

**CHARLOTTE SELECTBOARD MEETING**  
**Monday, April 25, 2022**  
**Charlotte Town Hall 159 Ferry Road and via teleconference**

**APPROVED**

**SELECTBOARD MEMBERS:** *In person:* James Faulkner, Chair, Lewis Mudge, Louise McCarren (in person until executive session re: the Shifrin settlement agreement, then remote until end of the meeting)

*Remote:* Frank Tenney, Vice Chair, Matthew Krasnow

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

**OTHERS:**

*In person:* Gerald Bouchard, Robert Bloch, Charlie Pughe, Kelly Devine, Carrie Spear, Karina Warshaw, Chris Davis, Rich Ahrens, Craig Reynolds, Bill Stuono

*Remote:* Chea Evans, Chennah Sharpe, Colleen Kennedy, Corey McDonald, Gill Barlow, Greg Ranallo, JD Herlihy, Maggie Korey, Paul Plante, Scooter MacMillan, Tim Post, Kevin Bessett, Bill Fraser-Harris

**AGENDA ITEMS:**

- 6:00 PM Adjustments to the agenda
- 6:01 PM Personnel issue [possible executive session; 1 VSA §313(a)(3)]
- 6:30 PM Approve warrants to pay bills
- 6:35 PM Committee requests for unbudgeted expenditures (time allotted if needed)
- Energy Committee—request to purchase bicycle rack (\$70 greater than budget of \$250)
- 6:40 PM Minutes: April 11, 2022
- 6:45 PM Mitchell B. Shifrin 2019 Revocable Trust-settlement of appeal of denial of subdivision application PC-20-2011-SD [possible executive session; 1 VSA §313(a)(1)(v)(f)]
- 6:55 PM Colleen and Joe Kennedy—License Agreement to install power under Greenbush Road at 4221 Greenbush Road
- 7:00 PM Public comment
- 7:05 PM Discussion with Planning Commission regarding updates/amendments to the Land Use Regulations
- 7:30 PM Local Emergency Management Plan (LEMP)—adopt updated plan for 2022
- 7:45 PM Interviews for appointments and reappointments
- Kyra Miller—Planning Commission; term ends on April 30, 2026
  - Suzy Hodgson—Energy Committee; term ends on April 30, 2024
  - Chris Davis—Emergency Management Director; term ends on April 30, 2023
  - Rich Ahrens—Recreation Commission; term ends on April 30, 2025
  - Craig Reynolds—Recreation Commission; term ends on April 30, 2025

- Maggie Korey—Conservation Commission; term ends on April 30, 2026
  - Carrie Spear—Planning Commission; term ends on April 30, 2026
- 8:05 PM Green Mountain Bicycle Club Time Trials on south Greenbush Road; May 12, June 16 & August 25
- 8:10 PM Village Loop Trail—culvert, crosswalk & signage on Greenbush Road; Town Link Trail—crosswalk & signage at intersection of State Park Road & Mount Philo Road
- 8:25 PM Request for Proposals for contract to review applications for Wastewater System and Potable Water Supply permits
- 8:30 PM Update of Personnel Policy re: employees' vacation leave
- 8:40 PM Personnel issue [possible executive session; 1 VSA §313(a)(3)] for Senior Center
- 8:45 PM Board appointments [possible executive session; 1 VSA §313(a)(3)]
- 8:50 PM Town Garage
- Approve contract with Distinctive Landscaping to develop a landscape plan, not to exceed \$2,000; and a contract with Green Mountain Electrical Supply for developing an exterior lighting plan—amount to be determined
  - May 4th special meeting—to approve warning a bond vote on June 7th
  - Use of ARPA funds for Town Garage (to be discussed on May 4 th)
- 8:55 PM Memorandum of Agreement with CVFRS [possible executive session; 1 VSA §313(a)(1)(A)]
- 9:00 PM Selectboard updates
- 9:05 PM Adjournment

**James Faulkner called the meeting to order at 6:00 p.m.**

#### **Adjustments to the agenda**

James Faulkner stated that the 8:10 p.m. Village Loop Trail item on the agenda will include the additional \$800 request for additional 800ft of trail. Also, Bill Stuono will be added to the list of interviews.

