

CHARLOTTE SELECTBOARD MEETING
Monday, April 11, 2022
Charlotte Town Hall 159 Ferry Road and via teleconference
APPROVED

SELECTBOARD MEMBERS: *In person:* James Faulkner, Chair, Frank Tenney, Vice Chair, Lewis Mudge, (arrived at 7:20pm), Louise McCarren
Remote: Matthew Krasnow

ADMINISTRATION: Dean Bloch, Town Administrator (*in person*)

OTHERS:

In person: Mike Russell, Robin Jeffers, Bill Stuono, Linda Radimer, Eli Lesser-Goldsmith, Matthew Jennings, Judy Laberge, Charles Russell
Remote: Jason Barnard, Gregory Cluff, Alex Bunten, Carrie Spear, Corey McDonald, Jill Spell, Paul Plante. Peter Joslin, Scooter MacMillan, Sharon Mount, Mike Dunbar, Avisia Tuiqere, Mike Walker, Alexa Lewis, Junior Lewis, (by phone),

AGENDA ITEMS:

- 6:30 PM Adjustments to the agenda
6:31 PM Approve warrants to pay bills
6:35 PM Committee requests for unbudgeted expenditures (time allotted if needed)
6:36 PM Minutes: March 14, March 28, April 4, 2022
6:40 PM Pay-rate for Minutes-taker
6:45 PM Nordic 3.0—request to have a food truck at weekly market on Thursdays, June 23- October 13 and one Saturday in each of October, November & December

7:00 PM Public comment
7:05 PM Charlotte Library—request to use the Town Green for “Grange on the Green” music events on June 9, July 14, August 11 and September 8; no food vendors proposed

7:15 PM Interviews for committee/board appointments and reappointments:
William Stuono—reappointment to the Planning Commission for a term ending on April 30, 2026 William Stuono—appointment to the Development Review Board for a term ending on December 14, 2023
- Eli Lesser-Goldsmith—appointment to the Development Review Board for a term ending on December 14, 2023
 - Linda Radimer—appointment to the Development Review Board for a term ending on December 14, 2023
 - Alexa Lewis—appointment to the Development Review for a term ending on December 14, 2023
- 7:30 PM Open Space Agreement with Gregory B. & Lynn T. Cluff
7:45 PM Liquor license renewals (as Liquor Control Board)
- Philo Ridge Farm & Livestock, LLC, d/b/a/ Philo Ridge Farm o
Renewal of 1st Class Restaurant/Bar License to Sell Malt and

- Vinous Beverages o Renewal of 3rd Class Restaurant/Bar License to Sell Spirituous Liquors o Outside Consumption Permit
- Charlotte Restaurant Group, LLC, d/b/a/ Backyard Bistro o Renewal of 1st Class Restaurant/Bar License to Sell Malt and Vinous Beverages o Renewal of 3rd Class Restaurant/Bar License to Sell Spirituous Liquors o Outside Consumption Permit
 - Matthew Jennings, d/b/a Red Barn Kitchen, LLC—Commercial Catering License and First Class License
- 7:50 PM Thompson’s Point lease renewals
- Lot 60 & ½ of 61 at 276 Flat Rock Road; renew 20 year lease to Janet Susan Pollan
 - Lot 101 & % of 102 at 534 Flat Rock Road; renew 20 year lease to Jolinda D. Smith
 - Lots 163 & 164 at 448 North Shore Road—renew 20 year lease to Peter L. Newman
- 8:00 PM Appoint Selectboard representatives to Selectboard/CVFRS MOA Committee
- 8:05 PM ARPA—election of “standard allowance” for revenue loss
- 8:15 PM Waiving of Town permitting fees for Town Garage
- 8:30 PM Road paving for 2022
- 8:35 PM Firing range and neighborhood
- 8:45 PM Selectboard updates
- Senior Center Coordinator—interview and hiring process
 - Employee performance reviews—scheduling of reviews
 - Town Garage
- 8:55 PM Personnel [possible executive session; 1 VSA §313(a)(3)]
- 9:00 PM Adjournment

CALL TO ORDER

James Faulkner called the Selectboard meeting to order at 6:30p.m.

