met with Charlotte Fire and Rescue personnel last week and with the Town Clerk/Treasurer. An audit review should be completed in the next few weeks, said Mr. Russell.

Mr. Brooks, resident, asked if there had been any progress on fixing the Ferry Road rail road crossing. Mr. Russell reported that Mr. Stone would meet with the Charlotte Road Commissioner and Dick Hoskins, VTrans District 9.

Mr. Brooks asked for an update on the Route 7 view corridor issues. He would like to review the Steve Moore and Steve Rockefeller documents, said Mr. Brooks. Mr. Russell said that the Selectboard would schedule a site visit at the Overlook.

MINUTES: April 30, 2012

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the Selectboard minutes of April 30, 2012 as written.

VOTE: 3 ayes, 2 abstentions (Mr. Owen, Mr. Delaney); motion carried.

CHITTENDEN SOLID WASTE DISTRICT

Mr. Moreau, Chittenden Solid Waste District General Manager, reviewed a proposed CSWD FY2012 budget.

There was discussion regarding proposed CSWD staff increases of 10 percent, an update for a possible Mobile Drop Off Center (MDOC) to replace the current Hinesburg Drop Off Center, and the current land fills located in Coventry and Williston.

MOTION by Mr. Owen, seconded by Mr. Ladue, to approve the proposed Chittenden Solid Waste District VY2013 budget as presented.

VOTE: 5 ayes; motion carried.

CHARLOTTE CENTRAL SCHOOL PTO – CHAMP RUN

Ms. Jaunich, Charlotte Central School PTO representative, explained a request to hold the annual Champ Run on Charlotte roads on June 2, 2012. The application included a certificate of insurance. The Charlotte Fire and Rescue departments would be contacted once approval was received, said Ms. Jaunich.

MOTION by Mr. Stone, seconded by Mr. Delaney, to grant approve to the Charlotte Central School PTO to use Town roads for the Champ Run on June 2, 2012, and to close Hinesburg Road between Church Hill Road and Mount Philo Road on June 2, 2012 from 4:15 p.m. to 5:15 p.m. during the run.

VOTE: 5 ayes; motion carried.

LIAM MURPHY – DOCUMENT FOR SUBDIVISION

MOTION by Mr. Stone, seconded by Mr. Owen, to approve the following documents related to the Liam Murphy subdivision application:

- Sewage Service Agreement, Waiver and Easement,
- Roadway Agreement,
- Fire Pond Agreement, Waiver and Easement.

VOTE: 5 ayes; motion carried.

JIM DONOVAN AND MARTY ILLICK – UPDATE ON REGIONAL PLANNING ISSUES

Mr. Donovan, Charlotte Regional Planning Commission representative, and Marty Illick, Charlotte Alternate Regional Planning Commission representative, reported on an ECOS update, which is a compilation of all town plans into one document. The document included a prioritization and ranking of projects, which could be funded within the next 12 months. In addition, the organization was working on a long range regional and transportation plan that would coordinate with the ECOS plan, said Mr. Donovan.

Mr. Donovan reviewed a UPWP that included incident command training, culvert planning, on-going transportation planning with on-line mapping, and funding requests for transportation corridors.

Mr. Donovan said he would send a proposed RPC FY2013 budget plan to the Board for review. He would re-introduce comments during a review of the RPC bylaws next month, said Mr. Donovan.

CHARLOTTE SOLAR, LLC

MOTION by Mr. Ladue, seconded by Mr. Owen, to enter Executive Session for the purpose of discussing pending litigation matters related to the proposed Charlotte Solar, LLC project, and to invite the Selectboard Clerk to attend.

VOTE: 5 ayes; motion carried.

The Selectboard entered Executive Session at 7:55 p.m.

MOTION by Mr. Ladue, seconded by Mr. Owen, to come out of Executive Session.

VOTE: 5 ayes; motion carried.

The Selectboard came out of Executive Session at 8:03 p.m.

No action was taken.

VERMONT LAND TRUST AND CHARLOTTE LAND TRUST – REQUESTS FOR DISBURSEMENTS FROM THE CHARLOTTE CONSERVATION FUND FOR THE FOLLOWING PROJECT AND AMOUNTS:

- **David and Diane Nichols; \$270,000**
- **Nancy Hinsdale (owner) Adam Hausmann (prospective buyer); \$70,000**

Mr. Karmatz, Vermont Land Trust representative, handed out separate copies of colored site maps for the Nichols and Hausmann applications.

