

CHARLOTTE SELECTBOARD MEETING
Monday, July 8, 2024
Charlotte Town Hall 159 Ferry Road and via teleconference

SELECTBOARD MEMBERS: *In person:* James Faulkner, Chair; Frank Tenney, Vice Chair; Lewis Mudge; Natalie Kanner (absent); Kelly Devine

ADMINISTRATION: Nathaniel Bareham Town Administrator

OTHERS:

In person: Tanna Kelton, Dan Cole, Margaret Woodruff, Charles Russell, Jenny Cole, Greg Cluff, Can Dogana, Hugh Lewis Junior, Laurie Moser, Jack Pilla, Mike Dorsey, Deirdre Holmes, Cheryl Sloan, Maura Wygmans, Gerald Bouchard, Polly Price, JD Herlihy, Damaris Herlihy, Happy Patrick, Brendan Tedeschi, Carl Hurst.

Remote: Dave Marshall, Alexa Lewis, Bill Regan, Brett Yates, Carla von Trapp Hunter, Carrie Spear, Elisa Fante, Loren Tindall, Moe Harvey, Nancy Faulkner, Paul Plante, Chea Waters Evans

AGENDA ITEMS:

- 5:00 PM Site Visit at Spear Street – Approx. 500 yards north of the intersection of Spear Street & Carpenter Road near Mud Hollow Brook (44.3435, -73.1946)
- 6:30 PM Adjustments to the Agenda
- 6:31 PM Approve Warrants to Pay Bills
- 6:35 PM Selectboard and Town Administrator Updates
 - 1. Nathaniel Bareham
 - a. Update on emergency repair to west village wastewater system
 - b. Update on Act 133 amendments to Vermont’s Open Meeting Law
- 6:40 PM Public Comment
- 6:45 PM Discussion, and possible action, on proposed repair work to the Charlotte Memorial Museum
- 7:00 PM Discussion of sloughing on Spear Street near Mud Hollow Brook, and possible action on repair work to be done
- 7:15 PM Review of CCRPC Speed Study and Traffic Analysis for Ferry Road
- 7:25 PM Discussion, and possible action, on traffic calming measures for Ferry Road
- 7:50 PM Review, and discussion, of a possible crosswalk between the Charlotte Senior Center and Charlotte Post Office
- 8:05 PM Review, and possible action, on Notice of Vacancy for:
 - 1. Thompson’s Point Design Review Committee
 - 2. Emergency Management Coordinator
 - 3. Deputy Tree Wardens
- 8:10 PM Discussion of a formal complaint made against a public officer – Possible Executive Session per 1 V.S.A. § 313(a)(3)
- 8:25 PM Discussion of a bargaining unit proposed by AFSCME Council 93 – Possible Executive Session per 1 V.S.A. § 313(a)(1)(e)
- 8:40 PM Approve Meeting Minutes for June 24, 2024
- 8:45 PM Adjournment

Call to Order

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

James Faulkner stated that there was a site visit at Spear Street – Approx. 500 yards north of the intersection of Spear Street & Carpenter Rd near Mud Hollow Brook. He along with Nathaniel Bareham, and Junior Lewis were present at this site visit. A portion of the road is sloughing off to the point that it is now dangerous. He went on to state that there are safety devices around it currently so that people don’t go across it but this issue is considered an emergency situation and needs to be dealt with immediately. Dave Marshall is taking a look at it. The funds to cover this emergency situation may come out of the highway reserve but at this time this is uncertain.

Adjustments to the Agenda

James Faulkner stated that he would like to add to the agenda. There is a need for a Selectboard member to be appointed as a point of contact to the new Recreation Director. The Personnel Policy requires this to happen therefore this will take place around 8:10 p.m. this evening.

Approve Warrants to Pay Bills

Warrants were signed.