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

**MOTION by James Faulkner, seconded by Louise McCarren to enter into executive session under 1 VSA §313(a)(3), to address a personnel issue with Dean Bloch invited to attend. VOTE: 5 ayes, 0 nays; Motion Carried.**

**MOTION by James Faulkner, seconded by Lewis Mudge, to exit executive session and reconvene as the Selectboard. VOTE: 5 ayes, 0 nays; Motion Carried.**

James Faulkner stated that the actions taken in the executive session were to make a couple of liaison changes. James Faulkner was a liaison with CVFRS and he will no longer be doing that. A new liaison will be appointed as they progress with the MOA of CVFRS. The Selectboard also decided that only one liaison is needed for the DRB and Planning Commission and James Faulkner will be taking that role over.

**Approve warrants to pay bills**

Warrants were signed. Frank Tenney and Matthew Krasnow will come in to sign.

**Committee requests for unbudgeted expenditures (time allotted if needed)****• Energy Committee—request to purchase bicycle rack (\$70 greater than budget of \$250)**

James Faulkner stated that looking at the proposal from the Energy Committee they are looking to put a charger at the compost shed for electric bikes. James Faulkner expressed concern with liability of the town with this charging station. He feels that there should be something in writing stating that the Champlain Valley School District, CVSD, approve having these bike racks at the school. Prior to giving approval of the increase in the budgeted amount for the bike rack he feels this approval from the school should be obtained. Rebecca Foster stated that there is no special charger from the outlet, they already have that and it was created with the installation of the off grid solar system. This system which was installed last summer includes an electrical outlet that is available to the public. James Faulkner asked what sort of liability is there with this outlet/charging station? Rebecca Foster stated that there are no set restrictions with the use of the solar system for charging as that was never discussed with the installation process and it can be used by anyone for charging their iPhone, yard tool battery or bike. The only thing that isn't there now is a bike rack. James Faulkner asked who pays the electric bill and Rebecca Foster explained that it's an off grid system and it's self-contained with a battery that is solar charged. Rebecca Foster stated that CVSD gave verbal approval for this.

**MOTION by Louise McCarren, seconded by James Faulkner to approve the Energy Committee's request to purchase a bicycle rack (\$70 greater than budget of \$250) with the condition that written support from CVSD or CCS will be obtained. VOTE: 4 ayes, 0 nays, (Matthew Krasnow unavailable at the time of the vote); Motion Carried.**

**Minutes: April 11, 2022**

**MOTION by Louise McCarren, seconded by Lewis Mudge, to approve the minutes for April 11, 2022 with minor edits. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Mitchell B. Shifrin 2019 Revocable Trust-settlement of appeal of denial of subdivision application PC-20-2011-SD [possible executive session; 1 VSA §313(a)(1)(v)(f)**

Dean Bloch stated that this was an application back when the PC was reviewing subdivisions and this subdivision was denied and the applicant appealed. The court asked the parties to try and resolve the differences. They have been in discussion with the attorneys and the applicant. There was a small committee that was charged with being the sounding board with those resolutions and they have approved the resolution.

**MOTION by James Faulkner, seconded by Lewis Mudge, to enter into executive**

**session under 1 VSA §313(a)(1)(e)&(f), to discuss Mitchell B. Shifrin 2019 Revocable Trust-settlement of appeal of denial of subdivision application PC-20-2011-SD with an invitation to Dean Bloch and David Rugh to join. VOTE: 5 ayes, 0 nays; Motion Carried.**

Louise McCarren left the meeting in person and rejoined the meeting remotely.

