

CHARLOTTE TOWN MEETING

March 6, 2007

9:00 a.m.

Charlotte Central School

Charlotte, VT 05445

APPROVED ON APRIL 9, 2007

Selectboard Members Present:

Ed Stone

Charles Russell

Jennifer Cole

Francis Thornton

Ellie Russell – absent

Moderator

Jerry L. Schwarz

Staff Present

Dean Bloch, Town Planner

Moderator Schwarz called the meeting to order at 9 a.m.

Housekeeping matters:

1. There is no school meeting this afternoon. It was done last night.
2. If someone wants to speak, please stand and identify yourself. We do have a portable mike and a runner who will deliver the mike, so please wait for it to come to you.

Since there is no school meeting this afternoon, the intention is to try to run through this meeting from now until it is finished. We may take a break, and we may not.

The 8th grade is sponsoring a fundraiser with food and beverages in the lobby. The Selectboard asked him to make an announcement. There are only four members present because Ellie is in the hospital for tests.

Moderator Schwarz read the warning.

Moderator Schwarz read Article 1.

Article 1: Reports of the Town officers were accepted by voice vote.

He asked for a motion. Tina Flood made a motion to discuss Article 1. Lorna Jimmerson seconded the motion.

Discussion

Moderator Schwarz directed people to the location in the town report where the reports were located. He asked for questions or comments.

Ruah Swennerfeld – She had a question from town clerk’s report- paragraph about vote tabulating machines. She asked to hear from somebody from the Selectboard why it was not up for vote today (page 20 bold paragraph – supposed to be article in town warning).

Selectboard Member Charlie Russell – There was not enough discussion before the finalization of the warning. It had been voted down the year before or so. They did hear at the end of the year that the state was willing to give machines free. The state needed good assurance that towns would want them before giving them. If you would like to make an advisory motion later, it would be good for next year, he said.

Chris Davis – He introduced Ker Walker and noted that he is president for fire and rescue. He said thank you to Junior Lewis, Leslie Lewis and Junior’s crew, especially for the recent storm work they performed. He thanked Ray Curtis, outgoing president. He thanked Kay, the administrative assistant for fire and rescue. He thanked the Selectboard for outgoing and incoming members. He thanked Ellie Russell for her work as liaison from the Selectboard to fire and rescue.

He then mentioned Article Seven (2 and a half cents proposal for the fund for fire and rescue). He thanked the foresight of the Selectboards that were in service then and now. He said that the fund is critical.

Moderator Schwarz asked for questions or comments for Article I.

There were none.

He then asked for the vote.

VOTE: AYES HAD IT. ARTICLE 1 CARRIED.

Article 2: Will the Town vote to have Property Taxes payable on or before November 15, 2007 and to have payments made to the Town Treasurer under 32 VSA § 4773?

Moderator Schwarz read Article 2 out loud.

He asked for a motion. Tina Flood made a motion to discuss Article 2. Lorna Jimmerson seconded the motion.

Discussion

Moderator Schwarz asked someone on the Selectboard to explain the changes in Act 268 and how they would work with the November 15 deadline and when the rebate notification period is.

Selectboard member Charlie Russell – He said it will go in effect this year. The tax rate will be lower if you are going to get a rebate check. The number on the tax bill will be adjusted depending on what you put in on April 15 for taxes.

Questions:

Tina Flood – Could the Selectboard speak to why we pay taxes on the 15th as opposed to other towns who do them quarterly?

Frank Thornton – He said that the reason is historical. November 15th was picked many years ago because the farmers would have gotten in all their crops and made sales and had money to pay their taxes. It has been that way ever since.

Moderator Schwarz asked for questions.

Nancy Wood – She said that you can't wait to file the forms for rebate. You have to do it in April.

Moderator Schwarz asked for questions.

There were none.

He then asked for the vote.

VOTE: AYES have it. Article 2 carries.

Article 3: Will the Town adopt the Selectboard's budget of \$2,305,538 for the fiscal year July 1, 2007 to June 30, 2008 less anticipated revenues?

Moderator Schwarz read Article 3 out loud.

He asked for a motion. Tina Flood made a motion to discuss Article 3. Lorna Jimmerson seconded the motion.

Discussion

Moderator Schwarz asked the Selectboard for their presentation.

Ed Stone – Mr. Stone explained that when the Selectboard looked at the budget, they decided they wanted an increase of no more than 3%. They talked with all of the committees. They decided that was fine with them. He said the SB took \$75,000 out of Junior's budget; they had put \$150,000 in the year before. Other committees' increase requests were handled by the 3% solution. The trails committee had \$5,000, which wasn't used, so it went back to the taxpayers. He said that fire and rescue did a great job this year and they are under the gun because it is hard to provide serve and stay within the 3% budget. The increases were employee benefits. He asked for questions.

