

CHARLOTTE SELECTBOARD MEETING
Monday, March 10, 2025
Charlotte Town Hall 159 Ferry Road and via teleconference

SELECTBOARD MEMBERS: *In person:* Lee Krohn, Chair; Frank Tenney, Vice Chair; Lewis Mudge; Natalie Kanner; J.D. Herlihy

ADMINISTRATION: Nathaniel Bareham Town Administrator

OTHERS:

In person: Scooter MacMillan, Jim Hyde, Susan Hyde, Charles Russell, Alexa Lewis, Nancy Wood, Ruth Uphold, Ruah Swennerfelt, Louis Cox, Carrie Spear, Ian Sloan, Cheryl Sloan

Remote: Hugh Lewis Jr, Deirdre Holmes, Lauren Akselrod, Lindsay Smith, Mike Smith, Patrice Machavern, Paul Plante

AGENDA ITEMS:

- 6:30 PM Approval of Consent Agenda
a. Meeting Minutes for Jan. 27, 2025, and Feb. 20, 2025
- 6:35 PM Adjustments to the Agenda
- 6:36 PM Selectboard Re-organization:
a. Discussion, and determination, of Selectboard Leadership
b. Adoption of Selectboard Rules of Procedure
c. Select the Newspaper of Record
d. Approve Schedule of Regular Meetings
e. Determine Selectboard Liaison Assignments
f. Selectboard's Work Plan for 2025/2026
- 7:20 PM Approval of Warrants to Pay Bills
- 7:25 PM Selectboard & Town Administrator's Updates
- 7:30 PM Public Comment
- 7:35 PM Liquor Control Board:
a. Application 53745 – Restaurant/Bar License – Charlotte Restaurant Group
- 7:40 PM Opening of Bids submitted for the 2025 Mowing and Land Maintenance RFP 4
- 7:50 PM Discussion, and possible action, on awarding the Mowing and Land Maintenance Contract – Possible Executive Session per 1 V.S.A. § 313(a)(1)(A)
- 8:05 PM Discussion of collective bargaining negotiations with AFSCME Council 93 – Possible Executive Session per 1 V.S.A. § 313(a)(1)(B)
- 8:20 PM Adjournment

Call to Order

Frank Tenney called the meeting to order at 6:30 p.m.

Approval of Consent Agenda (Meeting Minutes for Jan. 27, 2025, and Feb. 20, 2025)

Frank Tenney stated that the use of the consent agenda was decided on by the last Selectboard but it's not necessary to revote on this process in unless the Selectboard decides to add it to the Selectboard rules.

MOTION by Lewis Mudge, seconded by Natalie Kanner to approve the consent agenda as presented. VOTE: 3 ayes, 0 nays, 2 abstentions, (Krohn and Herlihy); Motion Carried.

Adjustments to the Agenda

Lee Krohn stated that he would like to propose having public comment at the beginning of the Selectboard meetings to allow for the public to speak on matters that are not on the agenda right away vs. waiting for their chance to speak.

Discussion was had regarding this for future agendas and for this particular meeting. All concurred for this evening public comment will take place at 6:40 p.m., following the adjustment to the agenda and then again after the Selectboard reorganization agenda item.

Frank Tenney stated that discussion of the Dorset Street Bridge will be added to the agenda, to take place after the agenda item, approval of warrants to pay bills. All concurred.

Public Comment

Carrie Spear stated that the welcome to Charlotte signs are looking poor and she would like them to be replaced and in a frugal manner.

Discussion was had regarding the fact that the Selectboard put the plan back in motion last year to have two signs replaced each year. Two signs are in the process of being replaced currently.

Nancy Wood welcomed the new members of the Selectboard. She went on to state that she would like to see the affordable housing trust fund money used this year and appropriately. She would also like to see discussion and consideration of a hybrid town meeting for future town meetings.

Carrie Spear stated that there has been a lot of discussion amongst town residents regarding meeting as a town in January and then voting in March on town meeting day.

Frank Tenney stated that the Selectboard would have to have the budget done before Christmas in order for a meeting to take place in January.

Discussion was had regarding process for a Special Town Meeting in January and for voting to occur on town meeting day in March.

