

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
NOVEMBER 13, 2014**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Charles Russell, Ellie Russell, Matthew Krasnow, Fritz Tegatz.

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Eric Silfen, State Trooper Daley, State Trooper Katz, Greg Smith, Melanie Goodman, Jonathan Silverman, Kristen DeStigter, Bonnie Christie, Hugh Lewis Jr, Josh Flores, Mary Mead, Sue Smith, Jenny Cole, Matt Donaldson, Chris Boffa, Frank Tenney, Jeannine McCrumb, Peter Joslin, Kate Lampton, Marty Illick, Martha Russell, Roel Boumans, Cali Griswold, Stephen Brooks, John Hammer, Charlotte News; Robin Reid, Charlotte Citizen; and others.

ITEMS TAKEN UP:

6:05 PM Vermont State Police – semi-annual public report and update on contracted policing services.

Discussion only

6:35 PM Kim Donaldson – request to allow installation of a 170’ culvert within the Garen Road right-of-way to extend lawn – action under consideration: authorize culvert within highway right-of-way.

6:45 PM Budget Review: Charlotte Little League; Animal Control Officer; Constable; Planning & Zoning; Trails Committee; Charlotte Land Trust; Conservation Commission; Lewis Creek Association; Recreation Commission’ Recreation Program

8:40 PM The Nature Conservancy – request for letter of support for application to include the trail at Williams Woods Natural Area in the Vermont Trails Systems Action under consideration: approve

8:50 PM Library Roof – contract and deposit (\$2,500) for spring start. Action under consideration: approve

8:55 PM County Crossing Drive – proposed name for existing road that isn’t named. Action under consideration: approve

9:00 PM Minutes: October 27, October 30, November 6

CALL TO ORDER

Mr. Morrison called the meeting to order at 6:00 p.m.

ADJUSTMENTS TO AGENDA

None.

PUBLIC COMMENT

Kristen DeStigter, 2579 Lake Road, read a written statement on behalf of three Lake Road neighbors regarding a May 9, 2014, Planning Commission and Zoning Board of Adjustment decision for an Occupation 3 application submitted by the Fortin’s. The

Fortin's were their neighbor on Lake Road. The scale and nature of the Fortin business was unsuitable for a rural/residential district. She was asking the Selectboard to take up the non-compliance issue, said Ms. DeStigter.

Ms. DeStigter submitted related materials for the Selectboards' consideration.

Mr. Bloch reported that the Planning Administrator was discussing the matter with the Town Attorney.

VERMONT STATE POLICE-SEMI-ANNUAL PUBLIC REPORT AND UPDATE ON CONTRACTED POLICING SERVICES. Discussion only

Mr. Krasnow introduced Vermont State Trooper Katz and Vermont State Trooper Daley. The town has contracted police services with the State Police this year, said Mr. Krasnow.

Trooper Katz reviewed a police summary spreadsheet report. There were a total of 10 speeding tickets written for the month of September for a total of \$1,329 in fines.

Trooper Katz explained that a delay occurred between when a trooper wrote tickets, turned in tickets, and when the statistics were logged.

Trooper Katz deciphered acronyms on the spreadsheet; for example, "NR" was shorthand for 'no registration'. Speeding zone codes were explained as well.

Trooper Daley explained the judicial bureau process for posting the number of tickets and determination of fines assessed. Bureau surcharges were deducted from a fine and the remainder was sent to the Town. For example, the Town would receive \$38.50 from a fine for a speeding ticket of 10 miles over a posted limited, said Trooper Daley. Mr. Morrison asked if a rule of thumb was that the Town got 30 percent of a ticket fine. Trooper Daley replied that it would vary.

Mr. Tegatz asked if the amount of patrol time could be determined from the police reports. Mr. Krasnow said that the amount of overtime hours were noted on the report, and contract time could be figured out from that.

Mr. Cafferty asked if the State Police were investigating burglaries, car or house break-ins. If so, would the Town be notified, asked Mr. Cafferty. Trooper Katz reviewed an early September burglary complaint received. Following an investigation it was discovered to be a family issue, said Trooper Katz. Trooper Daley said that he would contact the Town if a rash of burglaries occurred.

Trooper Daley identified high volume traffic times that occurred during lunch time, ferry landings, and late afternoon/early evening hours. Trooper Katz suggested that if speeding was noted on Greenbush Road the Town could contact Lt. Whitcomb for non-contract patrols.

Mr. Smith, resident, asked if the State Police had the capacity to data-capture speeds while patrolling. Trooper Katz replied no. Some cruisers were outfitted with license plate readers, said Trooper Katz.