Moderator Schwarz asked for questions or comments.

Jessie Bradley – She requested that the SB increase the budget by \$7,000 due to disrepair of the beach. The stairs are bad, the green is in bad shape, picnic tables are skewed. She asked for money by the SB, she said, and they turned the committee down so she is proposing an amendment to this article which would add \$7,000 which will be used for the recreation committee.

Motion was made to amend the budget amount by increasing it by \$7,000 for purposes described on behalf of the Recreation Committee.

Moderator Schwarz asked for discussion.

Francis Foster - asked Jessie how the recreation committee came up with that figure.

Jessie Bradley – She said that they asked landscapers around the community to give estimates on stairs and on fixing the green. They were hoping to depend on volunteer effort for the green.

Craig Reynolds – seconded the motion.

Robin Reid – She said that the recreation committee also has extra things that are included in the request, such as fixing railings on stairways because of land settling (dangerous) and walkways. They would like to repair areas of the beach to increase handicapped accessibility. They have money in a reserve fund of \$7,000. They would rather not use that money in case problem arise in the future, she said.

Moderator Schwarz – He reminded people that discussion was only on the amendment right now.

Moe Harvey - He said that the \$7,500 in the fund goes back a good many years. When the law in Vermont changed and they were not allowed to have a fee in Town, the state ordered them to eliminate the fund and spend the money on capital projects. They have been trying to empty the fund out, but forgot about it this year. The SB told them to use that.

Graham Destakasi – Did SB decline approving it and if so why?

Ed Stone – They came to us with the same request. The SB said why don't they use the fund that already has \$7,500?

Marty Ilick – She said it sounds like maintenance, not a capital expenditure for what Jessie needs it for.

Nancy Wood – Last year the Town voted for \$10,000 in the improvements fund. She asked why that can't be used for this.

Selectboard Member Charlie Russell – He said it got voted down last year. They took money from the old recreation fee fund and put it in the reserve fund to carry over year to year. He said the amount requested could come out of there or the \$7,500.

Martha Perkins – She said that she suspects that the reason the recreation committee wants to keep money in the budget is for emergency purposes; for example, if a hurricane comes, is the beach covered by town insurance? Could they use town insurance for that reason? What is that process?

Selectboard Member Charlie Russell – He said he could call the Town's insurance representative.

Martha Perkins – She asked if there was a chance that the SB might say you don't need what you are applying for? Does the town have enough resources that they should be thinking about cutting back very much on this resource that comes to everybody – as long as the emergency is paid for, it's a good idea, but it's a good idea to support the recreation committee and offer some amenities to the taxpayers.

Dr. Bernstein – He said that he thinks projects are great- depends on Selectboard to keep track of big picture in town – lots of competing interests but this is not the forum to discuss that – even for small amounts. He supports the SB and votes against it but should find money but not by changing tax rate.

Craig Reynolds – He said he has been on the recreation committee for 20 years and he started after the recreation impact fee was started. It has always been his understanding that this was only to be used for recreation impact fee fund for capital expenses.

Spin Richardson – He said he supports the SB.

Francis Foster – She said she is confused by Moe's comments. Explain please.

Moderator Schwarz – He asked the SB to explain.

Selectboard member Charlie Russell – He said they spent some money out of the fund for the Burns property. He was told long ago to try and get rid of the money; they had 10 years to use it. It was put in the reserve fund. The SB got the request for repair of the beach at the last minute of budget discussion. The SB has no problem fixing the beach, but this is the first they heard of it.

Francis Foster – She asked why do you have to get rid of the money.

Selectboard member Charlie Russell – He said that they had to do that because otherwise they have to give it back to the taxpayers. Lot of different developments paid money, so the developer would have to get paid back. Gloria has a list of outstanding fees that need to be paid still.

Gerald Bouchard – He asked the moderator to please call the question.
Motion was seconded.

Moderator Schwarz – He said that a vote will be taken on ceasing debate on the amendment to Article 3.

Ayes have it. Debate will cease.

VOTE: Amendment to Article 3 \$2,312,538 - VOTING just on amendment – not done with Article 3.

NOS have it. Amendment fails.

Moderator Schwarz reminded everyone about the voting procedures. One person can request division of house – 7 can request vote by paper ballot.

Moderator Schwarz asked for questions and comments.

