

**CHARLOTTE SELECTBOARD MEETING**  
**Monday, November 18, 2024**  
**Charlotte Town Hall 159 Ferry Road and via teleconference**

**SELECTBOARD MEMBERS:** *In person:* James Faulkner, Chair; Frank Tenney, Vice Chair; Lewis Mudge, (remote & in person); Natalie Kanner; Kelly Devine (remote for portions of the meeting)

**ADMINISTRATION:** Nathaniel Bareham, Town Administrator

**OTHERS:**

**In person:** Myra Handy, Richard Hendrickson, Hugh Lewis Jr., John Snow, Charles Russell, Patrick Zezulinski, Rosemary Zezulinski, Peter Demick, Ed Sullivan, Chris Boffa, Kate Kelly, Lindsay Smith, Margaret Woodruff, Ellsa Miller, Julian Phelps, Patrice Machavern, Ruth Uphold, Maura Wygmans, Zac Farnham-Haskell, JD Herlihy, Damaris Herlihy, Josh Meg, Rachel Daley, Woody Clifton

**Remote:** Alexa Lewis, Carrie Spear, Cheryl Sloan, Leslie Lewis, Matthew Bijur, Nancy Faulkner, Paul Plante, Tanna Kelton

**AGENDA ITEMS:**

- 6:30 PM Adjustments to the Agenda
- 6:31 PM Approve Warrants to Pay Bills
- 6:35 PM Selectboard and Town Administrator Updates
  - 1. Update on the Spear Street repairs
  - 2. Selectboard recognition of the Town Clerk's
- 6:40 PM Public Comment
- 6:45 PM Discussion, and possible action, on a funding request for the Charlotte Villages Planning Project by the Chittenden County Regional Planning Commission and Dubois & King
- 6:55 PM Preliminary Budget Presentations:
  - 1. Charlotte Volunteer Fire & Rescue Service
  - 2. Charlotte Public Library
  - 3. Charlotte Recreation Department
  - 4. Lewis Creek Association
  - 5. Conservation Commission
  - 6. Trails Committee
- 7:55 PM Discussion, and possible action, on amending Section(s) the Town of Charlotte's Motor Vehicle and Traffic Regulation Ordinance
- 8:05 PM Discussion, and possible action, on two draft requests for proposal(s) for the:
  - 1. Repair of the Skating Rink Electrical Box
  - 2. Installation of a Storage Shed at Charlotte Central School
- 8:15 PM Opening, and possible action, on snowplowing bids for the Town Hall, Library, and Park & Wildlife Refuge
- 8:20 PM Discussion, and possible action, on a contract with REPRO for printing the 2024 Town Report.
- 8:25 PM Discussion of Town Meeting location for 2024
- 8:30 PM Update on Negotiations with AFSCME Local 93
- 8:40 PM Discussion, and possible action, on implementing a consent agenda for future Selectboard meetings
- 8:45 PM Discussion, and possible action, on a Wastewater Agreement between the Town of Charlotte and Roland & Lisa Gaujac.
- 8:55 PM Meeting Minutes for October 7, 2024, October 21, 2024 and November 4, 2024
- 9:00 PM Adjournment

**Call to Order**

James Faulkner called the meeting to order at 6:32 p.m.

**Adjustments to the Agenda**

James Faulkner stated that discussion of Planning and Zoning hours will be added to the agenda at 8:05 p.m. and the agenda item, Discussion, and possible action, on two draft requests for

proposal(s) for the: 1. Repair of the Skating Rink Electrical Box, 2. Installation of a Storage Shed at CCS, that was scheduled for 8:05 p.m. will be removed since the Recreation Committee would like to gather more information for these two items.

James Faulkner stated that the Selectboard Update will include Natalie Kanner's update on the formed Inclusivity Working Group.

### **Approve Warrants to Pay Bills**

Warrants were signed.

### **Selectboard and Town Administrator Updates**

#### **Selectboard recognition of the Town Clerk's**

James Faulkner stated that he would like to express his gratitude to Mary Mead and Emily Tupper for all of their work with the 2024 election day. There was a tremendous turn out in voters and they got everything done by 8:30 p.m. which is an incredible accomplishment.

#### **Update on the Spear Street repairs**

Nathaniel Bareham stated that the plan is to begin to open bids on the slough/slide damage that occurred on the south side of Spear Street coal repair. The Selectboard approved the bids to go out. Dave Marshall distributed them to potential contractors. At this point, bids will begin to arrive in the next 24 hours. There will be a Special Selectboard meeting tomorrow night at 5:30 p.m. This information is available on the Selectboard page under the meeting packet and will be posted on the agenda. He went on to state that there will be a second Special Selectboard meeting this week on Wednesday at 5:30 p.m. that will take place in the Town Hall and that will be to review the bids that have been submitted and will give the Selectboard an opportunity to sit down with all the contractors to discuss those bids in detail. The Selectboard may decide to approve a bid at that time. The town has received it's permit for the culvert work and diligent work is taking place with Dave Marshall and the town attorney, Dave Rugh, to secure all the necessary documents needed for the repair work to begin. The goal to begin this work December 1<sup>st</sup> is on track at this time.

James Faulkner stated that some of this work should begin as early as next week. This is important as there is the window to complete this project by April 7, 2025, in order for it to be federally funded. The goal is to make this happen and to prevent the tax payer from having the burden of the large expense.

Myra Handy stated that she would like to know the size of the culvert.

James Faulkner and Frank Tenney stated that it is two culverts the same size as the original one and they will be placed side by side.

Natalie Kanner stated that the Inclusivity Working Group met for the first time just last week where they were able to hear from Al Wakefield. Al Wakefield is the person behind the state wide initiative. There was lots of opportunity for questions from the community. She went on to state that the community members also shared more of their interests and support for the Inclusivity Working Group moving forward. The next meeting will take place on December 11, 2024, at the town Library. The agenda is still being compiled at this time. Natalie Kanner stated that there will be more time to ask questions at the next meeting but the Inclusivity Working Group will be moving forward into the discussion of what the Inclusivity Working Group will be recommending for the Selectboard. Just a reminder that the sole purpose of the Inclusivity Working Group is to give a recommendation to the Selectboard as to whether the original document or a revised document written by the Inclusivity Working Group should go on the ballot on Town Meeting day. That or the Inclusivity Working Group will make no recommendation at all. The Inclusivity Working Group doesn't have the authority to sign it per se as that was not the group's directive.

