

1 **CHARLOTTE SELECTBOARD MEETING**
2 **Monday, February 10, 2025**
3 **Charlotte Town Hall 159 Ferry Road and via teleconference**
4 **DRAFT**

5 *Draft minutes are subject to correction by the Charlotte Selectboard.*
6

7 **SELECTBOARD MEMBERS:** *In person:* James Faulkner, Chair; Frank Tenney, Vice Chair;
8 Lewis Mudge, (remote and in person); Natalie Kanner; Kelly Devine
9

10 **ADMINISTRATION:** Nathaniel Bareham Town Administrator
11

12 **OTHERS:**

13
14 **In person:** Charles Russell, Scooter MacMillan
15
16

17 **Remote:** Hugh Lewis Jr., Lee Krohn, Nancy Faulkner, Paul Plante, Rep. Chea Waters Evans,
18 Ruth Uphold, Adam Dantzschler, Alexa Lewis
19

20 **AGENDA ITEMS:**
21

- 22 6:30 PM Approval of Consent Agenda a. Meeting Minutes for Jan. 6, 2025, and Jan. 23,
23 2025.
24 6:35 PM Adjustments to the Agenda
25 6:36 PM Liquor Control Board: a. Application 41513 – 2nd Class Liquor License Renewal
26 – Crust & Cork LLC
27 6:40 PM Approval of Warrants to Pay Bills
28 6:45 PM Selectboard & Town Administrator’s Updates
29 a. Update on FHWA Emergency Relief Program grant funds
30 b. Update on Spear Street repairs
31 c. Update on Selectboard meeting agendas
32 d. Update on committee/commission application form
33 6:50 PM Public Comment
34 6:55 PM Discussion, and possible action, on adopting a Code of Ethics Investigation and
35 Enforcement Ordinance
36 7:10 PM Discussion, and possible action, on appointing a designated complaint recipient
37 for Municipal Ethics Complaints
38 7:15 PM Discussion, and possible action, on amending the Town’s list preferred vendors
39 per Section V of the Town’s purchasing policy. To include:
40 a. Adam Dantzschler for Brush-hogging and Cemetery Maintenance services.
41 b. Fortin’s Lawncare for Mowing services.
42 7:25 PM Possible discussion, and action, on Requests for Proposals for:
43 a. Mowing
44 b. Brush-hogging
45 c. Cemetery Maintenance

46 7:35 PM Discussion, and possible action, on the Assistant Town Administrator job
47 description
48 7:50 PM Discussion, and possible action, on a letter of support for CCRPC's FY26 Unified
49 Program Work Project
50 8:00 PM Discussion, and possible action, on an Open Space Agreement between the Town
51 of Charlotte, and William and Louise Gregorek
52 8:15 PM Adjournment
53
54

55 **Call to Order**

56 James Faulkner called the meeting to order at 6:33 p.m.
57

58 **Approval of Consent Agenda a. Meeting Minutes for Jan. 6, 2025, and Jan. 23, 2025.**

59
60 **MOTION by Kelly Devine, seconded by Natalie Kanner, to approve the consent agenda**
61 **and take the action contained there in for February 10th, 2025. VOTE: 5 ayes, 0 nays;**
62 **Motion Carried.**
63

64 **Adjustments to the Agenda**

65 James Faulkner stated that the agenda item, Discussion, and possible action, on a letter of
66 support for CCRPC's FY26 Unified Program Work Project, will be removed from tonight's
67 agenda due to needing more information.

68 Nathaniel Bareham stated that he is following up with CCRPC on a few questions and the
69 deadline for this is at the end of March.
70

71 **Liquor Control Board: a. Application 41513 – 2nd Class Liquor License Renewal – Crust** 72 **& Cork LLC**

73
74 **MOTION by Frank Tenney, seconded by Natalie Kanner, to recess as the Selectboard and**
75 **convene as the Liquor Control Board. VOTE: 5 ayes, 0 nays; Motion Carried.**
76

77 **MOTION by Natalie Kanner, seconded by Kelly Devine, to approve DLL Application**
78 **41513 for the renewal of a 2nd Class Liquor License for Crust and Cork LLC for the**
79 **period ending April 30, 2026. VOTE: 5 ayes, 0 nays; Motion Carried.**
80

81 **MOTION by Frank Tenney, seconded by Natalie Kanner, to adjourn as the Liquor**
82 **Control Board and reconvene as the Selectboard. VOTE: 5 ayes, 0 nays; Motion Carried.**
83

84 **Approval of Warrants to Pay Bills**

85 Warrants were signed.
86

87 **Selectboard & Town Administrator's Updates**

88 **a. Update on FHWA Emergency Relief Program grant funds**

89 Nathaniel Bareham stated that as a reminder the town of Charlotte is using the Federal Highway
90 Administration Emergency Relief Program grant funding to cover the costs of repairs to Spear
91 Street. This is grant funding that will cover 100% of the cost of repairs up until April 7, 2025.