Selectboard & Town Administrator's Updates

1. Nathaniel Bareham

a. Update on emergency repair to west village wastewater system

Nathaniel Bareham stated that some issue arose last week with the west village wastewater system. It was noted that the pump station was at max capacity and the pump wasn't working. It has now been drained and the pump has been repaired and is now working. There is additional work that needs to be done in the next couple of weeks. This pump station accommodates all four buildings: Town Hall, Library, Senior Center and CVFRS.

b. Update on Act 133 amendments to Vermont's Open Meeting Law

Nathaniel Bareham stated that this was a two step process for the Town of Charlotte that was required to be done by July 1, 2024. The first step was to include a written document outlining the process for an open meeting and the second step was to include an updated fact sheet to the state of VT regarding what adjustments were made for the open meeting law as well as the legal requirements for responding to the complaint. This has been done and is posted on the town website currently.

Kelly Devine stated that a point of order would be that all Zoom platform attendees show their full names while attending a meeting so it can be documented as to who was present at this meeting and all meetings.

Kelly Devine stated that she and Lewis Mudge have done some calculations on the financial impacts to the town relative to the proposed change. The next step will be to organize with town employees by working through the Town Administrator to have an opportunity to explain the new program and answer questions.

Public Comment

Tanna Kelton stated that at the last Selectboard meeting she made statements regarding her concerns for the town employees becoming unionized since she was uncertain if the town residents were aware of this and the impacts it will have on the town. She posted an article in Front Porch Forum on this topic and since then, she has received many emails from town residents that are afraid to speak out regarding their concerns with the issue of unionization of the town employees.

Tanna Kelton read some of these emails outloud. One of the concerns came from a resident that is struggling with their low income and the increase in taxes as well as property taxes causing fear for the sustainability of remaining in the Town of Charlotte.

Tanna Kelton read another email from a town resident that is a teacher and knowledgeable of being forced to be in a union. This resident spoke of how the union representatives manipulate teachers to do things that benefit only the Vermont National Education Association and not the students. In this email the writer went on to state that town employees have known for more than two years that this change was coming to the health insurance benefits.

It has been promised to the tax payer multiple times that town employee benefits would be reduced and this promise has been repeatedly broken. The town employees are paid better than most employees and of any other town in VT. If unionizing should occur there will be more of a divide between the town employees and the tax payer and Selectboard.

Tanna Kelton read another email from a town resident that voiced that the tax payer should not be paying town employees copays and deductibles. No one deserves this extra benefit just for doing their job and to think they need a union to hide behind is selfish.

Tanna Kelton read another email from a town resident that stated that they were a US Government employee for 30 years and always had to choose a health care plan and pay out of pocket for premiums and copays and anything insurance didn't cover. If the town employees want to look elsewhere for employment they are welcome to do so but unionization will only have negative impacts on the town and the tax payer.

Tanna Kelton read another email from a town resident that stated this unionizing of the town employees seems to be a retaliation on their part and this is poor timing with an 18% tax increase. The town employees are very well compensated, receive excellent benefits and their work conditions are excellent. The silence on this topic goes to show the fear the town employees have invoked on the taxpayer.

Tanna Kelton read another email from a town resident that stated that town employees have been given substantial salary increases and have had very generous benefits packages over the years and had to pay very little if any at all out of pocket expenses for these benefits with copays and deductibles. This has been discussed at many Selectboard special meetings since the town budget didn't pass and town employees spoke out and pushed back against anyone that suggested reducing the benefit packages. Tanna Kelton continued to read the email of this town resident stating that the town employees all knew this change was coming and weren't taken off guard with this news. It's upsetting that with all the increases in their salaries and with being allowed another year without change to their benefits that now they're going to join a union. It seems as though the tax payer isn't heard until voting time. Many others share in this opinion but they're afraid to speak up because they feel bullied when they do.

Tanna Kelton stated that in sharing all of these emails that there are clearly many very upset town residents in regard to the idea of the town employees becoming unionized and this is going to have a negative impact for generations.

