

1 **CHARLOTTE SELECTBOARD**
2 **TOWN HALL**
3 **MINUTES OF MEETING**
4 **SEPTEMBER 24, 2012**

5
6 **APPROVED**

7
8 **MEMBERS PRESENT:** Charles Russell, Chair; Winslow Ladue, John Owen. Absent:
9 Ed Stone, Dennis Delaney.

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

11 **OTHERS:** Bob Jimerson, Jenny Cole, Hugh Lewis Jr, Sue Smith, Kathy O'Brien,
12 Bonnie Christie, David Lewis, Stephen Brooks, Rebecca Foster, Mary Van Vleck, Pam
13 Titus, John Hammer, Charlotte News; Carol Casey, Charlotte Citizen, and others.

14
15 (NOTE: the agenda was heard out of order, but appears as warned for continuity.)
16

17 **5:00 PM: SITE VISIT: Roscoe Road to view proposed relocation of roadway away**
18 **from eroded area westerly of the Sequin covered bridge**

19
20 **6:00 PM: SITE VISIT: Scenic Overlook**

21
22 **6:45 PM: SITE VISIT: 2996 Greenbush Road to view a proposed curb cut for**
23 **relocated driveway**

24
25 **CALL TO ORDER**

26 Mr. Russell called the meeting to order at 7:00 p.m.
27

28 **ADJUSTMENTS TO AGENDA**

29 Added: Charlotte Solar update; Town Plan; Fire and Rescue Audit; and Capital Project
30 Plan.

31
32 **PUBLIC COMMENTS**

33 None.
34

35 **MINUTES: September 10**

36 **MOTION by Mr. Ladue, seconded by Mr. Owen, to approve the Charlotte**
37 **Selectboard minutes of 09/10/2012 as written, with additions/corrections.**

38 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**
39

40 **TOWN PLAN UPDATE - discussion**

41 Mr. Bloch explained that the Planning Commission would submit the current Town Plan
42 for adoption. The Selectboard would need to schedule two public hearings before
43 readopting the plan. The Planning Commission would forward a new Town Plan for
44 Selectboard consideration within one year, said Mr. Bloch.
45

46 **BONNIE CHRISTIE – REQUEST FOR A HIGHWAY ACCESS PERMIT AT 2996**
47 **GREENBUSH ROAD TO MOVE EXISTING DRIVEWAY – action item**
48 **MOTION** by Mr. Owen, seconded by Mr. Ladue, to approve a Highway Access
49 **Permit-12-05 to move an existing driveway as requested by Bonnie Christie, 2996**
50 **Greenbush Road.**

51 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

52

53 **OCTOBER SELECTBOARD MEETINGS - discussion**

54 The Selectboard October 22nd meeting was rescheduled to October 29th.

55

56 **KATHY O'BRIEN – PROPOSED OPEN SPACE AGREEMENT IN**

57 **ASSOCIATION WITH APPROVED SUBDIVISION – action item**

58 **MOTION** by Mr. Owen, seconded by Mr. Ladue, to approve an Open Space

59 **Agreement in association with the approved Kathy O'Brien subdivision.**

60 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

61

62 **DAVID LEWIS – PROPOSED OPEN SPACE AGREEMENT IN ASSOCIATION**

63 **WITH APPROVED SUBDIVISION AMENDMENT – action item**

64 **MOTION** by Mr. Ladue, seconded by Mr. Owen, to approve an Open Space

65 **Agreement in association with the approved David Lewis subdivision.**

66 **DISCUSSION:**

67 **Mr. Bloch explained a boundary adjustment approved by the Planning Commission**

68 **and an Open Space Agreement that was drafted Mr. Lewis' attorney. The**

69 **agreement included similar language as a 'boiler plate' agreement, said Mr. Bloch.**

70 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

71

72 **ROSCOE ROAD – action item**

73 **MOTION** by Mr. Owen, seconded by Mr. Ladue, to approve relocating the Roscoe