Adjustments to the agenda

Louise McCarren stated that she would like to discuss making the agenda more efficient by adding a consent agenda. The concept of the consent agenda is to group items together that can be approved by one motion without discussion. Any Selectboard member can take an item off the consent agenda. Louise stated that she will create one for next meeting and see how it goes.

Approve warrants to pay bills

Warrants were signed.

Committee requests for unbudgeted expenditures (time allotted if needed)

Dean Bloch stated that the Energy Committee would like to buy a bicycle rack and their budget was \$250 and the actual cost is \$320. James Faulkner stated that this was brought to the board just this past Friday and if someone wants something on the agenda there

needs to be advance notice of one week's time so the Selectboard can give it a proper review. Due to this he stated this topic will be added to the next board meeting.

Minutes: March 14, March 28, April 4, 2022

MOTION by Frank Tenney, seconded by Matthew Krasnow, to approve the March 14 meeting minutes as amended. VOTE: 3 ayes, 0 nays, 1 abstained (McCarren) and 1 absent (Mudge); Motion Carried.

MOTION by Louise McCarren, seconded by James Faulkner, to approve the March 28 meeting minutes as amended. VOTE: 4 ayes, 0 nays, 1 absent (Mudge); Motion Carried.

MOTION by Louise McCarren, seconded by Frank Tenney, to approve the April 4 Special Meeting minutes as amended. VOTE: 4 ayes, 0 nays, 1 absent (Mudge); Motion Carried.

Pay-rate for Minutes-taker

Dean Bloch stated that this is a request by the Selectboard Minutes-taker and he recommends granting this increase based on the reasoning of inflation since the time of hire of this contractor and due to the high tax rate she endures with being a contracted employee. He also clarified that this a request by the Selectboard Minutes-taker only. The DRB and the Planning Commission have their own Minutes-taker and she hasn't requested any change in her contracted wage. Matthew Krasnow clarified that this is not a town employee this is a contract rate and Dean Bloch confirmed this.

MOTION by Louise McCarren, seconded by James Faulkner, to approve the increased pay rate for the Selectboard Minutes-taker to \$25/hr. VOTE: 4 ayes, 0 nays, 1 absent (Mudge); Motion Carried.

Nordic 3.0—request to have a food truck at weekly market on Thursdays, June 23-October 13 and one Saturday in each of October, November & December

Robin Jeffers stated the farmer's market began last fall and the town was very receptive to this and the producers would like to continue with it. Last summer the market was from 4-7 pm on Thursday nights and included flowers, vegetables, shrimp, bread and in addition to that they had a food truck so that people could eat while they were there shopping. This allowed people to make an evening of their time there and to connect with others in the community. This event included port-o-lets, managed parking, designated areas for vendors and for seating. There is an ordinance for this in the works but it's not yet complete. In the interim it's her understanding that approval from the Selectboard is the proper channel to go through for this request, as was done last year, to have a food truck again this year. James Faulkner stated in terms of compliance traffic needs to be taken into consideration and fire & rescue accessibility. Robin Jeffers showed on the map the safety measures and set up plans. Matthew Krasnow stated that he attended a couple times last summer and it was a low key event and it felt very safe. James Faulkner asked for clarification on the number of food trucks. Robin Jeffers stated

that they would like to have an additional food truck that would include an alternative to pizza and possibly an ice cream truck to offer as a dessert.

Dean Bloch stated that some people have inquired asking why this market doesn't need a zoning permit and it's because it comes under the accessory agricultural business provision in statute. James Faulkner stated that this is in compliance with Act 143 as well. Frank Tenney stated that he was unsure if it qualifies as Act 143 due to it being an offsite vendor using their products. Matthew Krasnow stated that the Act 143 is really in the purview of the zoning administration to make those decisions as far as the governing state statute describes and this could be something in the future as the town rolls out it's food truck ordinance for the town Zoning Administration to have that discussion with the farmers.