Discussion, and possible action, on proposed repair work to the Charlotte Memorial Museum

Dan Cole stated that there have been issues with the roofing systems drip edge as it is not an overhang and seems to be made for gutters. Therefore, when it rains the surface tension will actually draw the water back underneath and it comes down the fascia and has begun to rot the fascia. Last year a large hole was repaired due to this on the south side. He went on to state that the gutter on the north side is pulled away and not functioning properly and the south side never had any gutters to his knowledge. He went on to state that Happy Patrick suggested to him to seek funding for this project without any cost to the tax payer and it was just two days later that Happy Patrick brought back a plan of action for this funding. With this happening so quickly, this is the first time this has been able to be brought to the Selectboard's attention. The company Leaf Guard has been chosen because of their warranties and Brendan Tedeschi is here from the company to answer any questions.

Happy Patrick stated that the funding would come from the Patrick Foundation which is a small family foundation that started in 1993 and it gives to projects going on in VT, all but medical research. The Charlotte Museum is eligible for this grant and the funding is available now.

Brendan Tedeschi stated that he is with the company Leaf Guard, and the plan would be to replace the rotting fascia boards and wrap them with aluminum to protect the fascia boards so they wouldn't rot out and this protects the roof. He went on to state that this comes with a lifetime paint finish warranty so they'd never need to be repainted and wouldn't rot out. There is a lifetime no clog warranty so even if they do clog they could be called and they'd come and clean them out for free. There is also a lifetime no pull away or detachment warranty so the gutters will never pull away or fall off. The cost of the project is \$9,893.

James Faulkner stated that this will all need to be submitted in written form.

Brendan Tedeschi stated that he has all the paperwork that he can submit this evening including the certificate of insurance.

Nathaniel Bareham stated that along with the COI the town will need a rough copy of the work planned to be done. There is no need to go out to bid since this is not town money being spent.

Frank Tenney stated that he would like a copy of the warranties written to either the Town of Charlotte or to the Charlotte Museum and not to a particular person and Brendan Tedeschi concurred with this condition.

MOTION by Lewis Mudge, seconded by Frank Tenney, to accept the generous donation from the Patrick Foundation for work to the Charlotte Museum roof gutters with the following conditions: 1) a COI will be submitted by Leaf Guard, 2) a Scope of Work document will be provided by Leaf Guard to include a price and time frame of the work, 3) warranty documents will be submitted by Leaf Guard in regard to the work that is to be done, 4) the Patrick Foundation will provide a funding letter to illustrate how the project will be funded. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

Discussion of sloughing on Spear Street near Mud Hollow Brook, and possible action on repair work to be done

James Faulkner stated that this is a huge concern as discussed at the beginning of the meeting. The updated document from Dave Marshall shows that the existing guard rail will be relocated. Dave Marshall from Civil Engineering Associates stated that roughly a week ago the area was looked at and they noted significant sloughing of the roadway at that location. Due to the steepness of the embankment there is potential for a domino effect by fixing the one location the sloughing off would continue further down and further down the roadway. The plan to avoid this involves widening the roadway on the east side of the road by six feet. He went on to state that the plan still needs further fine tuning which will involve collaboration with the Road Commissioner regarding the flat areas of the road and the areas of the road that have embankments that will make the widening more challenging. Once this takes place they will come back to the Selectboard with final solutions for the repair plans. This planning is necessary in order to allow for biddings on the work to be on the exact same scope of work which will allow for clearer comparisons and will make the decision on of which bid to accept easier. Kelly Devine asked if there might be any other things that could be done in the area to help prevent future problems?

Dave Marshall stated that the west side slopes down to the edge of the river which means it will fall to the jurisdiction of many regulators and therefore it will take time. Access is a definite challenge. There are proactive measures that can be done to protect that part of the roadway. He went on to state that Junior Lewis stated that this particular part of the roadway is scheduled for repaving. Ideally the widening of the road would be completed prior to that in order to have a seamless surface. The work on the east side is to be done with the hopes that the west side wont continue to have problems. Junior Lewis did some investigation and found that the river didn't seem to be the primary issue as to why this settlement has occurred. In fact, there was nothing obvious to be the cause.