74 **Road roadway within the existing right-of-way in the vicinity of erosion, as depicted**

75 **in the VHB site plan dated 08/24/2012, and as suggested by the Charlotte Road**

76 **Commissioner and as discussed by the attendees at the 09/24/2012, 5:00 p.m. site**

77 **visit.**

78 **DISCUSSION:**

79 **Mr. Russell asked if the Town should hire a land surveyor to make sure the road**

80 **was relocated within the right-of-way. Mr. Lewis said that the Jimerson fence**

81 **needed to be moved as well.**

82

83 **Mr. Ladue said that one concept discussed was removing the existing roadbed and**

84 **using the material for a new roadbed. The grade of the new road should not be**

85 **raised above the floodplain level. The Rivers Program representatives suggested**

86 **that the old roadbed be lowered by 1'-2' to create a low area for flooding water to**

87 **dissipate in, which might improve water flooding down stream, said Mr. Ladue. Mr.**

88 **Lewis explained that the road crew would re-use the soils. The existing road bed**

89 **may need to be lowered by 3' and top soil brought in to plant the trees. A concern**

90 **was that the material might not be compacted by spring. There is not 2' of roadbed**

91 **material there now. He suggested taking the top soil from excavating the new**

92 roadbed and put it on the old site. He would leave it flat and go with the existing
93 land contours, said Mr. Lewis.

94

95 Mr. Jimerson explained that the flood water never came up over the road even
96 during Irene at that location. Water goes over the area at the jersey barriers. His
97 concern was that trees should be planted to help stabilize the river bank, said Mr.
98 Jimerson.

99

100 Ms. Christie said that "Complete Streets" legislation was passed in 2011 regarding
101 roadway planning. Accessibility that included non-motorized use was addressed in
102 that legislation. If other uses were not included in a plan, then a letter to the state
103 was required with an explanation of why not. Should the Town consider sending a
104 letter, asked Ms. Christie. Mr. Bloch explained that the legislation addressed new
105 roads versus repair/rehabilitation projects.

106

107 Mr. Bloch noted asked if the Selectboard would approve monuments for the right-
108 of-way. Mr. Russell suggested approving the proposed motion first.

109 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

110

111 Mr. Russell reviewed a quote of \$1,200 by Terry Harris to monument the edge of the
112 Town right-of-way. Mr. Lewis asked that the Town hire a surveyor to stake the edge of
113 the Town right-of-way.

114

115 Mr. Bloch handed out an e-mail from Terry Harris, Licensed Land Surveyor, dated
116 09/10/2012, regarding a calculated cost to survey and monument the edge of the Town
117 right-of-way for Roscoe Road for Board review.

118

119 **MOTION by Mr. Owen, seconded by Mr. Ladue, to spend an amount not to exceed**
120 **\$1,200 to perpetuate the location of the right-of-way limit of Roscoe Road opposite**
121 **the proposed areas of repair and altered traveled way shown on the VHB plan via**
122 **establishing and surveying 6 monuments, and to spend an amount not to exceed**
123 **\$800 to move the Jimerson fence as presented, funding coming from the Charlotte**
124 **Highway budget.**

125 **VOTE: 3 ayes, 2 absent; motion carried.**

126

127 **SCENIC OVERLOOK – discussion**

128 Mr. Russell reviewed that a site visit was conducted this date.

129

130 Ms. Cole handed out photographs of the Bates property from 1960 and 2008 for Board
131 review.

132

133 There was discussion regarding the boundary line of the Park and Bates lots, possible
134 value of the Bates lot, and the possibility of securing an easement to cut trees on the lot.
135 Mr. Ladue suggested hiring a person that could create a 'conceptual' view if trees were
136 cut at the Overlook and Bates lot.