Hugh Lewis Jr. stated that he has concerns with the Poulin trucks running trucks across Hinesburg Charlotte Rd and Spear St. and this would be a bad idea for heavy trucks to be hauling across there this time of year. The trucks are carrying somewhere around 70,000 pounds between truck and load. If they have an overweight permit in the town of Charlotte in the summer when the roads are good, all this permit grants them is 55,000 pounds. Mary Mead was unable to find an overweight permit on record at the Town Clerk's office. Legally if they don't have a permit they are only allowed truck and load, 24,000 pounds.

Frank Tenney stated that he would back Hugh Lewis Jr's recommendation to have them stay on Lime Kiln Rd.

Nathaniel Bareham stated that he will be speaking with Dave Marshall tomorrow afternoon so he will cover this concern with him and follow up with Poulin as well.

Hugh Lewis Jr. stated that if the town allows the trucks to come in from the south they should be limited to 55,000 pounds or under. If they come in from the north across Lime Kiln they can come in with their heavy loads like they have been.

All concurred with Hugh Lewis Jr's recommendations.

Lewis Cox stated that the number of axels on the trucks should determine what they can carry. Hugh Lewis Jr. stated that their trucks are triaxles. Two axles is 15,000, three axles is 18,000 and tractor trailers are 20,000. These weight limits are put on them so this time of year they can't even drive on the road empty. Charlotte is not posted as of right now basically due to this project. He went on to state that he is not trying to stop the trucks he's just trying to protect the integrity of the Charlotte Hinesburg Rd.

Selectboard Re-organization:

a. Discussion, and Determination, of Selectboard Leadership

MOTION by Lewis Mudge, seconded by Frank Tenney, to appoint Frank Tenney as the Selectboard Chair. VOTE: 1 aye, 3 nays, 1 abstention (Tenney). Motion Failed.

MOTION by Natalie Kanner, seconded by J.D. Herlihy, to appoint Lee Krohn as Selectboard Chair. VOTE: 2 ayes, 2 nays, 1 abstention (Krohn); Motion Failed.

Natalie Kanner stated that although there is precedence not to vote for one's self this is not in the Selectboard's rules of procedure and she encouraged both Frank Tenney and Lee Krohn to reconsider voting for themselves.

Frank Tenney stated that he would like to ask for a revote on the last motion.

MOTION by Natalie Kanner, seconded by J.D. Herlihy, to appoint Lee Krohn as Selectboard Chair. VOTE: 3 ayes, 2 nays; Motion Carried.

MOTION by Natalie Kanner, seconded by Lee Krohn, to appoint Frank Tenney as the Selectboard Vice Chair. VOTE: 4 ayes, 0 nays, 1 abstention, (Tenney); Motion Carried.

b. Adoption of Selectboard Rules of Procedure

Lee Krohn stated that the changes that are being proposed would be to change the date of adoption or readoption and there is a proposal to change the time the Selectboard meets to match current circumstances. The board used to meet at 6 p.m. and currently it meets at 6:30 p.m. Discussion was had regarding the consent agenda being added to the Selectboard rules and procedures.

Nathaniel Bareham stated that he had drafted language in the past to add the use of the consent agenda to the Selectboard rules and procedures and can have something ready for the next Selectboard meeting in two weeks. All concurred.

Charles Russell stated that he would recommend that the Selectboard consider changing the start time of the meetings to 7 p.m. as this is the start time of all other meetings in the town. It is an advantageous time since it allows for all to get to the meeting on time and to have dinner at home prior to the meeting. He went on to state that the Selectboard needs to allow the public to comment on anything that is discussed. The rules should conform to state statute.

Discussion was had regarding moving the start time for the Selectboard meetings to 7 p.m. All concurred with this change.

Discussion was had regarding adding to the language of the Selectboard Rules and Procedure under section F in order to comply with state statute. All concurred that discussion of this can take place at a future meeting for the sake of time.

MOTION by Frank Tenney, seconded by Natalie Kanner, to adopt the Selectboard rules of procedure with the amendment of the Selectboard meeting start time to be adjusted to 7 p.m. and the other edits as presented. VOTE: 5 ayes, 1 nay, (Tenney); Motion Carried.