Junior Lewis stated that the area had been patched several years ago and it seemed to stay but the most recent patch lasted roughly 10 days only so there is a definite problem. This issue could be due to the wet year that we had last year and the fact that there has been increased truck traffic on the roadway at this location due to Dorset St being closed to trucks. He went on to state that something needs to be done, the west side is a 30-40 foot drop down to a muddy brook and this is why he contacted Dave Marshall to come up with a solution. The town has the right of way to expand the road as planned on the east side but the land owner should be informed just the same. James Faulkner stated that in his opinion this is an emergency situation.

Kelly Devine stated that she has concerns about getting someone to do this work and soon.

Junior Lewis stated that he could do this work but that it can definitely go out for bid too.

James Faulkner stated that he feels that the town should go with the contractor that they have being that they are more than capable of doing the work and this would speed up the process of getting the work done. Time is essential because this situation is an emergency situation.

Dave Marshall agreed that this is an emergency situation due to public safety and the CEA is there to assist.

Junior Lewis stated that before there is any action by the Selectboard the landowner should be notified in his opinion despite the town having the right of way that is needed.

All concurred with Junior Lewis.

Junior Lewis stated that GMP will need to be contacted as there are a lot of poles that are going to be needed to be moved.

Kelly Devine stated that a quick plan from Dave Marshall's team along with a budget would be great. In the interim the landowner could be notified of the situation and the upcoming work that is needed to take place.

James Faulkner stressed the danger of the area and the probability of a disaster happening there. Regardless of the cost something needs to be done.

Junior Lewis stated that he will call GMP to coordinate with them as to when the work can be done.

James Faulkner stated that some research could take place with the assistance of Nathaniel Bareham to find out what funding is available in terms of grants etc.

Junior Lewis stated that the area of work is roughly 500 feet and all concurred this will be a costly but necessary project.

All concurred that if all of the moving parts can come together and Junior Lewis is able to do this work before the time of the next meeting there can be a special meeting called to approve the commencement of the project.

Nathaniel Bareham stated that he will put a notice on Front Porch Forum to help with informing the general public of the danger at this location and the upcoming emergency work that will be

taking place in the near future.

James Faulkner stated that a set of flashing lights would be wise to have at this location to help with safety at night.

Kelly Devine stated that there is heavy rainfall expected later this week due to the hurricane.

Junior Lewis confirmed that he can take one of the sets of flashing lights from Dorset street and place it at this location as soon as tomorrow to help improve safety around this site at night.

Carla von Trapp Hunter stated that this Thursday there is an expected 2-3 inches of rain.

Review of CCRPC Speed Study and Traffic Analysis for Ferry Road

Discussion, and possible action, on traffic calming measures for Ferry Road

James Faulkner stated that this evening the goal would be to approve the signage since this information is provided by CCRPC now and feedback has been given by many town residents at this point in time. Lowering of the speed limit will take place at a later date.

Nathaniel Bareham stated that CCRPC recommended two types of signage, "Trail Crossing Warning" signs for the new boardwalk trail in both directions and "Unsafe to Pass" signs at appropriate locations in both directions. He went on to show a rough location for the signs with the use of the map included in the CCRPC Speed Study which is included in tonight's meeting packet.

Lewis Mudge received confirmation that coming down Greenbush Rd heading west the first sign will be the diamond shape sign that states "Unsafe to Pass" and then further down a sign that states "Trail Crossing" on the right side and then in the other direction heading east the same will be seen, a sign stating, "Unsafe to Pass" and then a sign stating "Trail Crossing" at the boardwalk. Four new signs in total.

Jack Pilla stated that because the trail ends where it does at this time people are crossing at this location so it makes sense to install the signs at this time stating, "Trail Crossing". When the trail is extended down the road heading east on the other side of the RR tracks the signs can be reused at that location at that point in time.

Lewis Mudge stated that it has been said that having an abundance of signs can cause drivers to actually disregard the signs.

Jack Pilla stated that there will only be two additional signs in each direction.