Ms. Christie noted that in September there were 12 speeding tickets and 18 warning written. What was the nature of the warnings, asked Ms. Christie. Trooper Katz replied that issuing a warning versus a ticket was a judgment call. For instance, a teenager that was speeding at a high rate was different from someone going a few miles over the speed limit, clarified Trooper Katz.

Ms. Christie said that the Town was ordering a flashing speed cart. Did the Troopers have any recommendations on where to place it, asked Ms. Christie. Trooper Katz explained that a speed cart should not be placed on a flat straight-away. Rather, the cart should be moved around, placed at corners, or near the school, said Trooper Katz.

Mr. Russell asked if there was a way to find out if patrolling efforts were slowing traffic. Trooper Katz relied that the police reports could be used to look at where tickets were being written over time. Having a patrol car sit at a spot slowed down traffic, but only for a while, said Trooper Katz. Trooper Daley said that it was hard to quantify the data. Speeders were out-of-staters going to or from the ferry, to the marina, etc.

Mr. Flores suggested that a road, such as Spear Street, could be patrolled for a week, then the speed cart could be placed on the road for a week, or two, to see if speeds slowed down.

Mr. Russell suggested that if Greenbush Road acquired a reputation for being patrolled regularly that might slow speeders. Mr. Krasnow said that the Troopers monitored Front Porch Forum for complaints. When they patrolled the roads that received complaints there was a drop in speeding, said Mr. Krasnow.

Mr. Flores said that there were 80 miles of Town roads. The hours of patrol in the contract was not enough to get the results of what the Town wanted. An increase in contract hours would be needed to achieve speed reductions, said Mr. Flores. Trooper Katz suggested that traffic calming measures, such as narrowed lanes, slowed speeds.

Ms. Reid asked if it was possible to receive a weekly police log for publication. Trooper Daley said that the Town received a monthly update that could be used to publish community incidents. Mr. Flores suggested that Ms. Reid could get information off the Williston barracks website.

The Selectboard congratulated Trooper Katz on his promotion and thanked the troopers for their report.

**KIM DONALDSON – REQUEST TO ALLOW INSTALLATION OF A 170’
CULVERT WITHIN THE GAREN ROAD RIGHT-OF-WAY TO EXTEND
LAWN – action item**

Mr. Bloch reviewed a request by Kim Donaldson, Garen Road resident, to install a 170' long culvert in the Town right-of-way in order to extend their lawn to the roadway. The new culvert was in addition to an existing driveway culvert. If the culvert was put in then the Town would be responsible to maintain, or replace it. Creating a potential Town liability was a concern, said Mr. Bloch.

Mr. Lewis, Charlotte Road Commissioner, explained that Ms. Donaldson had approached him for permission to put in the long culvert. Once it was in then it would be the Town's responsibility and expense. If approved, he would like to see a slight swale on top of the culvert to catch any surface water to move that water away from the road, said Mr. Lewis.

Mr. Donaldson said that he would install the culvert.

Mr. Krasnow asked if it was possible to lay road fabric under the culvert and use a culvert with drain holes. Mr. Lewis replied that was why he suggested keeping a swale on top. A ditch could be lined with stone, or a catch basin put in. There was a 30' long driveway culvert now. The 170' long culvert was in addition to that. Most of the water comes down Garen Road and into that ditch, explained Mr. Lewis.

Ms. Russell asked what was wrong with the ditch.

Mr. Donaldson displayed historic photographs of the house and front lawn. He would like to slope the lawn like it had been, said Mr. Donaldson.

Mr. Tegatz explained that the ditch caught water draining from Garen Road and surface water off the Donaldson's lawn. To fill it in would cause water issues and heaving of the roadway, which were more problems, said Mr. Tegatz.

Mr. Krasnow asked if a swale put in on top of the culvert could be maintained like the ditch. Mr. Lewis explained that the ditch bottom had some ledge within the 170' length. The Town mowed the ditch twice a year. It was not re-ditched often. A few years ago the Garen Road bed was raised and it was re-ditched then, and 15-16 year previous to that, said Mr. Lewis.

Mr. Russell and Mr. Tegatz spoke in support of the ditch 'as is'. Keeping the ditch below the roadway was directing the water drainage. Mr. Tegatz asked if Mr. Donaldson could decrease the grade of the lawn down to the ditch. Mr. Donaldson replied that his house sat up high with a steep drop in the lawn.