Ms. Lampton, Charlotte Land Trust representative, explained that the two applications involved conserving prime agricultural land in East Charlotte that are located close to each other, and the Trono and Bean Farm conserved lands. The Nichols' forage crop operation and the proposed Hausmann berry farm were considered 'value added' farms. They are alternative agricultural operations versus a dairy operation. The two applications will be considered separately. The VHCB is the funding source, said Ms. Lampton.

NICHOLS APPLCIATION:

Mr. Karmatz reviewed the Nichols project that would conserve 226 acres that included an 85 acre excluded area, an existing house, and a lot for a potential farm labor home. A possible public use trail is under discussion. There is a state special treatment area that prohibits clear cutting of trees, explained Mr. Karmatz.

Mr. Harvey, resident, asked if there was an identified trail. Mr. Karmatz replied that it would be a possible trail easement to the Town that wouldn't interfere with the agricultural use.

In response to a question regarding affordable housing, Mr. Karmatz said that rental housing exists on the property. The VLT and CLT were working on an affordable housing covenant on a duplex rental house, said Mr. Karmatz. Mr. Miskell explained that the Nichols' would apply for a Town of Charlotte affordable housing grant. The process happens in July, and they would need to close before the end of the year, said Mr. Miskell.

Ms. Lampton said that the Selectboard could approve the Nichols application conditioned that the trail easement, the Executory Interest document and a final project map would be submitted prior to the closing.

Mr. Russell read Exhibit D, Nichols Trail Easement, page 3, Paragraph 5, Commencement of Use, regarding a trail stewardship plan agreement, draft dated 04/04/2012.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a request for disbursement from the Charlotte Conservation Fund in the amount of \$270,000 for the David and Diane Nichols application, conditioned upon the review and approval of the following:

- **Granting of a Trail Easement,**
- **Granting of an Executory Interest document, and**
- **A final project map,**

prior to the disbursement of the funds.

DISCUSSION:

Ms. Nichols, daughter of David and Diane Nichols, said that she was proud of her parents, who have farmed the property for 40 years. The property should only be used for agricultural purposes, said Ms. Nichols.

VOTE: 5 ayes; motion carried.

NANCY HINSDALE (owner) and ADAM HAUSMANN (prospective buyer) application:

Mr. Karmatz reviewed an application to conserve agricultural land located south and east of the Nichols property at the Spear Street/Bingham Hill Road intersection. The application included a proposed retail site and 2 house sites not on the prime agricultural land.

Mr. Hausmann explained his current organic berry farm operation located at the Intervale, and goals for moving his operation to Charlotte. Public access would occur via a pick-your-own berry farm. The operation included a business model that encouraged school field trips and a UVM farmer training camp. He would explore a chef/dinner connection as part of an outreach program, said Mr. Hausmann.

Mr. Hinsdale noted that regarding a public trail, people had recreational access via a quiet dirt road network where it was safe to walk, bike or jog.

Mr. Fraser-Harris asked if the berry farm would include weekly music events. Mr. Hausmann replied that he had no plans for concerts.

Mr. Bloch asked if a subdivision application would include a trail easement. Mr. Karmatz replied that a subdivision application would go before the Planning Commission. The entire property has been surveyed, said Mr. Karmatz.

Mr. Hinsdale thanked his mother, Nancy Hinsdale, and Mr. Hausmann for their interest in conserving agricultural land.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a request for disbursement of \$70,000 from the Charlotte Conservation Fund for the Nancy Hinsdale (owner) and Adam Hausmann (prospective buyer) application to conserve approximately 56 acres, conditioned upon review and approval of the following:

- Grant of an Executory Interest document,
- Grant of a Conservation Easement, and
- A final project map.

VOTE: 5 ayes; motion carried.

TOWN SIGNS

MOTION by Mr. Stone, seconded by Mr. Ladue, to approve up to \$5,000, for the construction costs of “Welcome to Charlotte” town signs to come from Town funds – Unanticipated Expense line item.

DISCUSSION:

Ms. Manning suggested adding the wording “Dedicated on the 250th Charlotte Town Birthday” to the back of the signs.