### **Public Comment**

None.

### **Discussion, and possible action, on a funding request for the Charlotte Villages Planning Project by the Chittenden County Regional Planning Commission and Dubois & King**

James Faulkner stated that as seen in the report it is not finished. Part of the issue is that in order to continue the Selectboard needs to add more money to the project. The CCRPC is asking for \$3,028. The match for the town is \$757.00 and this funding will take the project to it's completion.

Darren Schibler, Senior Planner with CCRPC, stated that the memo that was sent a couple weeks ago has been superseded. For clarification what is being asked for this evening is the Master

Plan report is finished and was presented to the Planning Commission on October 24, 2024. There will be a few typographical corrections but the PC accepted the report. He went on to state that at that same PC meeting, discussion was had regarding additional funding for Dubois & King. At that time three options were available. One was to continue working with Dubois & King to have them fully fund the remaining tasks because more money was spent with task one and two trying to accomplish outreach to the community. Darren Schibler stated that this outreach was requested by the community and by the Steering Committee. CCRPC wanted to make sure to honor this request and also wanted to make sure the report captured all the important things that the town residents had to say about the villages. Consequently, CCRPC was unable to have Dubois & King work on the Land Use Regulations, which was the entire origin of this project started as a bylaw modernization grant from the State. He went on to state that despite this, CCRPC is the primary contractor and will be ensuring that the Land Use Regulations get drafted and delivered as part of the town's bylaw modernization grant. So, to clarify the town of Charlotte is not on the hook to accomplish this. The ask here is to reimburse Dubois & King for the additional time and effort doing the report and outreach to get to the task completion of the final report. He went on to state that the decision to support the request of this additional funding to the Selectboard came from a straw poll by the PC at their meeting on November 7, 2024.

James Faulkner asked for clarification as to why it took Dubois & King so much longer to complete this.

Darren Schibler stated that there were eight additional meetings of the Steering Committee between November of 2023 and July of 2024. There were a lot of additional outreach materials prepared. There were several extra events and meetings that were held with various community groups. He went on to state that there was an extra virtual design workshop in addition to the in person workshops. There was an additional preference survey and there were listening sessions with residents of each village. All of that was above and beyond the scope of work that was originally agreed to with Dubois & King through CCRPC's contract and through the discussions with the town. Darren Schibler stated that the decision was made to do this midstream due to determining that that was the best outcome for the project given all the public input that was being received and the concerns of the residents. He went on to state that CCRPC decided to use Dubois & King's expertise in community engagement and planning development to go with tasks, one and two. The overage came from trying to wrap up all that work towards the end and it was simply more hours than they anticipated.

Natalie Kanner asked if anyone notified the town and or received authorization during the process to continue with the noted additional work? It seems to be a substantial amount of extra meetings and it would seem that it must've been noted at the time unless perhaps this was just concluded at the end with final billing.

Darren Schibler stated that there was discussion about this extra work with Dubois & King early on and CCRPC was told that it would be inside of the budgeted amount of work. What happened was that the time taken to capture all of the extra input from the outreach in the report was what actually put the work over the original budgeted amount. He went on to state that he as the Senior Planner with CCRPC takes full ownership for this as well as Dubois & King. In the future they will take the necessary steps to assure this doesn't come up at the last minute.

James Faulkner stated this results in more money to the tax payer.

Darren Schibler stated that they realize that this isn't a requirement of the town but it is their hopes that the Selectboard will approve this additional funding because the town made these requests of CCRPC and Dubois & King and the work resulted in some very valuable information to the town in servicing the issues going on in the community not only just in the villages but also, regarding a lot of planning town wide. He went on to state that this information can also be used within the Charlotte Town Plan that is going to be updated in a year and a half.

James Faulkner stated that he would like to know what would happen if the Selectboard decided to end the project.

Darren Schibler stated that the project will continue regardless because CCRPC has committed to the delivery of the Land Use Regulation which is what the town needs to fulfill their Bylaw Modernization Grant requirement. If the Selectboard decides not to allocate the additional funding of \$757.00, CCRPC will work with Dubois & King to figure out how they can account for the overages. This wouldn't be an ideal situation but CCRPC does recognize that if that is what the town decides it would be perfectly valid.

Lewis Mudge stated that there has been some concern that if the town decides not to go with the recommendations of CCRPC regarding the Bylaw Modernization Grant that the grant funds will need to be paid back.

Darren Schibler stated that the town will not need to pay the grant funds back as long as the town

meets the deliverables of the grant contract. The contract is with the state of Vermont's Department of Housing Community Development. What is involved is simply drafting Land Use Regulations in accordance with the Bylaw Modernization Grant program and the Enabling Better Places guide. He went on to state that the state of Vermont recognizes that bylaws and regulations can't always be adopted with consensus of the community therefore there is no requirement to adopt them. The town just needs to draft them and document that they were produced.

Natalie Kanner stated that despite the fact that the Selectboard wasn't asked for permission to do this extra work, the PC members and community members did ask for the additional work and therefore, it seems that the respectable thing to do as a town would be to pay for the extra work that was done despite CCRPC and Dubois & King not requesting these extra funds in advance.

James Faulkner stated that these projects were going on all year and there should have been communication that the additional work was putting them behind.

Frank Tenney stated that the first plan that was handed in was in his opinion useless as it had so many errors.

All concurred.

Frank Tenney stated it seems that they are charging for a job that they couldn't originally do in some ways.

Lewis Mudge stated that the first plan looked haphazard and it's unclear if the additional funds are needed due to the corrections needed to follow this first plan or if it's solely due to the communities request of additional meetings.

Darren Schibler stated that the plan that was submitted back in July was an interim draft that was intended to get more community feedback, to guide a final plan and to guide where things should land in the final report. He went on to state that it was his understanding that Dubois & King understood that they missed the mark with the first draft and they went back and made the corrections on their own time. The additional meetings are what really accounted for the extra work and this shifting of funds to task one and two and the slight overage that is shown in the memo.