92 This update it to formally state that the grant agreement has been signed and the town has started
93 submitting requisitions to the Federal Highway through VTrans for reimbursement of funds that
94 have already been submitted and paid for by the town. He went on to state that there will be
95 some updates coming and those change orders will need to be updated in the later grant
96 agreement.

97

98 **b. Update on Spear Street repairs**

99 Nathaniel Bareham stated that the slope stabilization by Dirt Tech is almost fully completed.
100 The culverts and the concrete wing walls have been installed and the next step will be to backfill
101 the site and then paving will be needed. He went on to state that typically, plants will not open
102 for paving until later in the spring, so there may be some costs to the town associated with
103 repaving that section. The backfill portion of the work will take some time and is weather
104 dependent.

105 James Faulkner stated that they are two to three weeks ahead of schedule, which is great. The
106 plan is to have the road back open by April 1st which can be done without the completion of the
107 paving as long as the guardrails are in place.

108

109 **c. Update on Selectboard meeting agendas**

110 James Faulkner stated that the Selectboard has been doing well with consolidating the meeting
111 agendas and has gotten a lot of policies and procedures corrected. A lot of the thanks goes out to
112 Nathaniel Bareham for this work. It should be known that there is a lot of work going on outside
113 of the meetings to make these agendas smaller and more concise.

114

115 **d. Update on committee/commission application form**

116 Nathaniel Bareham stated that it's around this time that the town usually puts out it's broad
117 notification for terms that are set to expire on April 30, 2025. Natalie Kanner put together an
118 application which was then reviewed and edited by Nathaniel Bareham. The Selectboard is
119 welcome to provide any edits but the goal is to have this finalized in the next two weeks so that
120 the notification of vacancy can be put out and the applicants can have a form to streamline the
121 process.

122

123 **Public Comment**

124 Rep Chea Waters Evans stated that she has heard from many people regarding a hay wagon on
125 Route 7 with an advertisement on it that some feel is a billboard. As a state representative it's
126 something she wanted to comment on, on behalf of her constituents. This might be something
127 that the Selectboard wants to put on a near future agenda.

128 Natalie Kanner stated that she read an article on this topic in Front Porch Forum.

129 Frank Tenney stated that this was reported on, on the local news. There is one on 116 in
130 Hinesburg as well. It's believed that there are six of them in VT and six of them in NY. The
131 state was in the process of deciding if it would be a \$50 fine and they would need to be removed
132 or not. The owner of the business feels there is no violation and he didn't get a call back from
133 the state. He went on to state that it's unclear if this is a subject that the Selectboard has any
134 control over.

135 Kelly Devine stated that it all depends if the town has any sign specific regulation in the town
136 ordinance otherwise the Selectboard has to follow the state laws.

137 Frank Tenney stated that this can be brought to the ZA to decide if it's in violation of one of the

138 town's regulations.
139 All concurred that this would be a good first step on the matter.

140

141 **Discussion, and possible action, on adopting a Code of Ethics Investigation and**
142 **Enforcement Ordinance**

143 Nathaniel Bareham stated that this is all outlined in detail within the Staff Report document in
144 tonight's meeting packet. In short, Act 171, which created the Ethics Commission also had
145 requirements that the municipalities were to follow. One of those requirements is that the town
146 should adopt a complaint investigation ordinance policy. He went on to state that it was
147 recommended by VLCT that an ordinance be adopted so he worked with town staff and with
148 VLCT staff to put together a draft ordinance. In addition to this, if the Selectboard decides to
149 accept this ordinance they would also need to provide proper notice per state statute. There is a
150 draft notice of ordinance included in tonight's packet as well.