MOTION by Mr. Krasnow, seconded by Mr. Morrison, to approve the installation of a 170' culvert within the Garen Road right-of-way to extend the Donaldson lawn.
DISCUSSION:

Ms. Russell asked the Road Commissioner if he had any concerns. Mr. Lewis replied that a concern was if the Town wanted to assume the responsibility of the culvert once it was put in. The Donaldson's would pay for the first culvert then the

Town would be responsible for any replacements. Culverts were subject to freezing, or plugging up and they should keep track of that, said Mr. Lewis.

Mr. Lewis reiterated that he recommended a swale on top of a culvert to give water somewhere to flow downhill if the culvert froze up. If gravel was placed around the culvert that would give ground water a place to flow outside of a pipe, said Mr. Lewis.

Mr. Morrison asked if the Town had received other such requests. Mr. Lewis replied no, with one exception. That had caused problems. It was good to see the Donaldson's fixing up the place. He was not against the request. It would become a problem for the Town, said Mr. Lewis.

Mr. Tegatz said that other towns would request a water flow study before granting such a request.

VOTE: 1 aye (Mr. Krasnow), 4 nays; motion failed.

BUDGET REVIEW:

Charlotte Little League:

Chris Boffa reviewed a proposed level funded FY 15/16 budget request of \$10,000.

Ms. Russell asked if the full \$10,000 was used. Mr. Boffa explained that the balance was allocated to mowing and a field fertilization schedule.

There was discussion regarding field maintenance, irrigation system protocols, and a request to have soil test and fertilization reports sent to the Town. Mr. Boffa said that Natural Lawn understood rainfall and weather patterns related to fertilizer applications.

Animal Control Officer:

Cali Griswold, Charlotte Animal Control Officer, briefly reviewed a \$50 per month increase request for a total proposed FY15/16 budget of \$2,600.

Constable:

Josh Flores, Charlotte Constable, explained a request for a level funded FY15/16 budget. The set up of three lights during Halloween was well received and suggested increasing to four lights for the next year, said Mr. Flores.

Mr. Krasnow asked if Mr. Flores, as Constable, was able to perform traffic enforcement since Mr. Flores was a certified police officer. Mr. Flores replied yes. Traffic detail was hard on vehicles. Would the Town be willing to pay for the upkeep on his vehicle, asked Mr. Flores.

Planning & Zoning:

Peter Joslin and Marty Illick, Planning Commission members, Frank Tenney, Zoning Board of Adjustment member, and Jeannine McCrumb, Town Planner/Zoning Administrator, reviewed a proposed FY15/16 budget versus a FY11-14 actuals history.

Ms. Russell asked Ms. McCrumb to clarify the FY11-14 actuals.

Mr. Joslin pointed out that estimated legal fees and building permit revenues were 'wild cards' in the estimated budget. Ms. McCrumb suggested that an applicant could be assessed a 'legal' fee during the application process. If the fee was not used it could be returned to the applicant, said Ms. McCrumb.

Ms. McCrumb said that she had been comparing Charlotte's fee schedule versus other towns. She did not feel many changes were warranted.

Mr. Krasnow suggested that staff look at average tax base subsidies and what those impacts were for towns. Mr. Tegatz suggested a Chittenden County study versus state wide.

Trails Committee:

Martha Russell, Trails Committee representative, reviewed a \$1,000 FY15/16 budget request. The State Park Road trail was the next project, reported Ms. Russell.

Charlotte Land Trust:

Kate Lampton, Charlotte Land Trust representative, reviewed a written projected project list report, and noted a correction on the report for a 74 acre project that committed \$60,000. The fund balance was \$523,000 currently, of which \$280,000 would pay for two applications coming up within 6 months, said Ms. Lampton.

Mr. Russell asked if the budget request was one-cent on the tax rate without those two projects that totaled \$280,000. Ms. Lampton replied yes.

The Selectboard thanked Ms. Lampton for her review.

There was discussion regarding a Conservation fund request for FY15/16 of \$5,500 versus \$7,500; and the Burns property MOA revisions that included preservation of a Clayplain Forest within the property. Ms. Lampton explained that preserving the Clayplain Forest would be a Vermont Land Trust (VLT) project with a cost of \$14,600. The Town Administrator said that the \$14,600 could be paid out of the Conservation allocation over time. In discussions with the VLT she had mentioned that the Town may have an issue with the estimated costs. That left an opening for the Town to negotiate with the VLT. The Town should talk with Bob Hiser to start with, suggested Ms. Lampton.

Conservation Commission:

Roel Boumans, Conservation Commission representative, reviewed a proposed FY15/16 budget of \$3,474, an allocation of \$300 for Green-up Day and \$50 for AVCC dues for a total budget of \$3,824.