Peter Demick stated that he would be willing to donate \$350 to the town if the Selectboard voted on ending the project. The process has been a fiasco and the work has been lacking in professionalism. He went on to state that in his opinion the CCRPC wants a wastewater system treatment and water which will ruin the town like others. He would be willing to provide the funds this evening.

James Faulkner stated that that is not something that they as a Selectboard can do.

Charles Russell stated that it's important to note that the overage was due to things requested by the Steering Committee long before the draft plan was submitted.

Lewis Mudge stated that he is inclined to be in favor of paying this but going forward with working with CCRPC getting bills on the backend simply isn't going to be acceptable. There's a lot of attention on this project and a lot of town resident opinions. He went on to state that if the Selectboard moves forward it doesn't represent a wholehearted acceptance of everything that's going to be coming from CCRPC.

Darren Schibler stated that he has a solid understanding that Charlotte isn't completely enthused with some of the discussions that have happened as a part of the project. CCRPC has learned how to better manage projects in the future. He went on to state that he wants to express sincere apologies to the town on how this was managed. CCRPC is here to serve the communities, not to tell communities what to do or how things have to be done. CCRPC is here to support community led planning processes which is what he has tried to make this process. He went on to state that the recommendations in the report and anything that comes out of this process are just recommendations. It's up to the town to decide what is to be done with these recommendations. There will be further discussions about the regional plan and how that interfaces with Charlotte's Town Plan. Darren Schibler went on to state that it's CCRPC's goal to make this a collaborative relationship. There is no hidden agenda to come in and make changes to the town that the town is not in support of.

James Faulkner stated that he doesn't blame the town for asking for more meetings, the problem was with the management of the project.

Darren Schibler stated that Dubois & King will not be involved in the project going forward.

The PC made it very clear that that was their wishes to end the work with them. He went on to state that he and a colleague will be making sure that the Land Use Regulations gets drafted exactly according to what the PC and the community would like to see and will be sure that it is compliant with the Bylaw Modernization Grant.

Lewis Mudge stated that he will vote in favor of the additional funds for the project in order to bring this project to an end.

Natalie Kanner and Frank Tenney concurred.

**MOTION by Natalie Kanner, seconded by Frank Tenney, to approve an additional local match of \$757.00 for the Charlotte East & West Villages project and to authorize the Chair, Jim Faulkner, to sign the amended match agreement with the Chittenden Regional Planning Commission for their continued work on the Charlotte East & West Villages project. VOTE: 4 ayes, 0 nays, 1 absent (Devine); Motion Carried.**

#### **Preliminary Budget Presentations:**

##### **1. Charlotte Volunteer Fire & Rescue Service**

John Snow, President of CVFRS stated that there has been a structural change in how CVFRS's budget is being presented this year in comparison to budgets the past two decades. For many years the town of Charlotte maintained a Capital Reserve Fund that covered all capital purchases for fire and rescue. Then bonding became the preferred funding mechanism for large purchases and the Capital Reserve Fund was used for small capital purchase. He went on to state that the Capital Reserve Fund was terminated by the town last year. Historically CVFRS would present a multi-year capital requirement for equipment. The town would then fund it over multiple years and then CVFRS would come to the Selectboard for approval of the equipment needed. John Snow stated that this year's budget includes the capital equipment need for the coming fiscal year. Consequently, there can be no comparison to prior fiscal year budgets as they didn't include the capital equipment expenses.

John Snow reviewed the FY26 Budget Trends document included in tonight's meeting packet. He stated that the appropriation ask is increasing by 4.67% which comes to \$46,000. Without including the capital request, it would have been a 3.1% increase in budget. Patient billing shows a slight increase of \$3,450.00 for FY26 due to softness with collections. He went on to state that there is a personnel cost increase of 2.6% which comes to \$3,178. This is due to needing to remain competitive, meet the cost of living adjustments and the pay policy. Member Incentives is increased by \$15,000 in order to restore the volunteer level back to what it was two years ago. This budget line item used to be \$39,000. John Snow stated that the volunteers are CVFRS' best and most efficient resource. Membership dues and subscriptions line item is mainly for the payment of software systems but it also covers the payment for the Vermont Firefighters Association. The current software system is aged out and is no longer supported by the vendor. He went on to state that this new system will be the same as what sister agencies to CVFRS are using for reporting. Workers Compensation Insurance shows an increase of \$7,501 due to adverse experiences in the current fiscal year. John Snow stated that it's CVFRS' goal to increase the number of volunteers. The forms of incentives have become more significant in the volunteer model than it once was. There are things like paper call, that reward people for showing up to fire events that CVFRS hasn't historically provided explicit incentives for but neighboring departments do. There are one or two people who are shouldering an enormous burden as volunteers. He went on to state that it's important to provide sufficient incentive for these volunteers to want to continue. The alternative in these cases would be the necessary hiring of paid staff.

John Snow stated that CVFRS would generally present a ten year plan to the Selectboard for large equipment purchases. This is something that isn't included since the Capital Reserve Fund went away but could again be provided so that the Selectboard can see what is being saved for. There are some occasional expenses that can't be predicted but that's fairly rare. Mainly it's large equipment that comes to the end of its life. In FY26, the \$15,000 is for a combination of replacing a thermal imaging camera which has reached the end of its productive use and PPE, bunker gear and fire protective equipment.

Frank Tenney stated the reason the Capital Reserve Fund came to an end is because bonding was used for funding.

John Snow stated that bonding was the preferred mechanism for funding large purchases but all the other modest capital expenditures that the organization has that range from \$5,000 to \$20,000 still remain. These expenditures wouldn't be paid for with a bond.

Frank Tenney stated that these smaller expenditures could therefore be budgeted for since there is no reserve fund.

John Snow stated that this can be done only it increases volatility. One year will be higher by 20-30% due to a modest capital expenditure being needed. CVFRS doesn't have a mechanism right now for carrying a multi-year reserve for these modest capital expenditures. He went on to state that the advantage to having the town do it is it gives the town control over the money over a multi-year period and CVFRS has to ask the town for the funds needed from the reserve. This gives the town direct control over how and when the money is spent. It's the same amount of

money but it's spread out over time. John Snow stated that the Fire Division and Rescue Division amounts are all operations that aren't otherwise included. It's non personnel but rather consumables like equipment and supplies. This includes oxygen tanks and medications.