151

152 **Discussion, and possible action, on appointing a designated complaint recipient for**
153 **Municipal Ethics Complaints**

154 Nathaniel Bareham stated that the town would be required to appoint a designated official to
155 receive complaints and that official would be in charge of determining whether or not the
156 complaints are in fact a violation of the Vermont ethics law. The ordinance also requires an
157 alternate in case the point of contact is in fact the person that the complaint is against. He went
158 on to state that this draft ordinance was drafted from a template provided by VLCT and with
159 much input from town employees, specifically Mary Mead and Margaret Woodruff since they
160 oversee other staff in the town that this might have an impact on. Once this was done he reached
161 out to VLCT in order to have a couple clarifying questions answered regarding who should be
162 included in this. Nathaniel Bareham stated that the ordinance specifies that there are specific,
163 officers to complete this ethics training before September 30, 2025. He feels that it is
164 appropriate to share this required training after the next round of appointments for town officials.
165 Any member of a non-advisory public body, essentially anyone that has a budget line item on
166 behalf of the town would be required to take this training. He went on to state that the town
167 doesn't have to fund the training, the state and the Municipal Ethics Commission has made this
168 training available online and it is completely free. The process to complete it is straight forward.
169 It's about a 45 minute long video and there is a short knowledge assessment at the end. There is
170 a small section where they can input an email address for confirmation by the appropriate
171 municipal official that they have completed the training. Nathaniel Bareham stated that an
172 example of a member of a quasi-judicial body of a municipality would be the members of the
173 DRB.

174 Frank Tenney stated that the Selectboard is also an example of a member of a quasi-judicial body
175 of a municipality at times such as when they are doing a road cut.

176 Kelly Devine stated that this would likely include when the Selectboard acts as the Liquor
177 Control Board or the Cannabis Control Board as well.

178 Frank Tenney concurred.

179 Kelly Devine stated that she has concerns about warning this at this time since there is already a
180 lot going on in the town.

181 Nathaniel Bareham stated that there is no timeline on this but he feels since it's relatively straight
182 forward getting this done would be good so that the town is compliant with state statute.

183 The Investigation ordinance would become effective sixty days after adoption. Realistically

184 since the training requirement is September 30, 2025, it would need to be done sixty days ahead
185 of that deadline for those bodies to meet that requirement.

186 Charles Russell stated that it would seem that it would be wise to include a full specific list of
187 those that are included in needing to complete this training. It would eliminate the need for
188 anyone to ask the definition of non-advisory public officers. It's also important to have the
189 Municipal Code of Ethics available at the same time for a frame of reference.

190 Nathaniel Bareham stated that the ordinance sets forth some very broad requirements but any
191 committee or commission can set higher standards.

192 Kelly Devine stated that it would be important to share this with the different committees and
193 commission to get their feedback on it as well and to let them know this is approaching.

194 Nathaniel Bareham stated that he is happy to do that.

195 James Faulkner stated that it would make sense to put it on the agenda for the middle of March
196 to allow for the Town Meeting to be completed and to allow for the committees and
197 commissions to have some input on it.

198 Discussion was had regarding what to include under the list of, "Municipal Officer" or "Officer"
199 in the ordinance to have a bit more clarity.

200 Nathaniel Bareham stated that he is nearly done with the Committee & Commission Handbook
201 and the definition of the advisory bodies could be included within this handbook and this defined
202 list location could be referenced in the ordinance to make it a bit cleaner.

203 Kelly Devine concurred.

204 Discussion was had regarding when to make the decision of who will be appointed as the
205 designated official to receive complaints and who would serve as the alternate role.

206 All concurred that waiting until after the election was logical.

207 Nathaniel Bareham stated that typically the designated official to receive complaints is the Chair
208 of the Selectboard and the alternate is another member of the Selectboard.

209

210 **Discussion, and possible action, on amending the Town's list preferred vendors per Section**
211 **V of the Town's purchasing policy.**

212 **a. Adam Dantscher for Brush-hogging and Cemetery Maintenance services.**

213 **b. Fortin's Lawncare for Mowing services.**

214 James Faulkner stated that these contracts are annual contracts. The equipment for this work
215 costs a lot of money. There aren't all that many vendors to do this work. It would make sense to
216 extend their contracts and or make them preferred vendors.

217 Kelly Devine stated that as she has mentioned before there is work to be done on the town's
218 purchasing policy. These smaller contracts should be able to be handled by the Town
219 Administrator, Nathaniel Bareham.

220 Nathaniel Bareham stated that he concurred that the purchasing policy needs some adjustments.
221 In particular the spending cap that requires that the project goes out for bid is low and outdated.

222 The two emergency meetings that come to mind were for the pump station and the Holmes
223 Covered Bridge of which both were just over the \$5,000 cap. It would also make sense to look
224 at the definition of the purchasing agent. It would be useful to look at the purchasing policy to
225 streamline the process. He went on to state that assigning the title of preferred vendor to a
226 contractor would eliminate the need to go out for bid but at any time the Selectboard could
227 go out for bid since having a preferred vendor doesn't take away the ability to do so.