MOTION by Matthew Krasnow, seconded by Louise McCarren, to approve a food truck at a weekly Market at Nordic 3.0 on Thursdays, June 23- October 13 and one Saturday in each of October, November & December. VOTE: 4 ayes, 0 nays, 1 Absent (Mudge); Motion Carried.

Charlotte Library—request to use the Town Green for “Grange on the Green” music events on June 9, July 14, August 11 and September 8; no food vendors proposed

Dean Bloch stated that the Charlotte Library is requesting this under the use of town property application process. This is different in that they aren't requesting approval of any food vendors, it's an event using town property. Matthew Krasnow asked if this is similar to a facilities application for an event and Dean confirmed.

MOTION by Louise McCarren, seconded by Frank Tenney, to approve the Charlotte Library's request to use the Town Green for “Grange on the Green” music events on June 9, July 14, August 11 and September 8; no food vendors proposed. VOTE: 4 ayes, 0 nays, 1 absent (Mudge); Motion Carried.

Public comment

Mike Russell stated he shared articles with Dean Bloch earlier in the day and he would like the Selectboard to take notice of these two articles that talk about housing in VT and the factors that affect the lack of affordable housing in the state. The first article is from Seven Days dated 4/6/22 and the title is “Obstruction Zone How Vermont's Land Use Regulations Impede on New Development and Complicate the State's Housing Crisis”. Mike Russell stated that he feels this article states clearly the factors and the policy issues that need to be looked at by the Selectboard and other governmental entities. Something needs to be done as a town as it's really a moral obligation to have more diverse available housing. The second article is from VT Business magazine date 4/10/22 and its title is, “Construction.” Despite supply chain issues and inflation, it does appear that there is going to be a lot of construction. What caught his attention about the article is that it tries to give a balanced view. He urged the Selectboard to pay attention to what Governor Scott has tried to do in terms of finding balance with the needs for environmental concerns and the economic and social issues around what is needed in the state. James

Faulkner asked Dean Bloch to make copies for all of the Selectboard members. Mike Russell stated that he thinks it's important to have these issues in mind when making policy and personnel decisions going forward.

Mike Dunbar stated that he would like to echo what Mike Russell said, that the policy decisions made starting at the local level can significantly impact the ability of affordable housing. Governor Scott stated several times that Vermont's economy's back bone is small businesses. He stated that Charlotte has a lot of small businesses in town and he feels that it's important to have a small business expert on the DRB and he doesn't believe there is one to date. Eli Lesser-Goldsmith has put his name in for this and Mike Dunbar feels he would be a good candidate to fill the need for a small business expert.

Jill Spell stated that she has known Eli Lesser-Goldsmith and his family for many years. They built a small business called Healthy Living Market. She and Eli have worked on many boards for nonprofit and his family gives back to the community a lot. She feels he will support the local businesses.

Avisa Tuiqere stated that he also endorses Eli Lesser-Goldsmith and his expertise with small businesses.

Frank Tenney stated that public comment isn't intended for comments on items on the agenda.

Liquor license renewals (as Liquor Control Board)

MOTION by Louise McCarren, seconded by James Faulkner to adjourn as the Selectboard and convene as the Liquor Control Board. VOTE: 3 ayes, 0 nays, (Matt unavailable and Lewis Mudge absent); Motion Carried.

Louise McCarren stated that she feels this is an example of where the board could be more efficient. Since the board knows these places of business well, she feels that it could be voted on all together. Frank Tenney stated that he agrees if they are all at the same location only. James Faulkner asked why if it's stated on the agenda. Frank Tenney feels it's a bit "cleaner" to have a motion on each one. James stated he disagrees with that opinion.

MOTION by Louise McCarren, seconded by James Faulkner, to approve all of the proposed liquor licenses as proposed on the agenda. Motion and second to the motion was withdrawn by Louise McCarren and James Faulkner.

- **Philo Ridge Farm & Livestock, LLC, d/b/a/ Philo Ridge Farm**

MOTION by Frank Tenney, seconded Louise McCarren to approve renewing the following licenses for Philo Ridge Farm & Livestock, LLC, d/b/a/ Philo Ridge Farm: 1st Class Restaurant/Bar License to Sell Malt and Vinous Beverages; 3rd Class

Restaurant/Bar License to Sell Spirituous Liquors; Outside Consumption Permit. VOTE: 4 ayes, 0 nays, 1 absent (Mudge); Motion Carried.

