

## **Town Administrator's Report on Agenda Items For Selectboard Meeting on 3/7/16**

### **Selectboard Organization**

Statute (Title 24 §871) indicates that the Selectboard shall organize and elect a chair following Town Meeting. There are other requirements, as indicated in the attached statute. The Vermont League of Cities and Towns (VLCT) recommends that the Selectboard set a regular meeting schedule, adopt rules of procedure, designate locations for posting meeting notices, select the newspaper of record for public notices, and authorize a designated Selectboard member to sign orders on behalf of the town.

With regard to designating locations for posting meeting notices, the locations that have been designated for several years are Town Hall, Spears Corner Store and the Old Brick Store. However, during the past year the access to the notices at the Old Brick Store has been problematic; a possible alternative would be to designate the Post Office.

With regard to selecting a newspaper of record for publishing notices, last year the Selectboard designated the Charlotte News as the newspaper of record to warn Annual Town Meetings and Special Town Meetings, and the Charlotte News and the Charlotte Citizen as the news papers of record for warning of public notices and other legal classifieds. Previously the newspaper of record had been Seven Days, and many years ago it was the Burlington Free Press. The reasons for the changes were the lower expense, and also the use of local newspapers. However, a problem with designating a weekly newspaper is that, while statute requires notices to be published 15 days prior to hearings for applications to the Planning Commission and Zoning Board), if the newspaper is published once a week, the period between the submission of an application and the hearing may be closer to three to four weeks, including lead time for submission to the newspaper. A possible alternative would be to allow applicants to pay for publishing notices in the Burlington Free Press if desired.

With regard to designating a Selectboard member to sign orders—the Selectboard has done this previously for payroll warrants, but not for other warrants. However, VLCT indicates that the practice of signing warrants outside of meetings is not proper because, unless one or more members are designated to sign warrants, the action of approving payments must be a board decision, and individual board members are not able to take action outside of a meeting.

### **Minutes**

The minutes of Town Meeting are supposed to be approved within seven days of the meeting by any two of the following town officers present at the meeting: moderator, selectboard members, and justices of the peace (Title 24 §1152).

### **Senior Center Volunteer Coordinator**

The hiring committee of the Senior Center Board of Trustees has interviewed several candidates, and has identified a preferred candidate. A draft offer of employment, wage-rate calculation, and background information is included in the packet.

### **Zoning Administrator/Sewage Control Officer/Deputy Health Officer**

An interviewing committee composed of four members of the Selectboard and two members of the Planning Commission interviewed several candidates, and identified a preferred candidate. The Planning Commission will be considering the nomination of this candidate on Thursday March 3<sup>rd</sup>, as required by statute (Title 24 §4448). A draft offer of employment, wage-rate calculation, and background information is included in the packet.

### **Goals, priorities, workplan, and board member assignments**

A draft workplan is included in the packet, and includes recurring tasks and potential additional items.

### **Selectboard liaisons to committees/commissions/boards**

The list of Selectboard liaison assignments from 2015 is included in the packet. You may keep or change the assignments.

### **Edgewater Center, LLC**

The application for the "Event Facility" at the old Varney barn was approved by the Zoning Board. A neighbor has appealed. The question at this time is whether the Selectboard wants the Town's attorney to enter an appearance in the docket to represent the town?

### **Kessler Certificate of Occupancy**

This appeal stemmed from the denial of a Certificate of Occupancy for the creation of a two-family dwelling in the building that previously housed Affectionately Cats. The applicant had felt that the previous Zoning Administrator indicated a zoning permit wasn't needed. The current Zoning Administrator would not issue a Certificate of Occupancy without a zoning permit. The applicant appealed to the Zoning Board, which upheld the Zoning Administrator's denial. The applicant then appealed to the Environmental Division of Superior Court. Then, because the Planning Commission was considering an amendment to the Land Use Regulations that would have allowed two-family dwellings as an adaptive re-use within historic districts/structures, the applicant and the Town asked the court to put the appeal on hold while the Town considered this amendment. The Selectboard decided to not put the amendment to voters, at least at this Town Meeting—so the applicant/appellant has "re-activated" the appeal.

The question at this time is how the Selectboard wants to proceed. If the Selectboard thinks the amendment that was previously proposed by the Planning Commission, or a similar one, will be put in front of voters in the coming year, it could be appropriate to ask the court to again put the appeal on hold. Alternatively, the Selectboard could mediate some other resolution, or fight the appeal in court.