Lee Krohn stated that for the record all should take note that this approved motion means that the next Selectboard meeting will begin at 7 p.m. and not 6:30 p.m.

c. Select the Newspaper of Record

Lee Krohn stated that in the past there has been two different approaches to this. The issue has likely been that The Charlotte News only comes out every two weeks causing the making of some warning timelines challenging.

Discussion was had regarding the fact that the use of other newspapers is still an option regardless of the designation of the newspaper of record. Other newspapers would include The Charlotte News and Seven Days. More often than not notifications will be put in the Citizen and The Charlotte News as well when appropriate.

MOTION by J.D. Herlihy, seconded by Natalie Kanner, to designate The Citizen as the town of Charlotte's newspaper of record per 17 V.S.A. 2641(b). VOTE: 5 ayes, 0 nays; Motion Carried.

d. Approve Schedule of Regular Meetings

Lee Krohn stated that normally the Selectboard meets on the 2nd and 4th Monday of every month. Other than needing an adjustment to the month of May with Memorial Day falling on the 4th Monday of the month the rest of the calendar looks clear. The one adjustment would be to move the 2nd Selectboard meeting for the month of May to Tuesday May 27, 2025.

Discussion was had regarding a conflict with the Conservation Commission meeting on the evening of Tuesday, May 27th. All concurred that this particular Selectboard meeting could take place on Tuesday May 27, 2025, and the location is to be determined at a later time.

All concurred with this slightly adjusted Selectboard meeting schedule.

e. Determine Selectboard Liaison Assignments

Lee Krohn stated that he has interest in serving as liaison to CVFRS and would be willing to take Frank Tenney's role or to share this role with Frank Tenney.

Frank Tenney stated that he doesn't mind staying on as liaison to CVFRS but only one member of the Selectboard can be on CVFRS corporate board. He has committed a lot of time to this effort but he's willing to step down and let Lee Krohn take over.

Lee Krohn stated that he would be happy to be the liaison to the Emergency Management/Planning since he is the temporary Emergency Management Coordinator at this time and plans to volunteer for this role on a long term basis.

Discussion was had and it was confirmed that there is no conflict of interest with this since the Emergency Management Coordinator is a standalone position and isn't a committee or a commission.

Frank Tenney stated that he would continue as the liaison to the Road Commissioner.

J.D. Herlihy stated that he would be the liaison to the Friends of the Charlotte Senior Center. Natalie Kanner stated that she could step in for J.D. Herlihy in the future if the schedule becomes a problem.

Natalie Kanner stated that she can stay on as the liaison to the Library Board of Trustees but in the future there may be a conflict of interest with her potential role in the union negotiations. Discussion was had and all concurred that Natalie Kanner can remain in this role for the time being and if necessary adjustments will be made.

Lewis Mudge stated that he is happy to remain as the liaison to the Park & Wildlife Oversight Committee.

Frank Tenney stated that he will remain as the liaison for the Development Review Board.

J.D. Herlihy stated that he is happy to be the liaison to the Planning Commission

Natalie Kanner stated that she would like to postpone the decision regarding the liaison assignment to the Conservation Commission since she would continue to serve in this role if she is able. It's unknown until later in tonight's meeting if she is able to stay on as the liaison to the Library Board of Trustees due to potential conflict of interest if she is to be delegated to be involved in the union negotiations or not. If she can't serve as the Liaison to the Library Board of Trustees she would be able to serve as the liaison to the Conservation Commission. All concurred that this will be decided on later this evening.

Natalie Kanner and Frank Tenney stated they would both like to be liaison's to the Energy Committee. Frank Tenney filled this role alone last year and this year they will work on this role together.

Natalie Kanner stated that she is happy to remain as the liaison to the Recreation Commission.

Lee Krohn stated that he will be the liaison to the Trails Committee.

Frank Tenney stated that he will continue as the liaison to the Town Properties & Facilities. Lee Krohn stated that he can also be the liaison to the Town Properties & Facilities.