- **Charlotte Restaurant Group, LLC, d/b/a/ Backyard Bistro**

MOTION by Frank Tenney, seconded by Louise McCarren to approve renewing the following licenses for Charlotte Restaurant Group, LLC, d/b/a/ Backyard Bistro: 1st Class Restaurant/Bar License to Sell Malt and Vinous Beverages; 3rd Class Restaurant/Bar License to Sell Spirituous Liquors; Outside Consumption Permit. VOTE: 4 ayes, 0 nays, 1 absent (Mudge); Motion Carried.

- **Matthew Jennings, d/b/a Red Barn Kitchen, LLC—Commercial Catering License and First Class License**

Frank Tenney asked for clarification and Dean Bloch stated that Matthew Jennings' business is as a caterer, he doesn't serve alcohol but they require you to get the first class license in order to be a commercial caterer. Matthew Jennings stated that he was told it's a new law as a commercial caterer to have both licenses.

MOTION by Frank Tenney, seconded by Louise McCarren, to approve the following licenses for Matthew Jennings, d/b/a Red Barn Kitchen, LLC—Commercial Catering License and First Class License. VOTE: 4 ayes, 0 nays, 1 absent (Mudge); Motion Carried.

Interviews for committee/board appointments and reappointments:

- **William Stuono—reappointment to the Planning Commission for a term ending on April 30, 2026, William Stuono—appointment to the Development Review Board for a term ending on December 14, 2023**

James Faulkner stated that it would be nice if there were other applicants as well. Matthew Krasnow stated that there are two more weeks before the April 30th term is up and his preference would be to wait to see if there are any other applicants. James stated that the board could wait two more weeks. Frank Tenney stated that if there were to be any other applicants, they've already had the opportunity. Matthew Krasnow stated that he would be abstaining for the vote due to his preference to wait until the next meeting on 4/25/22.

William/Bill Stuono stated that the Planning Commission is making some nice changes and he hopes to continue working with this board and he hasn't missed a meeting in two years. He has a master's degree in planning and policy. He has served on the Planning Commission and on two other Developmental Review Boards, in So. Burlington and in Shelburne. He made a point that this might be the time to increase to a seven person DRB like other towns.

MOTION by Louise McCarren, seconded by Frank Tenney, to reappoint William Stuono to the planning Commission for a term ending on April 30, 2026. VOTE: 2 ayes, 0 nays, (2 abstained, 1 absent). Motion Failed.

- **Eli Lesser-Goldsmith—appointment to the Development Review Board for a term ending on December 14, 2023**

Eli Lesser-Goldsmith stated that he is a proud Charlotte resident. He was on the ZBA for one meeting prior to it changing to a DRB. He applied once before and he didn't get the position and he is applying again and would love to serve.

- **Linda Radimer—appointment to the Development Review Board for a term ending on December 14, 2023**

Linda Radimer stated that she was on the earlier format of Planning Commission for two different time periods. She was in the future growth committee for the original town plan. She has been a lifelong Charlotte resident with just eight years in Hinesburg. She feels she has a good understanding for planning and making decisions. She has the time and availability with being retired.

- **Alexa Lewis—appointment to the Development Review Board for a term ending on December 14, 2023**

Alexa Lewis stated that she is a new resident to the town of Charlotte. She's been a resident of VT since 2014 with purchasing a house that she's been renovating and became an official resident in 2020 also when she retired. She has a background as a CPA and tax consulting for financial services industry for a number of years. She doesn't have background in land management or town planning but she is very familiar with federal, state and local laws and applying those rules to situations. She served on the local Habitat for Humanity board for a number of years in Massachusetts and she's familiar with affordable housing issues. She has volunteered in the town of Charlotte. She's very supportive in developing the east and the west villages. She would like to see the town address water issues of the town.

Lewis Mudge arrived at 7:20pm.