## **2. Charlotte Public Library**

Margaret Woodruff reviewed the FY25 Library Budget Breakdown document included in tonight's meeting packet. She stated that overall, the Library is asking for a 1.38 % increase which comes to \$650 more due to general inflation. The Custodial Service line item is projected to increase with an increase in the annual contract. This will be seen as a \$25/month increase. Postage shows an increase due to an increase in interlibrary loans. She went on to state that this is a way to get resources for people in the town of Charlotte. A grant is received each year from the state of Vermont that covers a part of that expense. Telecommunications shows a \$100 increase. Margaret Woodruff stated that the line item, Supplies has been level funded this year by working with other departments in town to save money and still get the supplies needed. The line item, Professional Development, remains at \$1,000 as it is strongly felt that the Library staff needs to have these opportunities to do the best job that they can do. There is an increase in the American Library Association and the Vermont Library Association dues. She went on to state that the Library's program attendance has increased by 16% from last year. The line item, Maintenance has gone up due to including the expense of snow removal which hasn't been included in past years. It could be financially beneficial to get one designated person/company to do all the preventative maintenance on all the town buildings. Margaret Woodruff stated that the line item, Computer Support for FY26 remains the same as this year. This is important as it's used for the integrated library system which includes checking out books and keeping library records. This line item also includes computer security and the backup services for the computer systems. People come to the library to use the library computers for various reasons. Library records need to be kept confidential per state statute. She went on to state that the town is fortunate to have a tech librarian on staff which provides much of the computer support needed without additional cost to the town. The library is coordinating with other town departments on getting a copier lease at a reduced price. Margaret Woodruff stated that the budget shows a placeholder for \$5,000 to start building a savings for possible future repairs to the building so that when something does come up they are prepared for it. The library has gotten over \$45,000 in grants over the past two years. That helped with computer upgrades, safety and accessibility improvements and adding to the library collection.

Natalie Kanner stated that she would like to see a breakdown of priority for the reserve fund that is being requested to begin as part of the library budget.

Lewis Mudge arrived at the meeting in person at 7:28 p.m.

Nathaniel Bareham explained that the town has an Improvement and Repair Fund for major infrastructure projects. Within that are also in case of an urgent situation during a fiscal year. Frank Tenney asked for past budgets to be made available so that comparisons can be made. Margaret Woodruff agreed to make them available at the next budget presentation.

## **3. Charlotte Recreation Department**

Zac Farnham-Haskell from the Recreation Department reviewed the Recreation Preliminary Budget document and the detailed Recreation Budget Narrative which are both included in tonight's meeting packet. The total of all Beach and Recreation Program income comes to \$93,490.01. The total of all Beach and Recreation Program expenses comes to \$138,226.01. The total of all Capital Improvements comes to \$40,000.

Nathaniel Bareham explained that impact fees are traditionally levied when development comes into town. As part of any kind of permit request or any kind of work done by the DRB. This is a way to offset service fees for the town. He went on to state that he will look to clarify this but it is his belief that the town is only able to levy impact fees if it has a Capital Reserve Fund and at this time Charlotte doesn't have a Capital Reserve Fund.

Lewis Mudge asked for clarification on the bathhouse renovation and pavilion.

Zac Farnham-Haskell stated that the renovation of the bath house into an ADA compliant structure with a covered pavilion would look like a structure with a metal roof with six pillars and it could be rented out for parties at the beach. The other option would be a log cabin like building but either option would have bathrooms in them. This would replace the bathhouse and planning for this is in the early stages.

## **4. Lewis Creek Association**

Kate Kelly from Lewis Creek Association reviewed the Lewis Creek Association 2024 Program Highlights document included in tonight's meeting packet which explains in detail all that occurred over the past year with LCA. Following this Kate Kelly reviewed the memo regarding the Proposal for annual Water Quality Stewardship Program - Charlotte, and Annual Request for Funds FY2025-26 which is included in this evening's meeting packet. The total request comes to a total of \$2,700 plus an unrestricted town donation to LCA of \$600.00. James Faulkner received confirmation that it's level funding.

### **5. Conservation Commission**

James Faulkner confirmed that the Conservation Commission didn't have any documents prepared for this preliminary budget presentation. He stated that going forward the Selectboard would like documents provided prior to the meeting so the Selectboard can be more prepared and so that the documents can be made available online and in the meeting's packet.

Peter Demick stated that there are only four budget items. There is \$50 due to the Regional Conservation Commission. Next there is \$600 to Outreach Presentations at the library that the Conservation Commission helps to host and serves as promotion of the Charlotte Conservation Commission. The CCC would like \$1,300 this year for the Invasive Species Program that's basically run at Thompson's Point through Sue Smith. He went on to state that she has stepped down at this time. The last item on the CCC budget is an update to the wildlife mapping which hasn't been done since 2008 and it's required by the Charlotte Town Plan and it's required by Act 171. The Conservation Commission has spoken with a couple of professionals that do wildlife mapping. Peter Demick stated that the estimated cost is anywhere from \$25,000 to \$40,000. The CCC would like \$12,500 to put into a reserve fund. Currently he is doing a six month study on wildlife in Charlotte. He went on to state that this includes 25 cameras that are currently out there and have been for a month. They will be moved in the next two weeks. With this process it will provide a good representation of the wildlife in Charlotte. This information should be useful with wildlife mapping and will hopefully result in a savings.

Natalie Kanner stated that she wonders since the Planning Commission needs mapping done for the Town Plan perhaps this could be a part of that.

Peter Demick stated that Charlotte Conservation Commission needs to get this mapping done and it hasn't been done.

### **6. Trails Committee**

Jack Pilla, Co-chair of the Charlotte Trails Committee reviewed the Charlotte Trails Committee Preliminary Budget Request document that includes a detailed narrative along with figures. This document is included in tonight's meeting packet. The Charlotte Trails Committee is asking for an annual operating budget of \$10,000 for FY26 in order to catch up on the trails maintenance and safety.