Nathaniel Bareham stated that the liaison role for Thompson's Point Wastewater would include attending three meetings per year and some additional meetings as needed.

J.D. Herlihy stated that he will take on the role as the liaison to Thompson's Point Wastewater.

f. Selectboard's Work Plan for 2025/2026

Lee Krohn stated that there is nothing slotted for the month of July on the Selectboard's work plan and therefore the town meeting and affordable housing topics could take place at that time. Natalie Kanner stated that she would like to discuss the Affordable Housing Committee sooner than later and putting it on the Selectboard work plan for the month of May makes sense since there is enough time.

Lee Krohn concurred and stated that town meeting could also be discussed in May while it's fresh in people's minds. The system that is in place at this time has to be used to vote on changing to Australian ballot.

Alexa Lewis stated that there could be a Special Town Meeting in advance of the regular Town Meeting to make a change.

J.D. Herlihy stated that it may take a couple of meetings to discuss, learn and create a change in Town Meeting.

Scooter MacMillan stated that there is another avenue other than voice vote and that would be a charter vote.

Lee Krohn stated that this is why it's important to begin conversations early so that the town can have all it's options presented ahead of time.

Natalie Kanner stated that a capital planning process needs to be discussed and included in the Selectboard's work plan.

J.D. Herlihy stated that he would like to create a process that would allow for prioritizing things that are on the work plan and things that come up later to be accomplished.

Frank Tenney stated that some items on the work plan could be worked on by a couple members of the Selectboard vs being on the Selectboard work plan as a whole.

Nathaniel Bareham stated that since the charter has been voted on the town needs to submit it to the Secretary of State as well as some supporting information. He is collaborating with Mary Mead to accomplish this and plans to have it done by Wednesday of this week.

Discussion was had regarding having someone from the Selectboard go to Montpelier to present on the charter vote. Nathaniel Bareham will find out if attendance by a Selectboard member is a requirement.

Natalie Kanner stated that it's important for the Selectboard members to set timelines for any specific Selectboard member projects as a way to hold themselves accountable.

Discussion was had regarding the Economic Development Committee included in the Selectboard work plan and it's likely goal of developing more commercial entities in the town.

Charles Russell stated that the Selectboard could benefit from considering forming a budget committee.

All concurred.

Approval of Warrants to Pay Bills

Warrants were signed.

Discussion of the Dorset Street Bridge

Hugh Lewis Jr. stated that the Dorset Street Bridge is deteriorating and lowering the weight limit would be called for as it's set at a limit of 15 tons at this time. Last week Friday he was at the Dorset Street Bridge and found that there were three large holes approximately 3 feet by 2 feet with rebar showing. Since then, he has filled them with cold patch for traffic to drive over them. He went on to state that the cold patch is cosmetic and does nothing for the strength of the bridge. The three holes are not close together, two are on the south end of the bridge and one is on the north end of the bridge. When Spear Street opens back up it will decrease the traffic there. Lowering the bridge weight limit won't stop the truck traffic through the bridge but it would release the town of liability if an overweight truck were to go through the bridge. Hugh Lewis Jr stated that roughly 15 years ago the bridge was repaired by removing old cement and replacing with new cement and this is potentially one option that could be done in order to postpone a complete rebuild.

Nathaniel Bareham stated that he has not yet reached out to Dave Marshall but he has reached out to CCRPC and VTrans. VTrans has a program for bridge management and he reached out to one of their coordinators to see what is available to the town for funding for short term and long term fixes in terms of replacing the decking on the bridge.

Frank Tenny stated that it is a poorly designed bridge. There is no support directly under where the tires travel. There are three cement columns that go north and south. The two on the outside are just about underneath the guard rails and there is one in the middle.

Hugh Lewis Jr. stated that he recommends lowering the weight limit of the bridge to 7 tons. If the weight limit was reduced this evening by a Selectboard vote it will take roughly two weeks for the new signage. In the interim the town could get somebody from the state bridge inspection to take a look at the bridge. He went on to state that another potential temporary fix could be to re-plate the whole bridge with steel plates.

Lewis Mudge stated that the seasonal signs could be put up for liability purposes until the new signage is in place. Hugh Lewis Jr. concurred.