137

138 Mr. Brooks suggested that the Town send a letter to the Bates family regarding a possible
139 purchase of the lot and at what price. Then there would be more specificity to present to
140 the voters if the Town should purchase the lot, said Mr. Brooks. Ms. Russell spoke in
141 favor of a tree cutting easement from the landowner.

142
143 Mr. Ladue suggested that next steps might include a management plan for restoring the
144 landscape, and contacting Jim Donovan regarding an assessment of the possible view
145 scape if trees were cut. Mr. Russell suggested creating a list of priorities and budget
146 needs as discussed at the site visit.

147
148 Ms. Cole said she would contact Jim Donovan, and explore possible firms/people that
149 could render a conceptual view.

150
151 There was brief discussion regarding removal of an existing electrical fence on park land
152 as agreed by Robert Mack. Mr. Russell suggested sending a letter to Robert Mack to
153 remove the fence.

154
155 **MOTION by Mr. Owen, seconded by Mr. Ladue, that a letter should be written to**
156 **Robert Mack to remove a fence from Demeter Park by 09/27, 2012.**

157 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

158
159 Mr. Ladue asked that the Park Oversight Committee include thinning and/or removing
160 portions the hedgerows and tree cutting, including a stand of Poplar trees to the north,
161 that were discussed during the site visit to the Park Management Plan.

162
163 The Selectboard thanked Ms. Cole and Ms. Smith for their work at the park.

164
165 **TOWN HALL REPAIRS – discussion**

166 Ms. Smith reviewed proposed work on the Town Hall landscaping that included a
167 suggestion to remove bark mulch from around the foundation and replace the mulch with
168 gravel, removing a burning bush, installing foam insulation around the slab foundation
169 edge, and consulting with Dick St George regarding drainage.

170
171 Mr. Ladue asked for an update on a proposal to move the monument. Ms. Smith replied
172 that it may be moved near the flag pole.

173
174 Mr. Brooks suggested ditching below the existing slab and installing perc pipe and stone
175 to move moisture away from the slab.

176
177 **CO-HOUSING TRAIL - action item**

178 **MOTION by Mr. Ladue, seconded by Mr. Owen, to accept a Grant of a Recreation**
179 **Trail Easement Deed, dated, 07/21/2005, from the Champlain Valley Co-Housing**
180 **Development Company, LLC.**

181 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

182

183 Mr. Russell briefly reviewed a proposal for constructing the northernmost section of the
184 Co-Housing trail, and a Trails Committee memo that recommended accepting a bid for
185 constructing a trail by Wayne Preston.

186
187 Mr. Bloch said that the trail design indicated both a 2-3" increase of path elevation, or on
188 grade depending on conditions. There were concerns regarding unintentional water
189 damming if the path grade was elevated, said Mr. Bloch.

190
191 Mr. Brooks suggested asking the Road Commissioner to review the path specifications
192 and particular segments with the contractor.

193
194 There was discussion regarding possible uses of the trail that might include pedestrians,
195 bikes and horses. Ms. Van Vleck expressed concern that horses would have an adverse
196 impact on the path surface. Mr. Bloch said that the trail has not been built yet. As the plan
197 develops there would be a discussion on uses, said Mr. Bloch.

198
199 Mr. Bloch pointed out that the timing for construction was a concern. The Preston
200 proposal was for a 6' wide path versus a bid for a path 5' wide, said Mr. Bloch.

201
202 There was further discussion regarding a proposed depth of a path, the use of fabric to
203 line the path sides and bottom, water and drainage issues, and the wet meadow and forest
204 conditions.

205
206 The Selectboard deferred approval of a proposal for construction of the northernmost
207 section until Wednesday, 09/26/2012, at 5:00 p.m.

208
209 **REBECCA FOSTER – INTERVIEW FOR ENERGY COMMITTEE**

210 The Selectboard interviewed Rebecca Foster for a vacancy on the Energy Committee.

211
212 **MOTION by Mr. Ladue, seconded by Mr. Owen, to appoint Rebecca Foster to a**
213 **vacancy on the Energy Committee for a two-year term ending in April, 2014.**

214 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

215
216 **BRIDGES 30 AND 31 – discussion**

217 Mr. Ladue noted that Bridge #14 on Spear Street was added to the project list. Would a
218 study be needed regarding the condition of the #14 bridge, asked Mr. Ladue.