Lewis Mudge received confirmation from Jack Pilla that this \$10,000 is for a working budget and there will still be an article presented by the Trails Committee in a timely fashion this time around for the building of the next part of the trail that will go to the lake.

Jack Pilla stated that they are currently working on a more definitive price to complete this next portion of trail and to put in the article.

Frank Tenney stated that the repair needed on State Park Road trail coming to \$10,000 when it was done in 2021 seems concerning considering it was put in just three years ago.

James Faulkner stated that the project engineer at the time gave recommendations for the stone size, the amount of stone and the depth for the trail.

Jack Pilla stated that all the other trails have used a much finer stone with fines in them that prevents growth and is also suitable for bicycles.

Chris Boffa concurred with Jack Pilla and stated that there are miles of trails with the correct topping on it and they are in much better shape and easier to maintain.

Natalie Kanner stated that she is concerned regarding trails next to farmlands that may potentially have more overgrowth of vegetation happening and creating issue with maintenance.

Jack Pilla stated that the Trails Committee is putting together a comprehensive Trail Management Plan which is something that the committee hasn't had before. Nothing has been done in the past due to not having the funds to do so. The Trails Committee is trying to catch up and make and execute a plan going forward to maintain the trails. It's understood that it can't be done all at once but it is part of the Trails Maintenance Plan.

James Faulkner stated that if articles are requested they need to be presented to the Selectboard by the first week of January in order to complete the necessary steps which includes legal review.

Chris Boffa stated that Jack Pilla has and is doing an exceptional job since he's been on the

Trails Committee. This sort of dedication and time given isn't sustainable and the funds being asked for in the FY26 budget is the way to help with the town trails getting what they need.

**Discussion, and possible action, on amending Section(s) the Town of Charlotte's Motor Vehicle and Traffic Regulation Ordinance**

JD Herlihy stated that by Robert's Rules, decisions are supposed to have finality. This is an issue that has already been addressed by the Selectboard, voted on and approved and is past the time for reconsideration. Therefore, it would seem that any reconsideration on this is out of order.

Charles Russell stated that Robert's Rules have to do with a decision made within a meeting. This is an ordinance that was passed and you can certainly amend an ordinance. Broadly it's a reconsideration but in this case it is an amendment. He went on to state that if the Selectboard's motion was to reconsider the decision that would be one thing but in this case the Selectboard is doing a new amendment to a traffic ordinance. The Selectboard is not governed by Robert's Rule.

JD Herlihy stated that it's going against the rule of finality.

Kelly Devine stated that Roberts Rules oversees the operation from item to item in the meeting and it doesn't oversee the ordinance.

Mike Dorsey stated that he would like to know who the authority is given to in regard to process with this issue.

Jack Pilla stated that according to the statutes there were not enough residents on the petition that was put out. In his opinion nothing has changed since this ordinance was voted into place.

Lewis Mudge stated that he disagrees with JD Herlihy's statements. He went on to state that the Selectboard has a right to enact an ordinance and at an unspecified time later. It could be weeks, months, or years later and an ordinance could be amended. As a point of process, since this has been on the agenda there seems to be no reason why it can't be reconsidered.

James Faulkner stated that there are some changes and that is information has been brought before the Selectboard regarding safety. At the speed of 25 mph there is increased risk for sliding in the winter months while traveling down the hill on Ferry road if the driver is operating a truck, a plow or a school bus. The Road Commissioner has provided his opinion now that 25 mph is much too slow. He went onto state that on average if you stop at the intersection of Greenbush and Ferry Road and continue down the hill a vehicle will end up traveling close to 40 mph without applying any pressure to the gas pedal. Some bus drivers with a lifetime of experience have reported that it's dangerous for them to go 25 mph down the Ferry road hill. This is a commercial route that includes oil trucks, tractor trailer trucks etc. James Faulkner stated that considering all of this information brought to light he is feeling in favor of changing the speed limit to 35 mph which is still a reduction from the original speed limit of 40 mph.

Josh Meg stated that the CCRPC memo recommended ten measures of which the lowering of the speed limit to 35 mph was only one of the ten recommended measures. If this is to be the only measure taken it makes the town liable. The memo noted a trail head but they didn't collect any data regarding pedestrians or bicyclists of which has increased because of the trail head and the density of residences. He went on to state that there is a speed limit of 25 mph on Greenbush Road. Going south there are 17 houses and going north there are 14 houses. Going west on Ferry Road there are 22 houses. In regard to the premise that automobilists can't drive up or down the hill at this speed it would seem that it's their cars that need work not the town road.

Maura Wygmans stated that town residents are aware of every item on an agenda and it's not until the Selectboard makes a decision that there is reaction. The process includes making a decision followed by an appeal period along with the option to petition. The petition didn't receive the amount required to bring it back to the Selectboard. She went on to state that in her opinion this shouldn't be brought back up and discussed all over again when it has been discussed extensively already and a decision was made.

Frank Tenney stated that the petition doesn't bring the issue back to the Selectboard it puts the issue on Town Meeting day.

Maura Wygmans stated that her point is that it was on the agenda many times and discussion occurred to exhaustion and therefore it makes no sense to have it back on the agenda again post a made decision.

Rachel Daley stated that if the Selectboard is going to reconsider the ordinance made that includes the set speed limit of 25 mph then it would be more than appropriate and necessary to include another speed study done by CCRPC to factor in the pedestrian traffic and the trail head. In regard to the commercial trucks if they have issue with the 25 mph speed limit they need to

seek an alternate route.

Frank Tenney stated that as a bus driver he remains at the bottom of a hill in a situation when there is a line of traffic on a steep hill in order to go at a speed that is necessary to get up the hill. Rachel Daley stated that there are hills like this all over Charlotte. There is an advised 10 mph on Carpenter Road and there has never been an outcry such as this one.

Hugh Lewis Jr. stated that the reason this issue is being discussed again is likely due to his request to get it on the agenda since he hadn't had the opportunity to share his opinion of the speed limit being reduced to 25 mph. At the same time as the reduction in speed limit the no passing signs were installed. There are now more people passing than there was before the installment of the signs when the set speed limit was 40 mph. He went on to state that he wants to be on record stating that he is not in favor of 25 mph on Ferry Road. There inevitably will be an accident involving passing motorists and residents coming out of Lynrick Acres.