228 James Faulkner stated that these contractors do quality work and it makes sense to hold on to
229 them.

230 Lewis Mudge stated that it is appropriate to highlight the wonderful work that these two
231 contractors do by making them preferred vendors this evening. He is in favor of continuing to go
232 out for bid for the town mowing since the town usually receives multiple bids and the contract is
233 \$30,000 which is a lot of money for the town. As for the brush-hogging going out for bid, it may
234 not be necessary since to his knowledge there hasn't been another bidder for the work.
235

236 **MOTION by Kelly Devine, seconded by Natalie Kanner, to add Adam Dantzcher to the**
237 **Town of Charlotte's list of preferred vendors, pursuant to Section V of the Town of**
238 **Charlotte's Purchasing Policy, for the following reasons; historically his performance has**
239 **been excellent, he's very reliable and responsive to extra service requests and he has an**
240 **extensive knowledge of the town's needs. VOTE: 5 ayes, 0 nays; Motion Carried.**
241

242 Lewis Mudge arrived at the meeting in person.
243

244 **MOTION by Kelly Devine, seconded by Natalie Kanner, to add Fortin's Lawncare to the**
245 **Town of Charlotte's list of preferred vendors, pursuant to Section V of the Town of**
246 **Charlotte's Purchasing Policy, for the following reasons; historically his performance has**
247 **been excellent, he's very reliable and responsive to extra service requests and he has an**
248 **extensive knowledge of the town's needs. VOTE: 5 ayes, 0 nays; Motion Carried.**
249

250 **Possible discussion, and action, on Requests for Proposals for Mowing, Brush-hogging, and**
251 **Cemetery Maintenance**

252 Nathaniel Bareham will speak with Adam Dantzcher about the Brush-hogging
253 Cemetery Maintenance contracts and he will bring the proposed contracts back to the
254 Selectboard to review.

255 James Faulkner stated that the main reason to still go out for bid for the town mowing contract is
256 due to the expense of the contract being \$30,000.

257 Charles Russell stated that he understands there have been some past contractors that didn't
258 complete satisfactory work but there has also been lower bids in the past by young contractors
259 that resulted in good work. Putting it out for bid allows for an opportunity to see what else is out
260 there for this service. He went on to state that extending the contract beyond one year was
261 mentioned earlier this evening and this isn't something that can be done.

262 Nathaniel Bareham stated that he will look into this topic further but having multiple year
263 contracts for land maintenance is something that other municipalities do have.

264 Nathaniel Bareham stated that it's the preference of Adam Dantzcher and Brian Fortin that these
265 jobs go out for bid and or the contracts get signed earlier than what has historically been done,
266 which is March/April so that they have time to do the necessary planning and staffing to
267 complete the work for the town.

268 All concurred.

269 Discussion was had regarding a potential clause to extend the term of the contract.

270 Nathaniel Bareham stated that due to the fact that the contract expired on December 31, 2024, it
271 can't be extended. If the Selectboard wishes to extend the contract next year without going out
272 for bid it could do so but it would need to be done before the contract expires. At this time the
273 Selectboard could decide to go out for bid and could make a future decision on making it a one
274 to two year contract depending on what additional information comes in at that time.

275 Discussion was had regarding pushing the end date of the contract out to the end of March.

276 Adam Dantzschler stated that he has a three year contract with the town of St George for roadside
277 mowing with an annual review to provide clarity if there might be additional work or not. This
278 was done to keep the vendors that the town has and likes.

279 Scooter MacMillan stated that he is unclear as to how there is a possibility of a multiyear
280 contract when as Charles Russell stated earlier it would bind future Selectboards to a decision
281 made by past Selectboards.

282 All concurred that this is still to be looked into and if it's decided to be a multiyear contract there
283 will need to be a clause.

284

285 **MOTION by Kelly Devine, seconded by Lewis Mudge, to approve the request for proposal**
286 **for mowing and land maintenance, dated February 10, 2025, as presented. VOTE: 5 ayes,**
287 **0 nays; Motion Carried.**

288

289 Nathaniel Bareham stated that he went back and looked at the town's history of bids for both the
290 brush-hogging and for the cemetery maintenance contracts and Adam Dantzschler has been the
291 only bid received since 2017.

292 Nathaniel Bareham stated that he is now realizing that the motion that was made to make Adam
293 Dantzschler a preferred vendor would be much clearer if the services were listed of brush-
294 hogging and cemetery maintenance.