JD Herlihy stated that it is a common occurrence to have automobilists drive right through the stop sign and it might be better to have a "Stop ahead" sign vs a "25mph ahead" sign.

James Faulkner and Lewis Mudge concurred that there is actually both of these signs at that location already and Nathaniel Bareham confirmed this with maps.

Junior Lewis stated that sign cluttering is not the answer, giving out tickets is the answer to the problem.

James Faulkner received confirmation that the funding for the signs would come out of the highway budget.

Carla von Trapp Hunter stated that she read the traffic calming study and with the concern of too many signs she wonders if the band across the road that is recommended on page 8 could be helpful. It's bright red and states the speed but could instead state, "Stop ahead".

Paul Plante concurred with Junior Lewis that the foliage was cut back this week making the current signage visible again.

MOTION by Kelly Devine, seconded by Lewis Mudge, to approve the recommendations, 8 and 9, in the technical memorandum submitted by the CCRPC dated 6/21/24 and that implementation to be undertaken by the Road Commissioner and the final location will be at his discretion. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

James Faulkner stated that CCRPC is recommending a speed radar sign on Ferry Rd.

Discussion was had regarding the efficacy of these speed radar signs.

Maura Wygmans stated that she feels the signs are working but not consistently. Her son saw an automobile go by at 71 mph at the Greenbush Rd location where there are speed radar signs but this is the highest they've witnessed. It would be nice to see some of the other traffic calming measures implemented, such as road strips, crosswalks, rumble strips, narrowing of the roadways.

Carla von Trapp Hunter stated that she often sees automobilists traveling at 50 to 70 mph and she feels that some of these other modalities should be implemented at both Greenbush Rd and Ferry Rd.

Kelly Devine and Jack Pilla concurred that the speed radar signs should be used after the speed limit is reduced.

Demaris Herlihy stated that the speed radar signs are helpful for 80% of the drivers and it is a good starting point.

Discussion was had regarding placing the order for the speed radar sign since it takes time to get that accomplished and working on getting the speed limit reduced in the interim.

James Faulkner stated that he would really like to see these radar signs on Ferry Rd and put in place by mid-August.

Junior Lewis stated that there is a mobile radar sign that could be put up on Ferry Rd for the time being.

All concurred and the exact location will be determined.

Kelly Devine stated she would like to know the potential cost and maintenance for the surface painting and rumble strips.

Junior Lewis stated that the road painting is repainted annually. As for the rumble strips he's uncertain as to the costs of that.

Jenny Cole stated she supports the signage and the reduced speed limit but has concerns with the rumble strips and medians as it pushes the automobilist toward the outside of the road where pedestrians are. Perhaps widening the road would be best. She went on to state that rumble strips wouldn't benefit the situation here in her opinion.

James Faulkner stated that due to the limited space along the sides of Ferry Rd the idea of widening the road isn't really an option. When looked at two years ago it was found that the most that could possibly be gained with widening Ferry Rd on the west side was 18 inches.

Nathaniel Bareham stated that in the study one of the suggestions was to increase the width of the fog lines to help facilitate the extra space for the pedestrians on either side of the road.

Bill Regan stated that most of the suggestions from the traffic calming study are to give the automobilist the impression that the road is narrower than it actually is to help with reducing speeds. These suggestions don't actually reduce the width of the road. Typically, when you widen the roads it causes the automobilist to speed up.

Junior Lewis stated that the center lines are painted by the state of VT on class 2 roads and the town does the class 3 roads as well as the fog lines.

Lewis Mudge stated that it seems counterintuitive to do both the median and widening of the fog lines and would make the most sense to just widen the fog lines.

Damaris Herlihy stated that what Bill Regan was explaining is that these measures don't actually make the road narrower it simply gives the automobilist the impression that the road is narrow to slow them down and that is why CCRPC is recommending both be done, the median and the fog lines.

Junior Lewis stated that the road is roughly 26 feet wide currently.

Frank Tenney stated that it would make sense to shift the lines on the road back to the north as it was prior so that the whole 4 foot wide path could be on the south side again and it could connect to the boardwalk and go all the way up to the intersection.