Matthew Krasnow stated that a goal of the Selectboard for the DRB was to bring a cross section of diversity to the board across any differentiable composition. Keeping seats open has allowed for the opportunity for people to think about joining the board and would add to the board's diversity. From what he has heard tonight it's important to have some level of representation from people with small business experience. One member with this experience would be 20% representation. If the board has no representation of small businesses the Selectboard should think about Bill Stuono's suggestion of adding an 8th person to the DRB or consider Eli Lesser-Goldsmith as an alternate. He feels that Alexa Lewis would be a good addition to the DRB but he would then like to see Eli Lesser-Goldsmith as one of the two alternate positions for the DRB.

MOTION by Louise McCarren, seconded by James Faulkner to appoint Alexa Lewis to the Development Review Board for a term ending on December 14, 2023.

VOTE: 4 ayes, 0 nays, (1 abstained); Motion Carried.

MOTION by James Faulkner, seconded by Matthew Krasnow, to appoint Eli Lesser-Goldsmith to the Development Review Board for a term ending on December, 2022. No VOTE. Motion Withdrawn due to Frank Tenney's point that it was not on the agenda. This will be added to next meeting's agenda.

Open Space Agreement with Gregory B & Lynn T. Cluff

Jason Barnard stated there is an open space agreement that is on the table currently as the final item with the Cluff's subdivision. It was prepared by Mr. Cluff's attorney. The total open space is 16.25 acres. It spans both parcels 1 and 2. The draft is presented to be voted on by the Selectboard and the open space area will not be developed.

Frank Tenney thanked the Cluff's for the open space agreement as he feels it is good for the town.

MOTION by Matthew Krasnow, seconded by Frank Tenney, to approve the open space agreement between the town of Charlotte and Gregory B Cluff and Lynn T. Cluff as presented and authorize the chair of the Selectboard to sign on behalf of the town. VOTE: 5 ayes, 0 nays; Motion Carried.

Thompson's Point lease renewals

- **Lot 60 & ½ of 61 at 276 Flat Rock Road; renew 20 year lease to Janet Susan Pollan**
- **Lot 101 & % of 102 at 534 Flat Rock Road; renew 20 year lease to Jolinda D. Smith**
- **Lots 163 & 164 at 448 North Shore Road—renew 20 year lease to Peter L. Newman**

MOTION by Louise McCarren, seconded by Matthew Krasnow to approve all three of the lease renewals as presented in the agenda; 1) Lot 60 & ½ of 61 at 276 Flat Rock Road, 2) Lot 101 & % of 102 at 543 Flat Rock Road and 3) Lots 163 & 164 at 448 North Shore Road. Authorize the chair of the Selectboard to sign on behalf of the town. VOTE: 5 ayes, 0 nays; Motion Carried.

Appoint Selectboard representatives to Selectboard/CVFRS MOA Committee

James Faulkner stated that this has been discussed amongst the Selectboard and there are two volunteers for this.

Lewis Mudge expressed his gratitude to Frank Tenney and Matthew Krasnow for stepping up for this role.

MOTION by Lewis Mudge, seconded by Louise McCarren, to appoint Frank Tenney and Matthew Krasnow as the Selectboard representatives to the Selectboard/CVFRS MOA Committee. VOTE: 5 ayes, 0 nays; Motion Carried.

ARPA—election of “standard allowance” for revenue loss

Dean Bloch stated that this isn't required but provides an easier way to access the funds. The Department of Treasury has allowed towns to indicate that they have lost revenue even if they haven't actually lost revenue. He feels the town hasn't lost revenue but the claim can be made and the entire grant can be considered to replace the “lost revenue”. It

puts the town in a category where there won't be a need to argue the lost revenue. This must be done by April 30th. It's a fairly complicated process so his hopes are for this to be approved tonight so the work can be started.

Lewis Mudge asked how the town can say there was lost revenue when there isn't lost revenue. Dean Bloch stated that the Department of Treasury is saying this is what should be done and that it can be done even if the lost revenue claim is not the case. The lost revenue would be for 2020-2021. The VT League of Cities and Towns recommends this as does the town auditor.