295

296 **MOTION by Kelly Devine, seconded by Natalie Kanner, to reconsider the motion on**
297 **preferred vendor, Adam Dantzschler. VOTE: 5 ayes, 0 nays; Motion Carried.**

298

299 **MOTION by Kelly Devine, seconded by Natalie Kanner, to add Adam Dantzschler to the**
300 **Town of Charlotte's list of preferred vendors for the service of brush-hogging and**
301 **cemetery maintenance, pursuant to Section V of the Town of Charlotte's Purchasing**
302 **Policy, for the following reasons; historically his performance has been excellent, he's very**
303 **reliable and responsive to extra service requests and he has an extensive knowledge of the**
304 **town's needs. VOTE: 5 ayes, 0 nays; Motion Carried.**

305

306 **MOTION by Kelly Devine, seconded by Lewis Mudge, to reconsider the motion on**
307 **preferred vendor, Fortin's Lawncare. VOTE: 5 ayes, 0 nays; Motion Carried.**

308

309 **MOTION by Kelly Devine, seconded by Natalie Kanner, to add Fortin's Lawncare to the**
310 **Town of Charlotte's list of preferred vendors for the services of town lands mowing,**
311 **pursuant to Section V of the Town of Charlotte's Purchasing Policy, for the following**
312 **reasons; historically his performance has been excellent, he's very reliable and responsive**
313 **to extra service requests and he has excellent knowledge of the town's needs. VOTE: 5**
314 **ayes, 0 nays; Motion Carried.**

315

316 James Faulkner stated that two years ago the town didn't have these maps that clarify the areas
317 of need for mowing and brush-hogging. This is something that Nathaniel Bareham put together
318 and this is another area of improvement since Nathaniel Bareham became the TA. He expressed
319 his sincere gratitude.

320

321 **Discussion, and possible action, on the Assistant Town Administrator job description**

322 James Faulkner stated that the Assistant Town Administrator job description was created by
323 Frank Tenney and Natalie Kanner and he is in favor of getting this position filled to assist
324 Nathaniel Bareham with his large workload.

325 Frank Tenney stated that he's still trying to decipher if there is any duplication with the job
326 description with other positions in the town.

327 Kelly Devine asked why there are two versions of the Assistant Town Administrator job
328 description.

329 Natalie Kanner stated that the short job description is completely new made of job details that
330 she and Frank Tenney got feedback from commissioners on and the longer one is a combination
331 of the details from the Town Planner job description along with everything that was suggested
332 from the commissioners and all that Frank Tenney felt should be included. She went on to state
333 that the job description as it's defined will be mostly exempt from being a union eligible position
334 since this job description includes stepping in as acting Town Administrator when necessary.

335 Discussion was had regarding this position and how to move forward and it was discovered that
336 an executive session would need to take place to have all the questions that arose discussed.

337 Since it wasn't warned these particular questions couldn't be answered this evening.

338 James Faulkner stated that this will go on the next Selectboard meeting agenda.

339 Frank Tenney and Natalie Kanner stated that they will work together to review current job
340 descriptions to make sure there is no repetition of duties.

341 Frank Tenney stated that the Zoning Administrator, Planning and Zoning Assistant and the Town
342 Planner job descriptions will be looked at.

343 James Faulkner stated that the number one concern of his is getting some assistance for the Town
344 Administrator.

345

346 **Discussion, and possible action, on an Open Space Agreement between the Town of**
347 **Charlotte, and William and Louise Gregorek**

348 Nathaniel Bareham stated that this open space agreement is being done in conjunction with a two
349 lot subdivision that was before the DRB last year. At this time the town attorney and the
350 applicants attorney have both reviewed it. The applicant is okay with the terms of the agreement.
351 He has had the chance to look over the terms of the agreement with David Rhue and he has no
352 issues with it so at this time it is up to the Selectboard to review and approve if they're so
353 inclined.

354

355 **MOTION by Kelly Devine, seconded by Natalie Kanner, to approve the Open Space**
356 **Agreement between the Town of Charlotte, and William and Louise Gregorek, for the**
357 **property located at 351 Swamp Street, as presented. VOTE: 5 ayes, 0 nays; Motion**
358 **Carried.**

359

360 **Adjournment**

361

362 **MOTION by Kelly Devine, seconded by Lewis Mudge, to adjourn. VOTE: 5 ayes, 0**
363 **nays; Motion Carried.**

364

365 The meeting was adjourned at 8:02 p.m.

366

367 Minutes respectfully submitted by Brooke Milo, Minute Taker.

368 Edits by Nathaniel Bareham.

DRAFT