Ms. Sabin asked if a Rotary Club emblem would appear on the signs. If so, then that organization should pay for the signs, stated Ms. Sabin.

Mr. Hammer asked if there was any way to graffiti-proof the signs. Ms. Manning suggested a clear cover over the signs that could be easily removed, then replaced again.

There was discussion regarding the sign design contest. Mr. Verman explained that a contest winner would be announced at the 2012 July 7th Town Party.

VOTE: 5 ayes; motion carried.

NANCY SABIN – REQUEST TO WAIVE \$500 FEE FOR WASTEWATER PERMIT FOR PROPOSED AFFORDABLE HOUSING

MOTION by Mr. Stone, seconded by Mr. Owen, to approve a request by Nancy Sabin to waive a \$500 fee for a wastewater permit for a proposed affordable housing project.

VOTE: 5 ayes; motion carried.

MAINTENANCE AGREEMENT FOR HVAC UTILITIES IN THE TOWN HALL

Mr. Bloch explained that three proposals had been received. One of the bidders was a relative of Mr. Russell's. Mr. Russell recused himself and departed the meeting.

Mr. Bloch reported that a fourth proposal was expected and suggested that the Selectboard wait to award the contract until all the bids were available for Board review. The Board could appoint one member to make a decision, or staff could bring all four bids to the Board for review, suggested Mr. Bloch.

Board members were unanimous in a decision to wait until a fourth bid was received.

No action was taken.

Mr. Russell rejoined the meeting as Selectboard Chair.

CHARLOTTE LIBRARY

MOTION by Mr. Owen, seconded by Mr. Ladue, to approve an Alarm Monitoring Agreement as written for the Charlotte Library and to use Marshall's Alarm, Middlebury, Vermont.

VOTE: 5 ayes; motion carried.

TOWN HEALTH OFFICER

MOTION by Mr. Owen, seconded by Mr. Ladue, to appoint Charles Russell as the Town Health Officer for a term of three years.

VOTE: 5 ayes; motion carried.

PROCESS FOR APPROVING WARRANTS TO PAY TOWN EXPENSES

Mr. Russell reviewed two options regarding a process for approving warrants to pay Town expenses. Option 1, to approve warrants during a meeting and recording approval via the meeting minutes, or Option 2, to continue current practices. The Town Treasurer had expressed concern that Option 1 would delay paying warrants in a timely manner, explained Mr. Russell.

The Selectboard asked staff to draft a motion for Board consideration regarding Option 2 at the next meeting of the Board.

SELECTBOARD UPDATES

Mr. Ladue reported that the parking signs on Deere Point have been installed.

Mr. Russell reported that he, David Connor, Eric Findley, Bill Fraser-Harris, Holly Sullivan, and others had looked at potential parking and boat launch access points at Whiskey Bay and Lane's Lane. Lane's Lane already has a dock, a boat launch, brush has been cut back, and a gravel area that could be used for parking. The lease holders meeting would be held in August, said Mr. Russell.

Mr. Russell suggested that the Selectboard schedule a site visit at the scenic overlook before the next meeting of the Board. Mr. Ladue asked staff to provide a copy of the documents related to the overlook for review.

The Selectboard would conduct a site visit on Monday, May 21, 2012 at 5:30 p.m.

APPROVAL OF BILLS AND WARRANTS

MOTION by Mr. Stone, seconded by Mr. Owen, to approve and sign the May 14, 2012, Bills and Warrants as follows:

- **Town General Fund for \$35,520.39**
- **Town General Fund for \$2,888.50**
- **Town General Fund for \$59,225.90**
- **Town Payroll for \$8,692.38 (gross)**
- **Town Payroll for \$6,938.31 (gross)**
- **Fire & Rescue for \$3,930.66**
- **Fire & Rescue for \$1,345.96**

VOTE: 5 ayes; motion carried.

The Selectboard members signed bills and warrants.

CHARLOTTE SOLAR , LLC (continued)

MOTION by Mr. Ladue, seconded by Mr. Owen, to enter Executive Session for the purpose of discussing pending litigation matters regarding the proposed Charlotte Solar, LLC project, and to invite the Selectboard Clerk to attend.

VOTE: 5 ayes; motion carried.

The Selectboard entered Executive Session at 9:25 p.m.

ADJOURNMENT

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary