

1 **CHARLOTTE SELECTBOARD MEETING**
2 **Tuesday, April 9, 2024**
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; Natalie Kanner; Kelly Devine (remote & in person)
9

10 **ADMINISTRATION:** Nathaniel Bareham Town Administrator (remote)
11

12 **OTHERS:**

13 **In person:** Carrie Spear, Gerald Bouchard, Mat Citarella, Bob Bloch, Greg Smith, Ken Spencer,
14 Charles Russell, Mary Cheney, Rachel Hutchins, Debbie Preston, Ward Preston
15

16 **Remote:** Anne Labombard, Bill Fraser-Harris, Cathy Marshall, Jim Hodson, Junior Lewis,
17 Nancy Faulkner, Nicole Conley, Paul Plante, Bill Stuono, Mary Mead, Sayuri Koerner, Scooter
18 MacMillan
19

20
21 **AGENDA ITEMS:**
22

- 23 6:30 PM Adjustments to the Agenda
24 6:31 PM Approve Warrants to Pay Bills
25 6:35 PM Selectboard's Updates
26 1. Jim Faulkner – Water Usage at the Town Garage; Solar Panel Installation at
27 Town Garage; Discussion on Digital Meeting Packets; Recognition of Craig
28 Reynolds.
29 6:40 PM Public Comment
30 6:45 PM Rachel Hutchins – Discussion of an Open Space Agreement on 363 Riverview
31 Drive
32 7:00 PM Interviewing Candidates for Committee Appointment:
33 1. 7:00pm – Carrie Spear for appointment to the Cemetery Commission
34 2. 7:05pm – Gerald Bouchard for reappointment to the Planning Commission
35 3. 7:10pm – Mat Citarella for appointment to the Planning Commission
36 4. 7:15pm – Bob Bloch for reappointment to the Planning Commission
37 5. 7:20pm – Greg Smith for reappointment to the Charlotte Park & Wildlife
38 Oversight Committee
39 6. 7:25pm – Cathy Marshall for reappointment to the Charlotte Park & Wildlife
40 Oversight Committee
41 7. 7:30pm – Kim Findlay for reappointment as Green Up Day Coordinator
42 8. 7:35pm – Ken Spencer for reappointment as Green Up Day Coordinator
43 9. 7:40pm – Sayuri Koerner for reappointment to the Recreation Commission
44 7:40 PM Discussion, and possible approval, of Waiving Late Filing Penalties for
45 Homestead Declarations

- 46 7:45 PM Green Mountain Power – Petition for Work in the Town’s Right of Way on Flat
47 Rock Road and Lanes Lane
- 48 7:50 PM Discussion on Delegation of Authority to Open/Close the Tennis Courts at the
49 Town Beach
- 50 7:55 PM Discussion, and possible approval, of an updated Tree Planting Agreement
51
- 52 8:05 PM Discussion on Town Contracts – Possible Motion to Enter into Executive Session
53 per 1 V.S.A. § 313(a)(1)(a) to Discuss a Tree Planting Agreement between the
54 Town of Charlotte and Josh Golek
- 55 8:20 PM Discussion on Personnel – Senior Center Coordinator Position – Possible Motion
56 to Enter into Executive Session per 1 V.S.A. § 313(3) for the Potential Hiring of a
57 Town Employee, with a Final Decision to be Made During Open Meeting
- 58 8:30 PM Termination of Current Thompson’s Point Lease for 62 North Shore Road
59 between the Town of Charlotte and Marilyn Boyd
- 60 8:35 PM New Thompson’s Point Lease for 62 North Shore Road between the Town of
61 Charlotte and Carol Y. Conard
- 62 8:40 PM Local Liquor Control Board:
63 1. DLL Application 40731 – Renewal of an Outside Consumption Permit for
64 Philo Ridge Farm & Livestock, LLC
65 2. DLL Application 40740 – Renewal of a First Class Restaurant and Bar License
66 for Philo Ridge Farm & Livestock, LLC
67 3. DLL Application 40733 – Renewal of a Third Class Restaurant and Bar
68 License Philo Ridge Farm & Livestock, LLC
69 4. DLL Application 39909 – Renewal of an Outside Consumption Permit for
70 Charlotte Restaurant Group, LLC
71 5. DLL Application 39911 – Renewal of a Third Class Restaurant and Bar
72 License for Charlotte Restaurant Group, LLC
73 6. DLL Application 39913 – Renewal of a First Class Restaurant and Bar License
74 for Charlotte Restaurant Group, LLC
- 75 8:50 PM Approve Meeting Minutes for March 25, 2024
- 76 8:55 PM Adjournment

77

78 Call to Order

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

80

81 Adjustments to the Agenda

82 James Faulkner stated that two individuals will be added to the agenda item of Interviewing
83 Candidates for Committee Appointment. The two individuals are Susie Hodgkin and Jim
84 Hodson.

85

86 Approve Warrants to Pay Bills

87 Warrants were signed.

88

89 Selectboard’s Updates**90 Water Usage at the Town Garage**

91 James Faulkner stated that the agreed upon use of town water for the tree project on State Park
92 Rd is no longer going to happen. The contractor that will water the trees on State Park Rd plans
93 to get the water elsewhere. He went on to state that going forward there will be more in depth
94 conversation with the use of municipalities water supply.

95
96 Nathaniel Bareham stated that Robin Reid also requested to be added to the Interviewing
97 Candidates for the Committee Appointment agenda item.

98
99 James Faulkner stated that due to a family emergency Nathaniel Bareham, Town Administrator,
100 is working remotely this evening.

101
102 **MOTION by Frank Tenney, seconded by James Faulkner to rescind the previous**
103 **MOTION to allow the use of the water at the town garage for the tree project on State**
104 **Park Rd. VOTE: 5 ayes, 0 nays; Motion Carried.**

105
106 **Solar Panel Installation at Town Garage**
107 James Faulkner stated that the solar panels are installed on the Town Garage roof and the final
108 step is for the meter to be installed by GMP which will allow for recording of the energy gain.

109
110 **Discussion on Digital Meeting Packets**
111 James Faulkner stated that it's his hopes that at some point in the future laptops could be used vs
112 printing packets etc. All of this printing consumes three hours of the Town Administrator's time.
113 Discussion was had regarding digital meeting packets and the use of individually owned
114 technology amongst the Selectboard in the interim of finding town funds to do so.
115 James Faulkner stated this will be discussed further in the near future.

116
117 **Recognition of Craig Reynolds.**
118 James Faulkner stated it's amazing and should be recognized that Craig Reynolds has been on
119 the Recreation Committee since July 18, 1986. The town government relies on volunteers and is
120 grateful to all that volunteer especially such a long standing volunteer as Craig Reynolds.

121
122 **Public Comment**
123 None.

124
125 **Rachel Hutchins – Discussion of an Open Space Agreement on 363 Riverview Drive**
126 Rachel Hutchins presented her case regarding the legality of the Open Space Agreement on 363
127 Riverview Drive.
128 James Faulkner stated that this is an issue that will need to go to the Town Attorney to clarify the
129 legality of the agreement.
130 Rachel Hutchins stated she is grateful for the review. She will be meeting with the DRB
131 tomorrow evening and she wondered when the Town Attorney will have an answer. She went
132 on to state that this has been postponed for a long time.
133 Frank Tenney stated that there wouldn't be any public notification until the next Selectboard
134 meeting at the very least and the Selectboard has no control over the Town Attorney's
135 availability.
136 Rachel Hutchins stated that she's hoping to know by mid-June.

137

138 **Interviewing Candidates for Committee Appointment:**

139 **Carrie Spear for appointment to the Cemetery Commission**

140 Carrie Spear stated that she is all about beautifying the town cemeteries. The east cemetery has
141 had a lot of poison ivy and likely needs to be sprayed as it has been in the past to control the
142 growth.

143 Lewis Mudge asked Nathaniel Bareham for term information so that he could proceed with
144 making a motion to appoint Carrie Spear to the Cemetery Commission.

145

146 Kelly Devine arrived at the meeting in person.

147

148 **Gerald Bouchard for reappointment to the Planning Commission**

149 Gerald Bouchard stated that he would like to be reappointed to the Planning Commission.

150 Natalie Kanner stated that she wonders if he feels this dual commitment of being on both the PC
151 and DRB was something he still wants to do.

152 Gerald Bouchard stated that he feels being on the PC and the DRB works as he has a lot of past
153 experience to offer making the duties of both advantageous to the town.

154

155 Discussion was had regarding warning for appointments and the wording of the agenda item
156 potentially not being clear that appointments would take place this evening.

157 Lewis Mudge stated that this is the verbiage used in the past.

158 James Faulkner asked if any of the Selectboard members had issue with reappointing all
159 positions other than the contested positions of the Planning Commission this evening. Lewis
160 Mudge and Kelly Devine agreed with this plan of action.

161 Further discussion was had regarding the appointment to the Cemetery Commission and the
162 length of the term.

163 Nathaniel Bareham stated that he would like more time to find clarification but at this time it
164 appears that the Cemetery Commission position is actually an elected position according to the
165 Town Report.

166 Frank Tenney stated he believes the Selectboard can appoint until the next election.

167 James Faulkner stated that this will be put on hold until further clarification can be gathered.

168

169 James Faulkner stated that all positions will be appointed this evening other than the contested
170 position of the Planning Commission as there are three candidates and just two positions
171 available. The PC positions will be voted on at the next Selectboard meeting.

172 Charles Russell and Frank Tenney concurred that there is no reason to postpone the appointment
173 of the PC positions just because it's contested.

174 Kelly Devine stated that she would like to wait and have it warned properly since it is contested.

175 Lewis Mudge and James Faulkner concurred.

176

177 **Mat Citarella for appointment to the Planning Commission**

178 Mat Citarella stated that he would like to serve on the PC because he has concerns about the
179 future and consequently he has done a lot of research providing him with knowledge of land use
180 regulations and the Town Plan. His concerns include affordability, civic health, and public
181 engagement. Mat Citarella stated it's important to know how people feel about how the
182 government is serving their needs in general. An ideal Planning Commission is reactive to the

183 needs of the community but also proactive with outreach providing an understanding of what the
184 communities problems are.

185 Kelly Devine stated that there may need to be a broader based committee for this broader based
186 view of the town. They could be an important voice as work is done toward the completion of
187 the updated Town Plan. She went on to state that the Planning Commission is much more
188 focused on land use regulations.

189

190 Bill Stuono stated that he would also like to volunteer to be on the PC.

191

192 **Bob Bloch for reappointment to the Planning Commission**

193 Bob Bloch stated that he would like to serve another term as to be on the PC through the updated
194 Town Plan process. This past year he has been advocating for more engagement by the PC.
195 Despite not being an expert on land use regulations he agrees with Mat Citarella that engagement
196 makes for better plans. He went on to state that the PC has organized special focus groups for
197 the east and west village residents this week and this is largely due to his encouragement of such.
198 The Town Plan should be about what the town wants and the way to accomplish this is to get the
199 towns people involved. The solution to affordable housing is not a cookie cutter solution.

200

201 James Faulkner reiterated that the two appointments to the PC will be voted on at the next
202 Selectboard meeting in two weeks.

203

204 **Greg Smith for reappointment to the Charlotte Park & Wildlife Oversight Committee**

205 Greg Smith stated that he has been on the Charlotte Park & Wildlife Oversight Committee for
206 the past 6 years. Due to health issues this past year he hasn't done as much as he would have
207 liked to except for writing the majority of the annual report. The Charlotte Park & Wildlife
208 Oversight Committee is one of the center pieces of Charlotte. He went on to state that this spring
209 he will be involved in clearing and other work.

210 Lewis Mudge asked if there has been any common ground found regarding the issue of the
211 equine access to the park.

212 Greg Smith stated there are two possibilities that are being looked into currently and a solution is
213 possible. Timing of such is to be worked out and nonprofit use is essential.

214 Lewis Mudge stated it seems a subcommittee on the Charlotte Park & Wildlife Oversight
215 Committee would be helpful.

216 Greg Smith stated that he would suggest going back to the foundational document Charlotte Park
217 & Wildlife Refuge. It says there ought to be an equestrian representative on the Charlotte Park
218 & Wildlife Oversight Committee.

219

220 Kelly Devine received confirmation that there are four applicants for the two positions on the
221 Charlotte Park & Wildlife Oversight Committee

222 All concurred that the appointments to the Charlotte Park & Wildlife Oversight Committee will
223 need to take place at the next meeting as well, being that it's also contested.

224

225 **Cathy Marshall for reappointment to the Charlotte Park & Wildlife Oversight Committee**

226 Cathy Marshall stated that Greg Smith provides amazing utility to the Charlotte Park & Wildlife
227 Oversight Committee even with the illnesses of the past year. She went on to state that there is
228 already common ground regarding the equine access. There is currently an Equine

229 Subcommittee that includes herself, Juliann Moore and Claudia Mucklow that works on the
230 equine interests. Cathy Marshall stated that last week there was a meeting with the VT Horse
231 Council. The only time there wasn't equine access was when the trails were too rain water
232 saturated. There's a lot of common ground that is currently in the works surrounding issues such
233 as: parking needs of horse trailers, safety and affordability, maximal equine use at any one
234 particular time since it is a multi-use park, and the groups working together on trail maintenance.
235 Many of the equine riders have been attending the meetings. The Equine Subcommittee is
236 working on guidelines and signage as well.

237

238 **Kim Findlay for reappointment as Green Up Day Coordinator**

239 Ken Spencer stated that he is representing Kim Findlay who is away at this time. She would like
240 to continue as Green Up Day Coordinator.

241

242 **Ken Spencer for reappointment as Green Up Day Coordinator**

243 Ken Spencer stated that he along with Kim Findlay would like to continue as Green Up Day
244 Coordinator as it's a shared responsibility. The day will be organized at the school again. The
245 Green Up Day bags will be available at the town office building, Spear Street Store, the Brick
246 Store, the library and the school grounds as well. CSWD funds will be applied to the event
247 which removes any and all expense to the town.

248

249 Conversation was had regarding changing the renewal date for Green Up Day Coordinator
250 positions. All members of the Selectboard agreed it would make sense for the renewal to take
251 place in January except for Frank Tenney.

252 Frank Tenney stated that most all terms end in April.

253

254 **MOTION by Lewis Mudge, seconded by James Faulkner, to appoint Ken Spencer and Kim**
255 **Findlay as Green Up Day Coordinators for terms expiring January 01, 2025. VOTE: 4**
256 **eyes, 1 nay (Tenney); Motion Carried.**

257

258 **Sayuri Koerner for reappointment to the Recreation Commission**

259 James Faulkner stated that last year Sayuri Koerner covered Nicole Conley's 2 month maternity
260 leave and did a great job.

261 Sayuri Koerner stated that she would like to continue her service on the Recreation Commission.

262 Greg Smith stated Sayuri Koerner did an excellent job during Nicole Conley's maternity leave
263 and she also worked with the school regarding the use of pickleball courts at the school over the
264 winter. This was no small task with working out all the logistics.

265

266 Discussion was had regarding postponing committee appointments until the next meeting since
267 the Town Administrator was not planning on appointments taking place this evening and further
268 clarification of applicant numbers are needed.

269 Kelly Devine stated Green Up Day Coordinator was done due to the compelling need with the
270 upcoming date of Green Up Day. All concurred.

271

272 James Faulkner stated that the two applicants that he had added during adjustments to the
273 agenda; Susie Hodgkin and Jim Hodson, will take place at the next meeting since they were not
274 warned.

275

276 **Discussion, and possible approval, of Waiving Late Filing Penalties for Homestead**

277 **Declarations**

278 James Faulkner read the Waive Penalty – Late Homestead Filing document generated by Mary
279 Mead, Town Clerk which is in the meeting packet and available online. In this document Mary
280 Mead makes it clear that the late filing penalty for FY24 should be waived, as has been done in
281 previous years.

282 James Faulkner concurred.

283 Mary Mead stated that it's an unnecessary penalty that the state of VT allows municipalities to
284 have but then the state puts all the responsibility on the municipality to collect.

285 Natalie Kanner stated she has concerns regarding the potential burden to the Town Clerks office
286 with not having a penalty in place to prevent late filings and she asked how Mary Mead felt
287 about this.

288 Mary Mead stated it would be more of a burden to attempt to collect on the contested late filing
289 penalties.

290

291 **MOTION by James Faulkner, seconded by Lewis Mudge, to waive the late Homestead**
292 **Declaration Filing Penalty for FY24. VOTE: 5 ayes, 0 nays; Motion Carried.**

293

294 **Green Mountain Power – Petition for Work in the Town's Right of Way on Flat Rock**
295 **Road and Lanes Lane**

296 James Faulkner stated that the meeting packet includes the petition and the map of the upgraded
297 pole placements project.

298

299 **MOTION by Frank Tenney, seconded by Natalie Kanner, to approve the March 08, 2024,**
300 **petition of GMP Corporation as planned on Flat Rock Road. VOTE: 5 ayes, 0 nays;**
301 **Motion Carried.**

302

303 **Discussion on Delegation of Authority to Open/Close the Tennis Courts at the Town Beach**

304 James Faulkner stated that this issue is to decide if the Selectboard should be in charge of this or
305 if Nicole Conley should be given the authority.

306 Lewis Mudge stated that Nicole Conley is the one with the most knowledge of such and would
307 be appropriate for her to have this authority.

308 James Faulkner concurred.

309 Charles Russell stated that a policy would be appropriate for use so that if Nicole Conley is
310 challenged there would be something to fall back on.

311 James Faulkner stated that that would be appropriate for Nicole Conley to create.

312 Discussion was had regarding policy for town recreational facilities.

313 Bill Fraiser-Harris stated that a subcommittee has been formed regarding the use of the tennis
314 courts and policy is being created in regard to uses of the tennis courts. Opening of the tennis
315 courts has always been left to the Recreation Department Director and the Recreation
316 Commission in the past. The Tennis Subcommittee met this morning and deemed the tennis
317 courts ready for use.

318 James Faulkner stated the issue is making it official as to who has the authority to do so.

319 Greg Smith stated that for the record the courts have been referred to as the Charlotte beach
320 courts vs the tennis courts for the last ten years. More pickleball players use the courts than do
321 tennis players.

322 Nicole Conley stated that the courts have never been locked in the past. Since the recent
323 resurfacing it was decided to lock the courts and that's why this is now coming up as an issue of
324 delegation of authority. The contractor recommended the courts stay closed until May 1st, 2024,
325 due to wanting the ground to dry thoroughly.

326 Kelly Devine stated that the courts were just resurfaced and the expense was over \$20,000 so it
327 would be appropriate to keep the courts closed until the ground is dry.

328

329 **MOTION by Kelly Devine, seconded by Natalie Kanner, that the Selectboard request the**
330 **Recreation Director to come forward with the policy for opening and closing recreational**
331 **facilities within the town of Charlotte that would be adopted at a future meeting. VOTE: 5**
332 **ayes, 0 nays; Motion Carried**

333

334 **Discussion, and possible approval, of an updated Tree Planting Agreement**

335 James Faulkner stated that the updated Tree Planting Agreement is in the meeting packet and
336 was created by Mark Dillenbeck, Nathaniel Bareham, and himself. Following legal review by
337 the town attorneys the Tree Planting Agreement that is in place now isn't enforceable. Due to
338 this, the tree planting agreement for the State Park Rd tree planting plan has been voided since
339 there was no legal binding Tree Planting Agreement in place. He went on to state that the
340 updated Tree Planting Agreement would clarify that there is to be no financial obligation to the
341 town, in an instance where a private group, such as the Rudder Tree Fund, donates trees to a
342 private land owner. The town will not have a financial responsibility since the funds come from
343 a private group and will also not have a financial responsibility to care for the tree as they
344 mature.

345 Lewis Mudge stated that this Rutter Tree Fund is a fund for trees for the town of Charlotte and
346 therefore some feel that this is taxpayer money in a sense.

347 Kelly Devine stated that this is essentially community money vs taxpayer money.

348 Mary Mead stated that the Tree Fund began with a donation from Kate Teeter for trees in
349 memory of her husband. Sometime later the Rutter family donated \$25,000 to the town of
350 Charlotte for beautification and planting of trees. The tree fund is a combination of donations for
351 tree planting as well as transferred funds from the town budget to be used for general
352 maintenance of trees as needed in the town of Charlotte.

353 Kelly Devine stated that it seems the updated Tree Planting Agreement relieves the town of any
354 additional liability once the tree is planted in instances where it's done on private property.

355 There seems to be many town residents interested in understanding the decision making process
356 for when the Rutter Tree Fund is used as well as planting locations.

357 James Faulkner stated that this updated Tree Planting Agreement is in draft form at this time.

358 The Selectboard members are to review it and there will be legal review as well.

359 Frank Tenney asked if there will be a plan attached to this Tree Planting Agreement.

360 Mary Cheney stated that there are statements that contradict each other within the draft Tree
361 Planting Agreement.

362 Kelly Devine stated that the statement actually isn't a contradiction as its about evaluating the
363 ability of the homeowner to maintain the care of the trees due to watering accessibility etc. not
364 the town caring for the trees.

365 Mark Dillenbeck stated that the point regarding maintenance is that sometimes landowners
366 neglect certain types of maintenance such as removing tree guards or guide wires that are
367 initially needed to keep the tree steady. It's important to maintain the ability to make these
368 corrections if needed through volunteer labor. He went on to state that the Tree Planting
369 Agreement is needed for recent urgent requests from the Trails Committee for trails screening.
370 Traditionally the Rutter Tree Fund has been for planting trees along roadsides and public places
371 but there is language that states the beautification funds can be used for other things such as
372 removing invasive plants along roadsides or burying utility cable wires. Mark Dillenbeck stated
373 that the management of the Tree Fund is supposed to be under the administration of the Tree
374 Warden. Robin Colburn, daughter of Bill Rutter, is the representative of the Rutter family. He
375 went on to state that the language in the draft Tree Planting Agreement grants permission to enter
376 and maintain the trees if needed but there is no maintenance commitment.
377 Natalie Kanner stated that the draft doesn't include a case where there is an act of God that would
378 cause the trees to be destroyed.
379 Mark Dillenbeck stated that the Town Attorney stated that there would be no basis for a
380 landowner to pursue replacement with a loss due to an act of God.
381 Frank Tenney stated the statement in the Tree Planting Agreement that includes the language,
382 "may loan out equipment", will open up the likelihood of being asked and will add to the duties
383 of the Tree Warden regarding keeping track of equipment inventory.
384 Alexa Lewis stated that 47-50 tubs are owned by the Rutter Tree Fund. Some are being loaned
385 to the town garage for the establishment of the trees there.
386 Mark Dillenbeck stated that he believes that there are multiple documents that clarify that the
387 Rutter Tree Fund is to be administered by the Tree Warden but they can't be located at this time.
388 The foundation document of 2006 that explains how the fund was supposed to be administered
389 will be provided.
390 James Faulkner stated that the Tree Planting Agreement is a draft that has been seen by the town
391 attorney and further discussions and review by the town attorney will be done.
392 Kelly Devine and Frank Tenney concurred that a plan should be attached to the Tree Planting
393 Agreement.

394
395 **Discussion on Town Contracts – Possible Motion to Enter into Executive Session per 1**
396 **V.S.A. § 313(a)(1)(a) to Discuss a Tree Planting Agreement between the Town of Charlotte**
397 **and Josh Golek**

398
399 **MOTION by Kelly Devine, seconded by Frank Tenney, that the discussion of the voided**
400 **contract between Josh Golek and the Town of Charlotte would significantly disadvantage**
401 **either the town of Charlotte or Josh Golek were it to be discussed in open meeting. VOTE:**
402 **5 ayes, 0 nays; Motion Carried.**

403
404 **MOTION by Kelly Devine, seconded by James Faulkner, to enter into Executive Session**
405 **per 1 V.S.A. § 313(a)(1)(a) to Discuss a Tree Planting Agreement between the Town of**
406 **Charlotte and Josh Golek with an invitation to the Town Administrator, Nathaniel**
407 **Bareham to attend. VOTE: 5 ayes, 0 nays; Motion Carried.**

408
409 **MOTION by Frank Tenney, seconded by Lewis Mudge, to exit out of Executive Session.**
410 **VOTE: 5 ayes, 0 nays; Motion Carried.**

411
412 James Faulkner stated that no action was taken. Comments were opened to the public.
413
414 Mary Cheney stated that she has concerns about the process and wants to make sure that
415 everyone can contribute and feel heard. She owns a large area of property in Charlotte on Lewis
416 Creek Rd and was approached in the past about the planting of free trees along the roadway. She
417 went on to state that she spoke with neighbors and decided that not only would a long range view
418 be lost but also the view of the wildlife in the field. Therefore, she chose not to accept the gift of
419 trees to be planted on her property along the roadside.
420 Debbie Preston stated that the State Park Rd tree planting plan came as a shock as well as all
421 other Rutter Tree plantings that have been done without notice or input from the town residents.
422 The Vermont State Tree Warden Statutes states that they are mandated to cut down trees in
423 public view sheds. She went on to state that knowing this state statute it seems counterintuitive
424 for trees to be planted in public view sheds in the first place.
425 Ward Preston stated that there is separation of church and state in this situation in his opinion.
426 An agent of the town should not be going to private property and promoting planting of trees it
427 should be the land owner applying for assistance from the Rutter Tree fund.
428 James Faulkner stated that there is a lot more to be added and or changed to the Tree Planting
429 Agreement and it will take time. There is unfortunately a time sensitivity with the trees for the
430 State Park Rd which have already been ordered and are arriving this week.
431 Kelly Devine stated that in the interim the arriving trees could be stored at the Town Garage.
432 James Faulkner and Lewis Mudge concurred.
433 Mark Dillenbeck stated that because the trees are arriving, the holes have been dug and the
434 mulch placed a solution would be to simply have the trees planted without an agreement.
435 Kelly Devine stated that it seems reckless to proceed with planting of the trees without a legal
436 binding agreement and town Tree Planting Agreement finalized.
437 Mark Dillenbeck stated that releases could be signed by the landowner and the volunteers.
438 Lewis Mudge stated that Mark Dillenbeck, Charlotte Tree Warden, has worked really hard for
439 the town and this project wasn't done to go against the town it was more of a process issue.
440 Mark Dillenbeck stated that he will not be going against the will of the Selectboard's wishes by
441 planting the trees on the private property on State Park Rd. He recognizes that some valid points
442 have been raised.
443 Discussion was had regarding the importance of the process being defined and as quickly as
444 possible.
445 Alexa Lewis stated that if the State Park Rd tree planting is on hold due to the proper process not
446 being defined and adhered to this means the Town Garage tree planting will also need to be
447 postponed.
448 James Faulkner stated that he is aware that the Town Garage tree planting will also have to be
449 put on hold until this policy can be clarified. Junior Lewis has agreed to store the trees.
450 Alexa Lewis stated that she will need to resign as Deputy Tree Warden if it's decided to
451 postpone these two projects since she has spent valuable time, six months, working on the
452 logistics of this and she has too much else on her plate to reorganize all the volunteers etc. for a
453 later date. She went on to state that she is happy to work with the Selectboard on the process
454 going forward but it will be the responsibility of the Selectboard to reorganize this project if it is
455 to proceed at a later date vs this weekend as scheduled.