Mr. Boumans explained that the commission would compile historic Town data and inventory items of high public value to build up a knowledge base. A Google storage space site cost of \$24 would be utilized to store the data on a shared drop box, said Mr. Boumans. Mr. Russell suggested coordinating a storage site with the Town IT person.

Lewis Creek Association:

Marty Illick, Lewis Creek Association representative, reviewed a \$600 contribution for FY15/16, which was the same as last year.

Ms. Illick narrated a power point presentation regarding an on-going Frogbit project at Town Farm Bay and a water quality project for LaPlatte River, McCabe's Brook, and the Thorp and Kimball watersheds.

Ms. Illick reported on the progress of an Invasive Plant project handout created by Bob Hyams. To date \$662 has been spent of the \$1,000 allocation to remove phragmites from the Town rights-of-way. It was expected the allocation would be spent by June. There was a request for \$1,000 for invasive plant management for FY15/16, said Ms. Illick.

Mr. Krasnow asked if there were funds in the budget to remove Wild Parsnip as a public safety issue. Ms. Illick explained that the Road Commissioner and crew cut Wild Parsnip on Town land. The plant on private land was a problem and notices should be posted on the Town website. A strategy was needed, stated Ms. Illick.

Recreation Commission:

No report.

Recreation Program:

Kristin Hartley, Recreation Director, reviewed Recreation program participation and FY14/15 revenue and expenses. A net loss of \$1,572 was noted.

THE NATURE CONSERVANCY – REQUEST FOR LETTER OF SUPPORT FOR APPLICATION TO INCLUDE THE TRAIL AT WILLIAMS WOODS NATURAL AREA IN THE VERMONT TRAILS SYSTEMS - Action item

Mr. Russell expressed concern regarding potential parking issues at the trail access.

MOTION by Mr. Russell, seconded by Ms. Russell, to approve a request by the Nature Conservancy for a Letter of Support for an application to include the trail at William Woods Natural area in the Vermont Trails Systems.

DISCUSSION:

Mr. Krasnow asked if the Nature Conservancy had any legal standing in the project, and was there a liability. Mr. Bloch explained that the agreement included protections for the land owner, which was the Nature Conservancy. A letter of support would not change the legal standing, said Mr. Bloch. Ms. Russell read Section 4.8 to clarify the matter.

VOTE: 5 ayes; motion carried.

**LIBRARY ROOF – CONTRACT AND DEPOSIT (\$2,500) FOR SPRING START -
Action item**

Mr. Bloch suggested tabling the item until the next Selectboard meeting to allow the Selectboard to review the contract.

**COUNTY CROSSING DRIVE – PROPOSED NAME FOR EXISTING ROAD
THAT ISN'T NAMED. Action item**

MOTION by Mr. Russell, seconded by Mr. Tegatz, to approve a proposed name for an existing road that isn't named as County Crossing Drive for the southern portion of the road leading into Ferrisburgh.

VOTE: 5 ayes; motion carried.

MINUTES: October 27, October 30, November 6

MOTION by Mr. Russell, seconded by Mr. Tegatz, to approve the October 27, 2014 Charlotte Selectboard minutes as written, with edits:

- **Page 1, line 47 – change to read “...a State Police semi-annual would be...”;**
- **Page 2 line 65 – insert the word “to” between “Krasnow” and “an”;**
- **Page 4, line 153 – insert the word “to” between “related” and “the”, and line 170 – insert to word “emergency” between “of” and “services”;**
- **Page 8, line 347 – replace the word “Reserve” with “Highway”.**

VOTE: 5 ayes; motion carried.

MOTION by Ms. Russell, seconded by Mr. Russell, to approve the October 30, 2014 Charlotte Selectboard minutes as written.

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

MOTION by Ms. Russell, seconded by Mr. Russell, to approve the November 6, 2014 Charlotte Selectboard minutes as written.

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

SELECTBOARD UPDATES

Mr. Krasnow reported on three quotes received for speed carts. He recommended accepting the Safe Pace quote of \$7,500, which had been approved at the September 22, 2014 meeting.

There was brief discussion that suggested seeking direction and recommendations for the Community Safety Committee and the Constable.

Mr. Morrison asked Mr. Krasnow to proceed with the purchase of the speed cart.

Mr. Russell reported that District 3 had met with CVFRS.

Ms. Russell reported that the CVFRS Corporate Board would meet on Monday, November 17, 2014.

APPROVE WARRANTS TO PAY BILLS

The Selectboard signed warrants to pay bills.

ADJOURNMENT

MOTION by Mr. Krasnow, seconded by Mr. Russell, to adjourn the meeting.

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 9:25 p.m.

Minutes respectfully submitted, Kathlyn L. Furr, Recording Secretary.