Mike Dorsey stated that with an increase in speed limit comes a decrease in safety. If the speed limit is going to be increased from the set 25 mph perhaps the additional trail work shouldn't be done.

Damaris Herlihy stated that the last meeting had a lot of anecdotal evidence. The fact of the matter is all vehicles including commercial vehicles have to stop on the hill to proceed through the intersection. Also, buses have to stop before the railroad tracks and then continue. So, no matter what they have to stop on the hill to proceed through the intersection beginning at 0 mph. She went on to state that it is vital information to know factually how many tickets were written along that stretch of road and what the speed limit was of the ticketed vehicles. She and her family have a clear view of the Ferry Road hill from their place of residence. Before the speed limit was reduced to 25 mph they witnessed motorists passing all the time. They witnessed motorists that would drive through the stop sign without stopping. Damaris Herlihy stated that this is all anecdotal evidence much like all the rest that has been presented but it should be considered that if there is to be passing of vehicles obeying the set 25 mph speed limit it's going to be passing at much slower speeds by comparison to a motorist going 50 mph being passed. The rate of fatalities increases immensely as motorists speeds increase. She went on to state that there is actual data and facts that she would like to share with the Selectboard in document form before a decision is made.

JD Herlihy stated that what he cares about is due process and due process was provided. The Selectboard heard comments, reviewed evidence and had a debate of its own accord. Despite the fact that Hugh Lewis Jr stated that he wasn't at the meeting, the minutes show that he was at the meeting of August 12, 2024, when this decision was made. So, he may have missed the part of the decision making but he was a part of the meeting originally. JD Herlihy went on to state that there needs to be finality in Selectboard decisions otherwise it corrupts due process of those that participated through the original process with the original proper order of business. It raises question about the finality of the Selectboard's decisions in general leading people to believe that decisions are all just open to change based on a minority of vocal residents. He went on to state that if there is going to be a revisiting of this decision then there should be another speed study done by VTrans and CCRPC should do a full analysis including the pedestrian traffic for the trail and the proposed additions to the trail. It requires the correct due process.

Rosemary Zezulinski stated that this decision happened in the summer time when a lot of people were away. Sixty-seven people did sign the petition but the people in East Charlotte didn't feel that it had to do with them. Many people didn't want to put their name on it due to confusion with needing to have to pay for it and due to fear of retaliation. She went on to state that she has received some unkind emails from residents of Greenbush Road when she has spoken out and put things on Front Porch Forum but she's not afraid to speak out. This roadway is a major connector to the Ferry. When she contacted the state and spoke to the courts, VTrans and District 5 they all said that Hugh Lewis Jr should be consulted. Rosemary Zezulinski stated that the trail head isn't safe and she doesn't feel it should have been built there in the first place.

Ruth Uphold stated that this is about safety and there is no mandate that anyone should walk along Ferry Road. The children that ride the bus twice a day, five days a week along Ferry Road during the school year they're on the steep part of the hill.

Woody Clifton stated that he has lived on Sunset Road for 35 years. There has been a huge increase in safety with pulling in and out of Sunset Road and he can only assume this is the same for residents on Lynrick Road. There has been roughly a 10 mph decrease in speeds since the change in speed limit from 40 mph to 25 mph. It's much safer to have someone pass a motorist at 25 mph compared to 40 mph.

Lewis Mudge stated that he would like to make clear that the Selectboard does value instances where Rosemary Zezulinski brings issues before them.

Charles Russell stated that he concurs with Hugh Lewis Jr that the crest of the hill before Lynrick Road becomes more dangerous with a 25 mph speed limit.

Rachel Daley stated that traffic has slowed down and safety has improved tremendously since the decrease in speed limit to 25 mph. Motorists that pass are going to pass no matter if she is going 25 mph or 35 mph. There are signs posted all over Charlotte that say the automobilist have to share the roads with pedestrians.

Lewis Mudge reiterated that in regard to procedure he doesn't think that the Selectboard is out of line with revisiting this ordinance and considering an amendment. With that being said he made clear that he will not be making a motion this evening.

James Faulkner stated that from what he's hearing tonight it sounds like the 25 mph speed limit is successful. The concern regarding safety with commercial trucks and buses remains to be a real concern of his.

Kelly Devine stated that she concurs with Lewis Mudge that the Selectboard has a right to revisit this ordinance. Robert's Rules has to do with procedure of the meeting and Robert's Rule doesn't allow audience members to call points of order. This ordinance hasn't been in effect for very long. The Selectboard went through a process that was following all of the laws as to how you make ordinance changes and it violates the spirit of what was done this past summer to make a change this quickly. She went on to state that it would be appropriate to put this on a Selectboard meeting agenda roughly 6 months from now since there has been some compelling testimony regarding the difference between 25 mph and 35 mph.

Ruth Uphold received clarification that James Faulkner stated that based on many testimonies this evening the reduction in the speed limit has been successful but that doesn't mean it is his opinion that it is successful.

Patrick Zezulinski stated that he would like to know if the local bus drivers were consulted during the time that the work was done in August in creating this ordinance.

Frank Tenney stated that he made his opinion known during the time of the original discussion.

Rosemary Zezulinski stated that the trail head, pedestrians, bicyclist were all acknowledged in the CCRPC memo. The multiple changes of speed along Ferry Road down to the ferry makes it unsafe. There are many residents that didn't show up tonight to speak because they thought that they had been heard at the last meeting and a decision was going to be made this evening.

Natalie Kanner stated that the Guide for Towns for Setting Speed Limits does say on pages 5 and 9 specifically that speeds set to low can create more and sometimes dangerous passing. Page 15 has a number of points that speak to this as well.

Damaris Herlihy stated that the CCRPC memo specifically states and this is in quotes that pedestrian and bicyclist data wasn't collected. Even if they looked at the trail they didn't collect data based on this. There is no parking lot to get to this new trail with the beautiful boardwalk so a person has to park up the hill and you have to walk down the hill to get to the trail. She went on to state that in the Setting of Speed Limits, A Guide to Vermont Towns from VTrans it also says things like higher pedestrian activity may require a lower speed. There are a lot of homes along that stretch of roadway. In the AAA foundation for Traffic Studies Impact Speed and Pedestrians Risk of Severe Injury or Death, the average risk of death for pedestrians reaches 10% at an impact of 23 mph, 25% at 35 mph and 50% at 42 mph. Setting the speed limit at a cohesive speed limit along all of Ferry Road would be appropriate.