Matthew Krasnow stated that the Selectboard should review the work Dean does with this application but that he feels that with all the expert advice he feels the Selectboard should proceed and approve this. Dean Bloch stated that decisions of how to use these funds can be decided on at a later date.

MOTION by James Faulkner, seconded by Lewis Mudge, to accept the ARPA standard allowance for revenue loss for the town of Charlotte. VOTE: 5 ayes, 0 nays; Motion Carried.

Waiving of Town permitting fees for Town Garage

MOTION by Lewis Mudge, seconded by James Faulkner, to waive the town permitting fees of \$2,000 for the Town Garage. VOTE: 5 ayes, 0 nays; Motion Carried.

Road paving for 2022

Dean Bloch stated that he spoke with Junior Lewis prior to tonight's meeting and he got a cost estimate for paving this section of road, 1 ½ miles of Spear Street. It's higher than it was when the estimate was first received. It was \$110,000 and is now \$130,000. The town could potentially go out to bid to see what other prices come in. With the prices the way that they are, he wonders if it wouldn't be advantageous to wait a year since the grant is good until December of 2023 but going out to bid could be done and the decision to proceed or wait could be done after the bidding process.

James Faulkner stated that he knows Junior Lewis' plan is to do limited paving this year and he didn't want to lose this grant that would cover 80% of the Spear Street paving. Dean Bloch stated that the grant is for \$88k and therefore it would leave \$42k as the town's responsibility after the use of the grant.

Matthew Krasnow stated that he thinks it would be worth putting it out to bid to see if a competitive bid can be made. There is a clause in the purchasing policy saying that all bids can be rejected. He feels it can't hurt to take bids.

Frank Tenney stated that he would like to hear from Junior Lewis. Junior knows about the other companies and who can and can't do a quality job.

Junior Lewis was reached by telephone and stated that Dean Bloch spoke with Ashley Bishop/Atkins who stated that the grant is good through December of 2023 and therefore he is all for waiting until next year with the hopes that pricing will go down.

Selectboard updates

- **Senior Center Coordinator—interview and hiring process**

Dean Bloch shared that there is an applicant and there is an interview scheduled for tomorrow at 1pm and Lewis Mudge is going to be part of the interview committee.

- **Employee performance reviews —scheduling of reviews**

James Faulkner reported that one was done today and Dean Bloch shared there is another one scheduled for next Tuesday. James stated that they are getting done as promised.

- **Town Garage**

James Faulkner stated that last meeting it was decided to go with an architect and a cost estimator. He met with them last Friday along with Junior Lewis and Dean Bloch. It was a two hour meeting that gave the parameters of the town garage, where it was and the site visit. Questions were asked about what was wanted for inside and outside of the location. They explained the process and promised a design within a week to ten days. There should be an estimate by the end of April. Wednesday they will be meeting with the DRB for the sketch plan. There were 6-8 test pits done and a place for the septic was determined. There was a little challenge with the entrance due to the curb cut and they are working with the VT Transportation Agency, looking into widening and the location of it. They talked with the bond bank and that looks to be of no issue. Everything seems to be on track to have this accomplished this year.

Lewis Mudge asked in light of the letter from the Energy Committee what is the talk of the roof? James Faulkner stated the roof will be solar ready and that the energy committee has been involved since the beginning. Radiant flooring and combination of heat pump uses which would be electric and supplementing with wood pellet is part of the current plan. It's 150' x 60' floor plan and 20' on one end that will be broken up into three areas; an office, a break room and some storage.

Louise McCarren stated that on the exterior planting she has gotten a couple of emails. Her stepdaughter will donate the design. Anything anyone wants to donate for plants and their time is welcomed.

Frank Tenney feels that the parking for the trail head at the town garage location should be separate and further west away from where the trucks will be entering and exiting. He also asked about the well. Dean Bloch stated that Dave Marshall is proposing a separate well.

Matthew Krasnow stated that he recommends that the Selectboard should schedule an executive session under contracts to discuss with Joe McLean the existing well agreement so there can be some clarity. Using the well that's there would benefit the town based on the town's legal rights to it. Eliminating drilling a new well eliminates one more step in the permitting process and the town would be using the infrastructure that is already in place.