456 Vince Crockenberg stated that he is one of the volunteers working on this project with Alexa
457 Lewis, Mark Dillenbeck and many others in the good faith understanding since the Selectboard
458 signed off on the warrants that this was a project that had the Selectboard's support. All the hard
459 work and effort up to this time is at risk for being lost. He went on to state that he feels
460 concerned about the health of the trees as they are stored waiting to be planted. As a volunteer
461 he feels frustrated and potentially may decide to be done with volunteering his time as well.
462 Discussion was had regarding an MOU and it was decided that time wouldn't even allow for the
463 accomplishment of an MOU since public input needs to be gathered in this process.
464 Kelly Devine stated that there is no action to be taken this evening. The best the Selectboard can
465 do is to state that every effort will be made to work with the Road Commissioner to assure safe
466 storage of the trees until such time that this is resolved.
467 Natalie Kanner stated that it's an unfortunate consequence to lose great volunteers because of
468 procedural shortcomings but it's really important to have the town's liabilities protected before
469 proceeding.
470 Nathaniel Bareham stated that he will work with the Road Commissioner regarding the storage
471 of the trees.

472
473 **Discussion on Personnel – Senior Center Coordinator Position – Possible Motion to Enter**
474 **into Executive Session per 1 V.S.A. § 313(3) for the Potential Hiring of a Town Employee,**
475 **with a Final Decision to be Made During Open Meeting**

476 James Faulkner stated that he and Frank Tenney participated in the interview for the Senior
477 Center Coordinator Position last week and he feels that there is no need for an Executive
478 Session.

479 Lewis Mudge confirmed that the Senior Center Coordinator Position is a position that was filled
480 six months ago but the last hire didn't work out.

481 Lori York stated that this new person would be helping out with the operations of the Senior
482 Center.

483
484 **MOTION by James Faulkner, seconded by Frank Tenney, to appoint Tracy M. Brown of**
485 **State Rd North Ferrisburgh, VT as the Senior Center Coordinator for 19 hours a week**
486 **with an hourly wage of \$18.50 beginning April 15, 2024.**

487 James Faulkner withdrew the motion.

488
489 **MOTION by Kelly Devine, seconded by Frank Tenney, that the Selectboard accept the**
490 **letter of a confidential offer of employment as Senior Center Coordinator addressed to**
491 **Tracy Brown of North Ferrisburgh VT and all the terms and conditions there with,**
492 **including the start date, terms for hours of employment, pay rate, determination date, the**
493 **length that the offer remains open. Authorize the Selectboard Chair to sign the letter.**

494 **VOTE: 5 ayes, 0 nays; Motion Carried**

495
496 James Faulkner stepped away from the meeting to gather the necessary paperwork for Lori York.