**MOTION by James Faulkner, seconded by Lewis Mudge to exit executive session. VOTE: 5 ayes, 0 nays; Motion Carried.**

**MOTION by James Faulkner, seconded by Frank Tenney to approve the settlement agreement with two conditions: the survey will be reviewed by the town attorney and the updated open space agreement will be submitted. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Colleen and Joe Kennedy—License Agreement to install power under Greenbush Road at 4221 Greenbush Road**

James Faulkner stated that he spoke with Junior Lewis in regard to this plan and the only condition he had was to start 25 feet from the center line of the road and he would like Junior Lewis to review it before they begin. Louise McCarren stated that she would like the applicant to stay in contact with Junior Lewis and follow his advice. Junior Lewis stated that he didn't want any digging in either ditch from the center of the ditch to the shoulder of the road. The digging needs to be on the back bank of the ditch. Tim Post requested that someone points out where the digging is allowed. James Faulkner asked Junior Lewis to meet Tim Post in person and he agreed. Tim Post scheduled to meet with Junior Lewis tomorrow at 2 p.m.

**MOTION by Lewis Mudge, seconded by Louise McCarren, to approve Colleen and Joe Kennedy—License Agreement to install power under Greenbush Road at 4221 Greenbush Road with the condition of approval by the Road Commissioner. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Public comment**

Junior Lewis stated that he has been asked by Nicole Conley and Bill Fraser-Harris to put the speed bumps in at the beach. He also said that Dick St George, Charlotte Fire and Rescue Chief, called and said that last year there were three bicycle accidents and a motorcycle accident there and they transported two of the people. Mr. Lewis wanted to make sure that the Selectboard still wanted them to put in the speed bumps at an angle. There are 25 MPH speed limit signs posted and speed bump signs are up and signs for speed bumps ahead are up. James Faulkner stated that it will be added to the next meeting's agenda.

**Discussion with Planning Commission regarding updates/amendments to the Land Use Regulations**

Charlie Pughe, Chair of the Planning Commission stated that the board has been focused on updating the land use regulations. They are updating things that have changed at the

state level so that the town regs reflect what is happening with the state policies. General updates are being done. Telecommunications is being updated. They're looking into updating the town plan. Definitions are being updated such as helipads, food truck, and property rental things. First rounds of this will be brought to the Selectboard by this summer so that the two public hearings can take place and then it will be on the November ballot for vote. Second updates will be done for the February town meeting day. They are working on a way to include more town residents in the process of updating the town plan. The PC supports this effort but they feel this is beyond the scope of the PC duties. Robert Bloch stated that Community Heart & Soul is a process developed by the Orton Foundation and they have been working on this for about 20 years refining it. They have worked with at least 100 small towns all around the country with a couple in VT which have adopted the process and worked with the Orton Foundation and with Community Heart & Soul to implement it in their towns. What the PC likes about this is that it focuses on the positive. Three principles; 1) involve everyone, 2) focus on what matters most, 3) "play the long game". There is no funding needed for the first year. Kyra Wegman stated that what she loves about Community Heart & Soul is that they start from a place of what you love about your town and what you want to keep vs. what you want to fix. It helps the town stay together as they plan to modify the town plan, it's talk based and data is gathered from these conversations. Kelly Devine stated that when they went through the process in the past there was a lot of opposition from the east village residents. She feels that they won't be able to successfully move this forward without involving the public opinion more this time around. Bill Stuono stated that the PC wants to tackle encouraging development in the village centers and the hopes are to get it on the ballot by November. They are also working on affordable housing. Lewis Mudge asked if they're seeking endorsement on the Community Heart & Soul? Charlie Pughe stated that they are looking for support currently but nothing official at this time.

James Faulkner asked about the modified funding request. Charlie Pughe stated that he felt that they need help from the regional planning commission. It's really for the gearing up for the town plan updates. Louise McCarren stated that she supports it. Frank Tenney and Matthew Krasnow also stated that they are in support of this.

**MOTION by Louise McCarren, seconded by Frank Tenney, to approve paying Chittenden County Regional Planning in the amount of \$2,500 in FY23 for assistance to the Planning Commission. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Local Emergency Management Plan (LEMP)—adopt updated plan for 2022**

Chris Davis stated that in collaboration with Karina Warshaw they made some progress on the LEMP with information to the community. They got it on the town website with assistance from Dean Bloch. They buffed up the plan a bit with what they learned from their training with emergency management and the sessions they've had with them. Plan is to have a round table with the Selectboard to make sure all are prepared for long term emergency conditions. This will entail two hours with someone from Emergency Management to give a test run. Louise McCarren stated that she would still like to brainstorm with Chris Davis in regard to the issue of emergency 911 calls from cell

phones since the calls go to the NY dispatch. Chris said he did look into this and he was told that there is no way around it but he still welcomed this discussion and planning with Louise McCarren.