James Faulkner agreed that it would be nice to use the existing well but, on the sketch plan its drawn as a new well. He stated it's just a sketch plan showing where it could be but it doesn't have permanence. He will look further into this issue.

Other Selectboard updates

Lewis Mudge urged all of the Selectboard members to read the letter from the energy committee that came today if they haven't already done so.

Dean Bloch stated he has two things to share. First is that he will be meeting with Bill Regan and Josh Ryan tomorrow at 9am to look at the Ferry Road trail to see what work is needed there. Second, he was notified last week that the firm that currently reviews wastewater and water permits will no longer be continuing as a separate firm they will be merging with Trudell consulting engineers sometime in May. There will be a need to hire someone to help review applications. He has spoken with some firms but he will likely post an advertisement that this is a service that the town will be looking for.

Frank Tenney stated that he's working on the vendor license, (food truck), and hopefully it will come together soon and then it will have legal review.

Firing range and neighborhood

James Faulkner stated that the background on this is that some people have had some concerns about the noise and others have concerns about the Laberge firing range and keeping it. He said he requested Louise McCarren's help with facilitating a neighborhood conversation so to speak. Louise McCarren stated that she feels that everyone's input should be welcomed and considered but that the law is not on the side of the opponent.

Lewis Mudge asked if this didn't get taken care of in court and Louise stated that yes, it has gone to court several times. James Faulkner stated that there may be some resolution at the site but before he and Louise McCarren proceed to try and mediate the situation by facilitating a conversation with the community and the owner of the firing range, he wanted to get the Selectboard's approval. Matthew Krasnow stated that he believes there has been Supreme Court judgements on this issue and it has been through the courts for decades. He agrees it's a neighborhood conversation that needs to be had but that it should be made clear that the town's authority is on a voluntary basis of all parties involved and that any actual authority rests with the state statute. He stated he would be in favor of a motion if there was a second and Louise McCarren stated she would second it. James Faulkner stated that he wants the Selectboard to be aware.

Lewis Mudge stated that he has concerns about making a motion to form a committee to facilitate a conversation as it bestows a gravitas that doesn't exist as it could create false expectation of the public. In his opinion making the board aware is enough, that a motion doesn't need to be had here. Matthew Krasnow stated that in the motion he stated that the Selectboard has no authority. The support that this motion could have is that the Selectboard is concerned with neighbors communicating with each other and that's what

he would like to endorse tonight with his motion made. Lewis Mudge fears that it could be inferred that the Selectboard is leaning towards a particular side.

Judy Laberge stated that the neighborhood group had an architect come and brainstorming/planning had taken place to help reduce the noise from the firing range and then nothing further came of it following. James Faulkner stated that this is the place that he and Louise McCarren would be picking up the conversation from. Frank Tenney asked why the neighborhood group hasn't called Laberge directly vs. the Selectboard?

MOTION by Matthew Krasnow, seconded by Louise McCarren, to approve James Faulkner and Louise McCarren to facilitate a conversation with neighbors in the surrounding area of the Laberge Firing Range noting that the town's authority is on a voluntary basis of all parties involved and that any actual authority rests with the state statute. VOTE: 4 ayes, 1 nay (Tenney); Motion Carried.

Personnel [possible executive session; 1 VSA §313(a)(3)]

MOTION by James Faulkner, seconded by Matthew Krasnow, to enter into executive session for personnel issue under 1 VSA §313(a)(3) with an invitation for Dean Bloch to attend. VOTE: 5 ayes, 0 nays; Motion Carried.

MOTION by Louise McCarren, seconded by Lewis Mudge, to come out of executive session. VOTE: 5 ayes, 0 nays; Motion Carried.

No action was taken.

Adjournment

MOTION by Lewis Mudge, seconded by Frank Tenney, to adjourn. VOTE: 5 ayes, 0 nays; Motion Carried.

The meeting was adjourned at 9:30 p.m.

Minutes respectfully submitted, Brooke Milo, Minute Taker. Edits by Dean Bloch.