497
498 **Termination of Current Thompson's Point Lease for 62 North Shore Road between the**
499 **Town of Charlotte and Marilyn Boyd**

500

501 **MOTION by Frank Tenney, seconded by Kelly Devine, to terminate a current Thompson's**
502 **Point Lease for 62 North Shore Road between the Town of Charlotte and Marilyn Boyd.**
503 **VOTE: 4 ayes, 0 nays, 1 absent (Faulkner); Motion Carried.**
504

505 **New Thompson's Point Lease for 62 North Shore Road between the Town of Charlotte and**
506 **Carol Y. Conard**
507

508 **MOTION by Frank Tenney, seconded by Kelly Devine, to approve a new Thompson's**
509 **Point Lease for 62 North Shore Road between the Town of Charlotte and Carol Y. Conard**
510 **Trust. VOTE: 4 ayes, 0 nays, 1 absent (Faulkner); Motion Carried.**
511

512 James Faulkner returned to the meeting.
513

514 Mary Mead stated that the original paperwork needs to be signed.

515 James Faulkner stated that he would come in tomorrow to sign the original paperwork since it
516 requires a notary of public.
517

518 **MOTION by Lewis Mudge, seconded by Kelly Devine, to recess as the Selectboard and**
519 **reconvene as the Local Liquor Control Board. VOTE: 5 ayes, 0 nays; Motion Carried.**
520

521 **Local Liquor Control Board:**

522 **DLL Application 40731 – Renewal of an Outside Consumption Permit for Philo Ridge**
523 **Farm & Livestock, LLC**
524

525 **MOTION by Lewis Mudge, seconded by Natalie Kanner, to approve application 40731 for**
526 **the renewal of a First Class Outside Consumption Permit for Philo Ridge Farm &**
527 **Livestock, LLC. VOTE: 5 ayes, 0 nays; Motion Carried.**
528

529 **DLL Application 40740 – Renewal of a First Class Restaurant and Bar License for Philo**
530 **Ridge Farm & Livestock, LLC**
531

532 **MOTION by Kelly Devine, seconded by Natalie Kanner, to approve the DLL application**
533 **40740 for a renewal of a First Class Restaurant and Bar License for Philo Ridge Farm &**
534 **Livestock, LLC. VOTE: 5 ayes, 0 nays; Motion Carried.**
535

536 **DLL Application 40733 – Renewal of a Third Class Restaurant and Bar License Philo**
537 **Ridge Farm & Livestock, LLC**
538

539 **MOTION by Frank Tenney, seconded by Natalie Kanner, to approve the DLL Application**
540 **40733 for a renewal of a Third Class Restaurant and Bar License Philo Ridge Farm &**
541 **Livestock, LLC. VOTE: 5 ayes, 0 nays; Motion Carried.**
542

543 **DLL Application 39909 – Renewal of an Outside Consumption Permit for Charlotte**
544 **Restaurant Group, LLC**
545

546 **MOTION by Kelly Devine, seconded by Lewis Mudge, to approve the DLL Application**
547 **39909 for a renewal of an Outside Consumption Permit for Charlotte Restaurant Group,**
548 **LLC. VOTE: 5 ayes, 0 nays; Motion Carried.**
549

550 **DLL Application 39911 – Renewal of a Third Class Restaurant and Bar License for**
551 **Charlotte Restaurant Group, LLC**
552

553 **MOTION by Kelly Devine, seconded by Natalie Kanner, to approve the DLL Application**
554 **39911 for the renewal of a Third Class Restaurant and Bar License for Charlotte**
555 **Restaurant Group, LLC. VOTE: 5 ayes, 0 nays; Motion Carried.**
556

557 **DLL Application 39913 – Renewal of a First Class Restaurant and Bar License for**
558 **Charlotte Restaurant Group, LLC**
559

560 **MOTION by Kelly Devine, seconded by Lewis Mudge, to approve the DLL Application**
561 **39913 for a renewal of a First Class Restaurant and Bar License for Charlotte Restaurant**
562 **Group, LLC. VOTE: 5 ayes, 0 nays; Motion Carried.**
563

564 **Approve Meeting Minutes for March 25, 2024**

565 James Faulkner stated that due to the time this agenda item would be postponed until the next
566 Selectboard.
567

568 **Adjournment**
569

570 **MOTION by Lewis Mudge, seconded by Kelly Devine, to adjourn. VOTE: 5 ayes, 0 nays;**
571 **Motion Carried.**
572

573 The meeting was adjourned at 9:13 p.m.
574

575 Minutes respectfully submitted by Brooke Milo, Minute Taker. Edits by Nathaniel Bareham.