Junior Lewis stated if that were to be done the road would need to be repaved in order to move the crown of the road over with the shifted lines which is very expensive.

Charles Russell stated that the reason that the road was shifted in the past was that it was dangerous having a bicyclist riding down the hill and approaching walking pedestrians and young children on a 4 foot wide path.

Discussion was had regarding next steps, timing and where the financing would come from for these traffic calming measures since all concurred it's unfair to have it all come out of the highway budget as the highway budget has a lot of other costly projects.

James Faulkner stated in order to lower the posted speed limit on Ferry Rd the Selectboard would need to amend the town's motor vehicle and traffic regulation ordinance. The packet includes suggestions for modifications to the ordinance. He went on to state that if the Selectboard members had a chance to look these over the favored modifications could be sent over to Nathaniel Bareham to do more research on and at the next meeting in two weeks the Selectboard could then vote on accepting the changes and then could lower the speed limit.

Following this step the Selectboard could look at the other traffic calming measures.

Nathaniel Bareham concurred and stated that the drafted amendment to the town's motor vehicle and traffic regulation ordinance could be reviewed by the town attorney and then voted on at the next meeting if it's duly warned. Sixty days from the adoption is when the ordinance would become effective and a copy of the ordinance would be sent to the Sheriff and they could use it in court to enforce the new speed limit.

Discussion was had regarding the proposed modification to the ordinance.

Lewis Mudge stated that although the traffic calming study suggested reducing the speed limit to 35 mph it makes sense to lower it to 25 mph due to the fact that there is going to be a trail at this

site.

Frank Tenney stated that he wonders if a step down in speed is required on the west side of the RR tracks to 35 mph and then on the east side to begin the 25 mph due to the fact that the speed limit dropping from 50 mph to 25 mph is significant.

Charles Russell stated that the guidance for setting speed limits states that if you set a speed limit too low automobilists wont respect it all.

Damaris Herlihy stated that she feels the step down is important and she thinks it's critical to reduce the speed limit on Ferry Rd to 25 mph with the increased pedestrians in that area due to the trail. Automobilists are always going to go 10-15 mph over the speed limit and they'll get a ticket if they are going 15 mph over the speed limit. She went on to state that applying the same logic to the east village would be appropriate.

Paul Plante concurred with Damaris Herlihy and stated that there should be a single speed limit in both villages for the entirety of both villages. Both villages need a consistent speed limit.

Kelly Devine asked Nathaniel Bareham to contact CCRPC and inquire why the suggested speed limit was 35 mph and what they think of 25 mph and the step down.

Nathaniel Bareham agreed to contact CCRPC to gather this information from the professionals.

James Faulkner stated at this time this agenda item will be discussed further at the next meeting and in the interim further research can take place. In regard to step down he received confirmation from Junior Lewis that further signage would be necessary.

Mike Dorsey stated that he supports the reduction to 25 mph and the step downs.

Jenny Cole stated that planning ahead with getting money in the budget for traffic calming this coming budget season would be wise.

Kelly Devine concurred that this is certainly important but it will be a challenge with significant cost increases in the current year and the fact that the town's budget has been extremely tight and the town had a failed budget this past voting season.

Appointment of a Selectboard member as designee to meet with the Recreation Director

James Faulkner stated that this position was just filled and this new employee began working for the town today. Natalie Kanner is the liaison to the Recreation Commission and she is willing to be the contact person for this newly filled position.

Nathaniel Bareham stated that this is for probationary hires, the town's personal policy indicates this is a requirement.

MOTION by Kelly Devine, seconded by Lewis Mudge, to appoint Natalie Kanner as the Selectboard's designee to meet with our new Recreation Director as per section 3.2.1 of the town's Personnel Policy. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

Review, and discussion, of a possible crosswalk between the Charlotte Senior Center and Charlotte Post Office

Carl Hurst stated that this will be a new crosswalk from the Senior Center by the driveway that will go across the road to the post office side of the road. It can either be in the location to bring it into the front or to the west of the post office, either way it is for an elderly population that may have issues getting across the road. They do use the post office frequently and with the parking issue at the Senior Center folks do park at the town hall parking and cross over to the Senior Center. He went on to say that flashing lights would also be nice.