219
220 Mr. Ladue read a written study report that included parameters and condition notes of the
221 bridges. Mr. Bloch asked if the Selectboard wanted to delay action on the #14 bridge
222 until it needed repair. The proposal was in the conceptual design mode. There was a
223 concern that the Town would lose the grant if the project(s) weren't moved into the
224 design phase, said Mr. Bloch.

225
226 Mr. Brooks suggested a discussion regarding covered bridges to enhance the experience
227 as people traveled down the road. There were existing concept drawings for the Dorset
228 and Carpenter Road bridges. Charlotte had three existing historical covered bridges and it

229 would be great to have five in Town. The federal government recently published a
230 "Manual of Covered Bridges". Could the grant be extended to consider covered bridges,
231 asked Mr. Brooks.

232

233 Mr. Lewis expressed concern that whatever was done must be able to carry weight, be
234 high and wide enough for tractor trailers, and should be two-way travel. The sharp
235 approach angles of the existing Carpenter Road bridge would need to be changed if a
236 cover was added. He would not recommend a wooden travel surface, said Mr. Lewis.

237

238 Mr. Russell asked staff to contact AOT to see if the grant design could be changed to
239 include a cover, or re-designed to accept a cover later.

240

241 **PRELIMINARY DISCUSSION OF SELECTBOARD BUDGET - discussion**

242 Discussion was deferred to the Wednesday, 09/26/2012 meeting.

243

244 **SELECTBOARD UPDATES**

245 **Charlotte Solar LLC update**

246 Mr. Russell explained that the Town Attorney asked if the Town would like him to make
247 an appearance before the Public Service Board on behalf of the Town regarding the
248 Charlotte Solar decision. Mr. Bloch said that the PSB would hear additional arguments
249 on 10/03/2012.

250

251 Mr. Ladue pointed out that the Town had signed a negotiated agreement that precluded
252 further Town comments. He did not want to spend Town funds, said Mr. Ladue.

253

254 The Selectboard decided not to have the Town Attorney appear at the PSB hearing.

255

256 **Charlotte Volunteer Fire and Rescue Service audit update**

257 Mr. Russell reviewed a letter received from Batchelder Associates regarding additional
258 information required in order to complete an audit of the CVFRS books. Mr. Russell
259 would contact the CVFRS regarding the Special Funds accounts and invite the Fire and
260 Rescue to the Wednesday, 09/26/2012 meeting.

261

262 **Capital Projects Plan update**

263 Mr. Ladue reviewed a proposed Capital Project Plan spread sheet that would allow Town
264 departments to list capital items, useful life, costs, replacement schedules, and a
265 calculated per year set-aside amount schedule for a capital item purchase that took
266 inflation rates and variable interest terms into account. Mr. Ladue explained existing state
267 statute language to establish a reserve fund to save money for capital budget projects.

268

269 **Cemetery Fund**

270 Following a brief discussion, Mr. Ladue suggested that Mr. Brooks deposit the \$100 that
271 NPR paid to Mr. Brooks into the Cemetery fund.

272

273 **APPROVE WARRANTS TO PAY BILLS**

274 The Selectboard members signed bills and warrants.

275

276 **ADJOURNMENT**

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

278 **VOTE: 3 ayes, 2 absent (Mr. Stone, Mr. Delaney); motion carried.**

279

280 The meeting was adjourned at 9:37 p.m.

281

282 Respectfully submitted, Kathlyn Furr, Recording Secretary

283

284 *These minutes are subject to correction by the Charlotte Selectboard. Changes, if any, will be recorded in the*
285 *approved minutes at the next meeting of the Board.*

286