James Faulkner stated that he concurs with Kelly Devine that it would be appropriate to give the ordinance time.

Frank Tenney stated that he is fine with more information being gathered through another speed study if that's what the general consensus is of the Selectboard.

Natalie Kanner stated that she has concerns with the town's liability with the change in the speed limit to 25 mph when the CCRPC memo's recommendation stated a recommended 35 mph.

Nathaniel Bareham stated that the town is not increasingly liable as long as it follows the procedures outlines by state statute and has a traffic study done and follows that process.

### **Planning and Zoning Office Hours**

James Faulkner stated that Larry Lewack, the Town Planner will be leaving in a couple of weeks. The requested schedule is that the office will be open on Tuesday, Wednesday and Thursday for their usual hours and Monday and Friday will be by appointment only. The next Town Planner will certainly be working less hours. On average this office serves twelve people per week.

Frank Tenney received clarification that the two Planning and Zoning employees work a 30 and 40 hour per week schedule.

Nathaniel Bareham stated that the Planning and Zoning office has always run in a manner where the employees figured out how to maintain at least one person in the office at all times even with the management of the DRB and PC meetings.

Frank Tenney stated that this schedule may have worked in the past but he wonders if this is common practice in other towns. It seems that the norm would be to have the supervisor set the schedule and have the staff follow it.

Nathaniel Bareham stated that this is common practice in other towns. The Planning and Zoning Office makes him aware of their hours and if there are changes they notify him of which he approves as long as their defined availability to the public is satisfied. This has been how the office has operated before he began as the Town Administrator and it has been successful.

Frank Tenney stated that it might be appropriate to have Wednesday as an appointment only Day since that's a day that the Planning and Zoning office has to cover the DRB meeting every other week.

Maura Wygmans stated that she deals with Planning and Zoning on a regular basis in the town of Charlotte and other towns as well and this is a common schedule. As for the Wednesday concern where it might seem like it could create a long day for an employee, the office will manage it so that it doesn't fall on any one employee.

All of the Selectboard members concurred that this suggested schedule of three days open and two days by appointment only is appropriate.

Discussion was had regarding this new schedule and it was clarified that no motion was necessary for this topic.

Nathaniel Bareham will report back to the Planning and Zoning office regarding the Selectboard's unanimous support of the new schedule to begin on December 1, 2024.

### **Opening, and possible action, on snowplowing bids for the Town Hall, Library, and Park & Wildlife Refuge**

Nathaniel Bareham stated that he had a telephone conversation with Chris Fortin prior to tonight's meeting. In this conversation Chris Fortin stated that he would be willing to continue plowing the Charlotte Park and Wildlife Refuge for \$75/plow and an estimated ten plows per season. Nathaniel Bareham went on to state that he will follow up with Chris Fortin regarding a bid in writing and this can be discussed at the next Selectboard meeting providing the one bid received doesn't include a bid for the Charlotte Park and Wildlife Refuge.

Frank Tenney opened the one bid that was received from Brian Fortin to find it was a bid for the Town Hall and Library only.

Nathaniel Bareham stated that a point of clarification is that the bid document and what was presented to the board did outline bidders could opt to bid on a portion or all of the bid. Chris Fortin and Brian Fortin are not preferred vendors of the town.

Frank Tenney stated that the bid from Brian Fortin was for \$150/plow and \$150 for salting on request.

Margaret Woodruff received clarification that the sidewalks will be shoveled with each plowing.

**MOTION by Frank Tenney, seconded by Natalie Kanner, to award the Charlotte snowplowing for the Town Hall and Library to Fortin's Lawncare at \$150 per plowing and \$150 for salting upon request. VOTE: 4 ayes, 0 nays, 1 absent (Devine); Motion Carried.**

### **Discussion, and possible action, on a contract with REPRO for printing the 2024 Town Report.**

James Faulkner stated that the history on this is that a lot of the information for the town is digital at this point. Last year the printing of the Town Report was reduced to 250 from somewhere around 600. Another cost savings that began last year was that the Town Report was not distributed by mail to town residents. He went on to state that the Town Report was made available on the town website and if a town resident wanted a paper copy they were available at the Town Hall. Mary Mead reported that 30-40 were used last year. This year there will be an in person town meeting and through discussion with Mary Mead and Nathaniel Bareham the thought is that 150 copies would suffice.

Frank Tenney stated that since it will be an in person Town Meeting this year he feels that 250 should be printed again this year.

Natalie Kanner received clarification that the recommendation from Mary Mead was originally 100 copies but following a discussion with Nathaniel Bareham Mary Mead agreed to the 150 copies as an appropriate amount of printed copies of the Town Report for town residents. This decision was made with the fact in mind that Town Meeting will take place in person this year.

**MOTION by Natalie Kanner, seconded by Lewis Mudge, to approve the contract between**

**the Town of Charlotte and REPRO for the printing of the 2024 Town Report, and authorize the Selectboard Chair, Jim Faulkner, to sign the agreement. VOTE: 3 ayes, 1 nay, (Tenney), 1 absent (Devine); Motion Carried.**

#### **Discussion of Town Meeting location for 2024**

James Faulkner stated because the Town Meeting has been held at CCS in the past and it's a widely known location for this event it would make sense to continue with this as the location. All concurred.

Natalie Kanner stated that the WiFi might be an issue if the Selectboard wants to offer the meeting virtually and therefore access to the schools WiFi would be necessary.

Frank Tenney stated that a mixer is needed for the audio at the Old Lantern and the school has this available.

Discussion was had regarding the challenges with offering Zoom for the Town Meeting.

Frank Tenney stated that this would be a Zoom link so those that are unable to make it to the meeting can listen to the discussion. It wouldn't be for interaction. If a resident wants to be able to make comments they will need to attend in person.