**MOTION by James Faulkner, seconded by Matthew Krasnow, to adopt the updated plan for 2022 Local Emergency Management Plan (LEMP). VOTE: 5 ayes, 0 nays; Motion Carried.**

**Interviews for appointments and reappointments**

- **Suzy Hodgson—Energy Committee; term ends on April 30, 2024**
- **Chris Davis—Emergency Management Director; term ends on April 30, 2023**
- **Rich Ahrens—Recreation Commission; term ends on April 30, 2025**
- **Craig Reynolds—Recreation Commission; term ends on April 30, 2025**
- **Kyra Miller—Planning Commission; term ends on April 30, 2026**

Kyra Miller stated that it feels really good to be of service and she would like to be able to continue doing the work she has been doing with the PC.

- **Carrie Spear—Planning Commission; term ends on April 30, 2026**

Carrie Spear stated she feels that this is a great opportunity to share what she has to give. Lewis Mudge asked if something were to come up with the Spear store if she would be comfortable standing aside from those hypothetical situations? She stated that she doesn't feel there will be a conflict of interest but she'd agree to abstaining if there was a need.

- **Bill Stuono—Planning Commission; term ending April 30, 2026**

Bill Stuono stated that he has a lot of board work experience and he really believes in public service and in writing good sound codes.

- **Maggie Korey—Conservation Commission; term ends on April 30, 2026**

Maggie Korey stated that conservation has always been of importance to her and it's what she did prior to becoming a stay at home parent. She went to law school in Colorado and she interned with the land trust. She went onto become their Executive Director. Following this she worked in the Boston area where she was the Community Conservation Specialist for the Trustees of Reservations which is a statewide land trust. She also worked for the National Park Service and for an appraiser who appraised conservation easements. She feels that she has a lot of experience that could help the town. All three of her children are in school currently so she has the time. Kevin Burget endorsed Maggie Korey for this role. Louise McCarren expressed that she is grateful for her expertise.

**MOTION by Louise McCarren, seconded by James Faulkner to approve reappointments for Suzy Hodgson, Chris Davis, Rich Ahrens, Craig Reynolds for terms ending as stated on the agenda. VOTE: 5 ayes, 0 nays; Motion Carried.**

**MOTION by Lewis Mudge, seconded by Frank Tenney, to appoint Maggie Korey to the Conservation Commission; term ending on April 30, 2026. VOTE: 5 ayes, 0 nays; Motion Carried.**

Frank Tenney left the meeting.

**Green Mountain Bicycle Club Time Trials on south Greenbush Road; May 12, June 16 & August 25**

Kevin Bessett stated that he has made this request annually for the bicycle club time trials for 10-12 years now. Start time will be 6:30 pm and they will be in the area from roughly 5:30 p.m. to 8 p.m. The course runs on Greenbush Road just south of the intersection with East Thompson's Point Road and goes to Rte 7 and back. There are typically about 20 riders. It's not a mass start event but rather one rider at a time. There is a one minute buffer between riders. Riders will be parked off the road. Parking was at the Old Lantern last year and this has been requested again this year but he hasn't heard back from them as of yet. He will follow up with them. James Faulkner got confirmation that they will have liability insurance with the town name as additional insured. Bill Fraser-Harris stated that it would be wise to advertise to the public that this will be taking place and Kevin Bessett agreed.

**MOTION by Lewis Mudge, seconded by James Faulkner, to approve the application of the Green Mountain Bicycle Club Time Trials on south Greenbush Road; May 12, June 16 & August 25 with the condition that the applicant provides a certificate of insurance for which the town of Charlotte is listed as additional insured for general liability and under the condition that the applicant is able to clarify a parking location. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Village Loop Trail—culvert, crosswalk & signage on Greenbush Road; Town Link Trail—crosswalk & signage at intersection of State Park Road & Mount Philo Road**

-Bill Regan stated that where the Village Loop Trail crosses Greenbush Road right at the Old Lantern there is a large ditch on the west side and the committee has made plans to put in a culvert and to cover it with gravel. Since it's a busy road it makes sense to put in a painted crosswalk & signage on Greenbush Road. He went out to the site with Junior Lewis and Junior quoted the project at \$1,155. This funding would come from the Reserve Fund. This would include a sign in the north and south directions for crosswalk ahead warnings for motorists.