Paul Plante stated that he would like to know if these numbers being discussed are by axel weight or if they are gross weight and will the temporary seasonal signs have the weight of law to cover liability?

Hugh Lewis Jr. stated that if the weight limit posting was with the town's seasonal signs and posted with the town clerk that should cover the town for liability. The weight being discussed is the gross weight.

MOTION by Lewis Mudge, seconded by J.D. Herlihy, to change the gross weight limit on the Dorset Street Bridge from 15 tons to 7 tons and to ask the road Commissioner to post

temporary signage advising the new weight limit in the interim of permanent signage. VOTE: 5 ayes, 0 nays; Motion Carried.

Selectboard & Town Administrator's Updates

No updates at this time.

Public Comment

Charles Russell stated that he would recommend that the Selectboard members work on projecting their voices when they speak to allow for all to hear more clearly.

Liquor Control Board:

Application 53745 – Restaurant/Bar License – Charlotte Restaurant Group

MOTION by Lewis Mudge, seconded by Natalie Kanner, to recess as the Selectboard and reconvene as the Liquor Control Board. VOTE: 5 ayes, 0 nays; Motion Carried.

Frank Tenney stated that they will need a second application for outside consumption of alcoholic beverages. The application before the Selectboard can still be approved this evening and a friendly reminder can be given to the Charlotte Restaurant Group to submit an application for outside consumption.

MOTION by Lewis Mudge, seconded by Natalie Kanner, to approve application 53745 a Restaurant/Bar first class License for the Charlotte Restaurant Group and authorize the chair to sign. VOTE: 5 ayes, 0 nays; Motion Carried.

MOTION by Lewis Mudge, seconded by Natalie Kanner, to adjourn as the Liquor Control Board and reconvene as the Selectboard. VOTE: 5 ayes, 0 nays; Motion Carried.

Opening of Bids submitted for the 2025 Mowing and Land Maintenance RFP 4

Nathaniel Bareham stated that the town received three bids for the town mowing and land maintenance.

J.D. Herlihy stated that a bid was received by Identical Properties Services LLC located on 2624 Hinesburg Rd in Charlotte, VT for \$17,640 with an hourly cost of \$90/hr for additional work. They have two cycle and four cycle trimmers.

Lee Krohn stated that a bid was received by National Snow Facilities Management Solutions, located in Milton, VT for \$26,000 with an hourly cost of \$55.55/hr for additional work. They have a 50% electric lawn service with a two cycle trimmer and a battery powered trimmer.

Frank Tenney stated that a bid was received by Fortin's Lawncare for \$31,620 with an hourly cost of \$55/hr for additional work. They have a two cycle, four cycle and battery powered trimmers.

Lewis Mudge stated that the Selectboard went with the lowest bidder a few years ago and it was a real problem. Frank Tenney concurred.

Discussion was had regarding taking more time to look over the bids and the plan is to have Nathaniel Bareham create a spreadsheet that shows all the bids for comparison purposes to include references as well and a vote will take place at the next meeting.

Lee Krohn stated that it would be wise to annotate the sealed bids with the date and time received so there can be no challenges in the future.

Discussion of collective bargaining negotiations with AFSCME Council 93 – Possible Executive Session per 1 V.S.A. § 313(a)(1)(B)

MOTION by Natalie Kanner, seconded by Lewis Mudge, to find that premature general public knowledge of the Selectboard's negotiations with AFSCME Council 93 would clearly place the public body at a substantial disadvantage. VOTE: 5 ayes, 0 nays; Motion Carried.

MOTION by Natalie Kanner, seconded by Lewis Mudge, to enter into executive session pursuant to 1 V.S.A. § 313(a)(1)(B), for the discussion of a labor relations agreement I further invite Nathaniel Bareham into this session. VOTE: 5 ayes, 0 nays; Motion Carried.

MOTION by Frank Tenney, seconded by Lewis Mudge, to exit out of executive session. VOTE: 5 ayes, 0 nays; Motion Carried.

Lee Krohn stated that no action was taken.

Adjournment

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

The meeting was adjourned at 9:04 p.m.

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