Nathaniel Bareham stated that he would look into MediaFactory's availability and cost. If they are available it would be strictly for a broadcast and that is his recommendation.

Maura Wygmans stated that having a Town Meeting on a Saturday during school vacation excludes a lot of Charlotte's town residents.

Charles Russell stated that the town voted to move Town Meeting to a Saturday to increase attendance. The other option is to have it held in the evening as many other towns do.

Kelly Devine stated it's important to consider the fact that utilizing the offered location of the Old Lantern would be keeping the money local.

Nathaniel Bareham stated that if it is decided that the location is to be at CCS then he will send the application over. There is no necessary motion.

A straw vote was taken on having the location for Town Meeting day to be Charlotte Central School and it came to 4 ayes and 1 nay (Devine).

#### **Update on Negotiations with AFSCME Local 93**

Kelly Devine stated that some progress has been made. Some potential dates have been come up with and put out to AFSCME for a possible first meeting and a general understanding of what the meeting will cover. This will include setting of ground rules and beginning the process of negotiation with the town lawyer. They are still in the process of trying to figure out roles with the library but they're not at a place where they can give a solid update regarding that. She went on to state that the way it has been explained by the town attorney is that the library is represented in the negotiations as another part to the negotiation or in her opinion they have to request that the Selectboard take on that role. An update on this should be available by the next Selectboard meeting. Kelly Devine stated that she and Lewis Mudge are the representatives for the town of Charlotte for the negotiation and will be supported by the Town Administrator, Nathaniel Bareham.

Frank Tenney inquired about the Beach Manager position.

Lewis Mudge stated that the Recreation Department requested 30 hours per week for the Beach Manager role and it's a seasonal position.

Kelly Devine stated that seasonal positions are exempt from AFSCME membership but they can look into it.

#### **Discussion, and possible action, on implementing a consent agenda for future Selectboard meetings**

James Faulkner stated that within tonight's meeting packet there is the Charlotte Selectboard Rules of Procedure. Item D4 addresses the consent agenda.

Nathaniel Bareham stated that he can look further into it but other towns that have implemented consent agendas do include liquor license applications as part of the broader consent agenda.

Kelly Devine stated that she disagrees since the Selectboard would have to be convened as the Liquor Control Board in order to accept a consent agenda with liquor license applications on it.

James Faulkner concurred.

Nathaniel Bareham stated that the way to move forward would be to strike the liquor licenses from this draft and maintain that final subsection language and follow up again with the attorney to confirm if his understanding of this is correct.

Kelly Devine stated that any Selectboard member can ask for an item to be put on the consent agenda.

Nathaniel Bareham stated that that was included in the language within the third sentence of the

updated language of the Charlotte Selectboard Rules of Procedure document highlighted in red. Frank Tenney stated that he would approve moving forward with a trial period with the use of the consent agenda without adding it in the language of Charlotte Selectboard Rules of Procedure document.

Discussion was had regarding codifying the language that included consent agendas to the Charlotte Selectboard Rules of Procedure document.

Nathaniel Bareham stated that curb cuts can't be included with consent agendas as a matter of policy. It would require an alteration to the Highway Access Permit Policy. This would require a conversation between the Selectboard, the Road Commissioner and the Town Administrator to determine the best way to delegate that authority. This can be on a future agenda.

James Faulkner stated that the Selectboard will move forward with the use of the consent agenda and leave the Charlotte Selectboard Rules of Procedure document the way it is and in March it can be adjusted at the Organizational Selectboard meeting in order to include the consent agenda if so desired.

Nathaniel Bareham clarified that even if the Selectboard were to give the Town Administrator the authority to handle HAP it would still require an alteration to the HAP Policy.

**Discussion, and possible action, on a Wastewater Agreement between the Town of Charlotte and Roland & Lisa Gaujac.**

Nathaniel Bareham stated that Roland and Lisa Gaujac own the property at the current Inn and the Old Lantern. At the time, through various grants, deeds or easements the town was informally provided with wastewater as well as parking over the years. The town determined that formalizing this arrangement and getting it into the land record as a formal agreement made the most sense. He went on to state that he, James Faulkner and Frank Tenney sat down with the town attorney and provided feedback regarding the best arrangement for this. David Rhue has provided this final agreement that has been agreed upon by Liam Murphy, the Gaujac's attorney. Nathaniel Bareham stated that both parties agree only David Rhue would like to do a little additional work on the Mylar prior to this being recorded in the Land Record which is why this is a conditioned approval this evening.

Frank Tenney asked for clarification on some of the language in the agreement that seemed to be saying the town was waiving it's rights.

Nathaniel Bareham stated that what the town is doing is waving the rights provided to the town through two separate legal documents and then the town is accepting them again as a singular document.

Frank Tenney received confirmation that the town has a right to put up signage regarding parking for the trail.

**MOTION by Lewis Mudge, seconded by Natalie Kanner, to approve this Wastewater Disposal Easement Location Agreement and Parking Easement between the Town of Charlotte and Roland Guajac and Lisa Gaujac regarding the town's rights to use a portion of the Old Lantern property, subject to final review and final approval of the town's attorney and to authorize the Selectboard Chair, Jim Faulkner, to execute the same. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Meeting Minutes for October 7, 2024, October 21, 2024, and November 4, 2024**

Lewis Mudge stated that he was absent for the two Selectboard meetings in October and therefore he will abstain from voting on October 7<sup>th</sup> and 21<sup>st</sup> meeting minutes.

**MOTION by Frank Tenney, seconded by Natalie Kanner, to approve the Selectboard meeting minutes for October 7, 2024, as amended. VOTE: 4 ayes, 0 nays, 1 abstention (Lewis); Motion Carried.**

**MOTION by Kelly Devine, seconded by Natalie Kanner, to approve the Selectboard meeting minutes for October 21, 2024, as amended. VOTE: 4 ayes, 0 nays, 1 abstention (Lewis); Motion Carried.**

**MOTION by Lewis Mudge, seconded by Kelly Devine, to approve the Selectboard meeting minutes for November 4, 2024, as submitted. VOTE: 5 ayes, 0 nays; Motion Carried.**

**Adjournment**

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

The meeting was adjourned at 10:03 p.m.

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