-Bill Regan stated that the idea for the Town Link Trail—crosswalk & signage at intersection of State Park Road & Mount Philo Road was to have warning signs in either direction for the motorists. The painted cross walk already exists and the signs were already purchased so the funding needed for this is for the signs to be installed. Junior Lewis stated that the amount for this installation would be \$110 each for the signs, \$50 for the posts and labor would be around \$160. The signs have been ordered but they haven't been billed yet. Total cost would be around \$500.

**MOTION by James Faulkner, seconded by Lewis Mudge, to approve the Village Loop Trail culvert, crosswalk & signage on Greenbush Road in the amount of \$1,155. VOTE: 4 ayes, 0 nays, (Frank Tenney unavailable); Motion Carried.**

Frank Tenney rejoined the meeting.

**MOTION by Lewis Mudge, seconded by Louise McCarren, to approve Town Link**

**Trail signage purchase and installation at the intersection of State Park Road & Mount Philo Road not to exceed \$500. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Village Loop Trail additional \$800 requested for additional 800 ft of trail.**

Bill Regan stated that he went out with Dean Bloch and Josh Ryan, (hired trail builder) and they walked the section of the village loop trail from Ferry Road south to the end of the field which is the section that is in need of the design study. While continuing walking the Village Loop Trail to the corner of the Frost property and that section of trail is in good shape but there are some wet sections and some improvements that could be made. It's an extra 800 ft or so and Josh Ryan said he could do an additional trail design for this portion of the trail for an additional \$800. Dean Bloch stated that the trail could be moved slightly to west or a boardwalk could be built there dependent on the wetland definition. Lewis Mudge asked about the homeowners and Bill Regan stated that they have spoken with all the homeowners in the area. If the trail stays in the woods it's wetter if it's brought out into the field it's dryer but not visually hidden from the property owners.

**MOTION by James Faulkner, seconded by Lewis Mudge, to approve the additional funding of \$800 to the Trails Committee to continue their study on the Village Loop Trail from Ferry Road 1250 ft south. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Request for Proposals for contract to review applications for Wastewater System and Potable Water Supply permits**

Dean Bloch shared that a consultant is needed to help review applications for wastewater and water supply permits, applications to the village wastewater system, and to help oversee the system for maintenance such as filters cleaned, tanks pumped but also for additional work for the pump station or the distribution box. This is a Request for Bids to provide this service to the town on a contractual basis. Frank Tenney stated he feels that the town needs to have a contractor but that he is still in favor of giving delegation back to the state.

**MOTION by Louise McCarren, seconded by James Faulkner, to approve issuing the Request for Proposals to review applications for Wastewater System and Potable Water Supply Permits. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Update of Personnel Policy re: employees' vacation leave**

Louise McCarren stated that she feels that in order to attract and retain experienced employees it's important to offer vacation time that's commensurate with their relevant experience. James Faulkner stated that he feels that there should be a clause that it can't be taken all at once since three weeks off would be too long all at one time. Louise McCarren stated that she feels the length allowed should be managed by Dean Bloch and Lewis Mudge agreed with this as well. Dean Bloch stated that in the past it hasn't been an issue.



**MOTION by Frank Tenney, seconded by Lewis Mudge, to approve the Personnel Policy as amended, giving employees three weeks of vacation during their first five years of employment, effective on this date. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Personnel issue [possible executive session; 1 VSA §313(a)(3)] for Senior Center**  
Lewis Mudge stated that he was on the interview panel for the one candidate that applied. He feels the individual is qualified and demonstrated that he/she has a real desire to do the job and the representative from the Senior Center Board and staff member that was on the panel and present agreed as well. Dean Bloch was also there at the interview. Louise McCarren stated that the transformation at the Senior Center has been fantastic. Lewis Mudge stated that the pay rate would be mid-range on the scale. Dean Bloch stated that there hasn't in the past been a requirement for background checks but this individual has had a background check with her past employment.