James Faulkner stated that further research needs to be done as to where exactly the crosswalk would be placed.

Nathaniel Bareham stated that there is criteria that needs to be met in order to place a crosswalk. One of those criteria that isn't currently met is that there needs to be data on annual average daily traffic for west Charlotte. In order to move forward per these recommendations, the town would need some form of engineering judgement indicating that the crosswalk would have some measure of increase in pedestrian safety.

James Faulkner stated that it's up to the Selectboard to gather more information on this request but this is a doable request.

Deirdre Holmes stated that there was discussion last summer with the Tri-Valley bus service that involved the possibility of a request-able stop in Charlotte. An actual bus stop did exist in the past in Charlotte and they are not interested in this at this time but they're interested in providing a request-able stop and this requires a bus route where it can turn around and where pedestrians can get off and on. When it was discussed the location of in front of the post office was the preferred location, therefore if the crosswalk was there it would be an additional opportunity for pedestrians to cross the street safely. If there are cars parked in the four parking spots in front of

the post office the bus simply stops in the road and the pedestrians walk past the parked cars and load on/off the bus.

Review, and possible action, on Notice of Vacancy for:

1. Thompson's Point Design Review Committee

James Faulkner stated that this is just an FYI that there is an opening on the Thompson's Point Design Review Committee.

2. Emergency Management Coordinator

James Faulkner stated that there is an opening for the Emergency Management Coordinator position.

3. Deputy Tree Wardens

James Faulkner stated that there is two openings for Deputy Tree Warden.

Frank Tenney stated that the Selectboard hasn't decided if they want these positions filled.

Frank Tenney stated that he would like to see an opening for an alternate position on the DRB. There are currently no alternate positions on the DRB.

Kelly Devine stated that she is not necessarily in favor of an alternate position for the DRB.

MOTION by Kelly Devine, seconded by Lewis Mudge, to approve the notice of vacancies dated July 8, 2024. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

James Faulkner concurred with Frank Tenney to put the opening for an alternate position on the DRB on the next meeting agenda.

Discussion of a formal complaint made against a public officer – Possible Executive Session per 1 V.S.A. § 313(a)(3)

MOTION by James Faulkner, seconded by Lewis Mudge, to enter into executive session pursuant to 1 V.S.A. § 313(a)(3) for the evaluation of a public officer. And to invite Town Administrator, Nathaniel Bareham, into this session. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

MOTION by Frank Tenney, seconded by Kelly Devine, to exit out of executive session. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

Frank Tenney stated that no action was taken during the executive session. The Selectboard's plan going forward is to have an executive session at the next Selectboard meeting in order to hear from the complainants and the public official separately.

Kelly Devine stated that the Selectboard will also be looking into the legality as to what is a matter of public record through legal advice.

Frank Tenney said the Selectboard will look into process to find out who should meet with the Selectboard first the public official or the complainants and they will proceed accordingly at the next meeting.

Discussion of a bargaining unit proposed by AFSCME Council 93 – Possible Executive Session per 1 V.S.A. § 313(a)(1)(e)

MOTION by James Faulkner, seconded by Kelly Devine, in finding that these discussions on pending civil litigation, to which the public body is a party, which would place the public body at a substantial disadvantage. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

MOTION by James Faulkner, seconded by Kelly Devine, to enter into executive session pursuant to 1 V.S.A. § 313(a)(1)(E) to discuss pending civil litigation, to which the public body is a party. And to invite Town Administrator, Nathaniel Bareham, into this session. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

MOTION by Frank Tenney, seconded by James Faulkner, to exit out of executive session. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

Frank Tenney stated that no action was taken during the executive session.

Adjournment

MOTION by James Faulkner, seconded by Lewis Mudge, to adjourn. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.

The meeting was adjourned at 9:53 p.m.

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