**MOTION by Lewis Mudge, seconded by Frank Tenney, to offer the employment to Kerrie Pughe for the Senior Center Coordinator as presented in the packet with a pay rate of \$16.51/hour for a 15 hour/week position without benefits, to begin next Monday. VOTE: 5 ayes, 0 nays**

**Board appointments [possible executive session; 1 VSA §313(a)(3)]**

**MOTION by James Faulkner, seconded by Louise McCarren to enter into executive session under 1 VSA §313(a)(3), to address board appointments. VOTE: 5 ayes, 0 nays; Motion Carried.**

**MOTION by Lewis Mudge, seconded by Louise McCarren, to exit executive session and reconvene as the Selectboard. VOTE: 5 ayes, 0 nays; Motion Carried.**

**MOTION by James Faulkner, seconded by Louise McCarren, to appoint Carrie Spear to the Planning Commission with a term ending April 30, 2026. VOTE: 4 ayes, 0 nays, Frank Tenney abstained; Motion Carried.**

**MOTION by Lewis Mudge, seconded by Matthew Krasnow, to appoint Kyra Miller to the Planning Commission with a term ending on April 30, 2026. VOTE: 5 ayes, 0 nays; Motion Carried.**

#### **Town Garage**

**• Approve contract with Distinctive Landscaping to develop a landscape plan, not to exceed \$2,000; and a contract with Green Mountain Electrical Supply for developing an exterior lighting plan—amount to be determined**

James Faulkner stated and Dean Bloch concurred that there hasn't been any contract written up for Green Mountain Electrical Supply, for developing the exterior lighting plan at this time.

**MOTION by James Faulkner, seconded by Lewis Mudge to approve the contract with Distinctive Landscaping to develop a landscape plan, not to exceed \$2000. VOTE: 5 ayes, 0 nays; Motion Carried.**

• **May 4th special meeting—to approve warning a bond vote on June 7th**

James Faulkner stated that the special meeting would be to present the estimate of cost by the end of this week or at the beginning of next week in order to have a sum for the warning for the bond. Having the special meeting on Wednesday May 4<sup>th</sup> will allow for the bond to be voted on June 7<sup>th</sup>. Lewis Mudge stated he could make the special meeting especially if it were at 7pm. All others agreed to the date.

• **Use of ARPA funds for Town Garage (to be discussed on May 4th)**

James Faulkner stated that the funds can be used for the town garage. He would like the Selectboard to review this in order to vote on the amount used from the ARPA funds during the special meeting next week. Lewis Mudge asked if this has gone to the town lawyer and auditor and James Faulkner confirmed this. James Faulkner stated that this will be included in the decision making of the bond amount needed. Lewis Mudge stated that he hopes that the community will share their input. Louise McCarren agreed and it will be posted on Front Porch Forum. The entire Selectboard all agreed that this is an appropriate and best use of the ARPA funds.

**Memorandum of Agreement with CVFRS [possible executive session; 1 VSA §313(a)(1)(A)]**

Matthew Krasnow stated that delegates were selected last meeting to form a subcommittee to come up with draft changes to the MOA. This exercise is a little overdue since it's been three years and this is to be done every two years. CVFRS will be meeting tomorrow to review possible drafts. Ultimately there is going to need to be another meeting of the full boards to approve draft changes to the MOA. The entire board of CVFRS will need to approve any changes to the MOA. The Selectboard Special meeting on May 4<sup>th</sup> could entail looking at a polished version of these proposed changes. Chea Evans asked if there is any general information on the proposed changes to the MOA. James Faulkner stated that there is nothing to share at this time since it's in negotiations.

**Selectboard updates**

None at this time.

**Adjournment**

**MOTION by James Faulkner, seconded by Lewis Mudge, to adjourn. VOTE: 5 ayes, 0 nays; Motion Carried.**

The meeting was adjourned at 9:20 p.m.

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