Meghan Price – She directed the SB to the donations section on page 11 of the Town Report. She said there is no reason on how to determine who gets what donation for the Town; she thinks it is inappropriate to build in donations to the SB outside the province of what the Town needs. She would rather vote on them separately in a ballot item. Secondly, did the SB look at tax returns and benefits of these companies/agencies? She has concerns that some agencies have a state charter; some have a duty and some are reimbursed by Medicare and Medicaid, so it is illegal to get more money. She asked the SB if they looked at the tax returns of these agencies?

Selectboard Member Charlie Russell – No.

Selectboard Member Ed Stone – He said that they send a letter and request money.

Meghan Price – She said that she has a problem with donations built into the budget. She is a former legislator and reporter. They have millions in the bank. What is “special investigations”?

Moderator Schwarz – He said it is the Chittenden Unit for Special Investigations; they investigate for rapes, crimes.

Meghan Price – She asked why do they get this year \$7,500 when they hadn’t gotten it before?

Selectboard Member Charles Russell – said that they did get money before and directed her to look at Page 13 (gov. taxes/dues). This year, they requested more than \$5,000; the SB put it under donations and at \$5,000, they are based on how much Charlotters use them.

Meghan Price – She said that most agencies have a duty to do their job. They are all well paid. In terms of VNA, she is a competitor of theirs and lives in this town. She works for Professional Nurses Service. She asked that, in the future, the SB look more closely at this and to look at tax returns of agencies requesting money.

Moderator Schwarz – he asked for questions and comments.

Elizabeth Bassett – She said she is a board member of the Howard Center. She directed people to look at page 64 (letter that The Howard Center sent); they requested \$900 and she urged people to see how many clients they serve there. She doesn't consider this a request that is extraordinary. When the Essex school shootings happened, the Howard Center was a first responder. They help serve the community in Essex today still. They are \$40,000 out of pocket for that and no one in Essex has been asked to pay back any money. Please look behind numbers when considering these issues, she said.

Moderator Schwarz – he asked for questions and comments.

Marty Ilick – She asked that, since they are not increasing the Recreation budget by \$7,000, could the SB let us know if they are willing to spend out of the repair and improvement budget (\$10,000) to help the Recreation Department do their job.

Moderator Schwarz – he directed this question to the SB.

Selectboard Member Ed Stone – He said it was because it was last minute. He apologizes, but they are very close to the end of the debate on the budget. Wanted to have estimate when heard about repairs and didn't get them. One person came in and said happy to get estimate and the estimate never came and that's why the SB is skeptical. Martha Perkins said it right – if you have a problem on that beach, come to the SB and we'll take care of it for you. But there is money in the budget now to get through but if you get short, come to the SB.

Anne Owen – She said she is not clear what the impact is of reducing the highway budget by \$75,000?

Selectboard Member Ed Stone – He said that they put it in last year and have been doing it for years. Junior suggested to him to keep the amount under 3%.

Dick Weed – He asked why the SB decreased the VNA donation.

Selectboard Member Ed Stone – He said because that's what they requested.

Moderator Schwarz – he asked for questions and comments.

Meghan Price – She made a motion that the money under donations \$18,451 be applied to the town highway fund and removed from the donations budget.

Motion was seconded.

Discussion.

Selectboard member Charlie Russell – He asked if her intent was to add the \$7,500 number under “gravel road upgrade” on page 10.

Meghan Price – She said that the amendment would be applied under the discretion of the SB.

Moderator Schwarz – He asked Ms. Price to verify that she wants the amendment to be that the money would come out of donations and be put into the road budget in the amount of \$18,451 and it would be left to the discretion of the SB to apply the monies.

Meghan Price – She said yes and confirmed that statement.

Discussion about amendment.

Moderator Schwarz – he asked for questions and comments.

Kathleen Fox – She said she has a daughter who is one of the donation people. She said it is very difficult to get a person who has a disability on the case load because Vermont does not fund the amount of money for all of the individuals who are disabled. In the past, people like her daughter didn't live long; now they work and pay taxes but need assistance. She wanted to inform people that not all of the donees have enough money to cover all of the population.

Mike Yantoshka – He asked for more explanation of the donation amounts.

Moderator Schwarz – he asked for questions and comments.

Larry Hamilton – He said he opposes the amendment. He agrees with Dr. Bernstein in that this is a bad forum to weigh this matter. He is in total sympathy with Ms. Fox' remarks about closer examination of these next year.

Katherine Hughes – She said that she agrees with Larry Hamilton; both nursing agencies do a good job, but VNA should come in and ask for money and the Town shouldn't give one money against the other, but they did ask for money; but next year they should both come in for money.

Dick Weed – He said he thinks this matter is one of apples and oranges. He thinks the amendment is mean-spirited.

Wadi Sawabini, Jr. – He said he is against the amendment. It is a socially responsible path and the Town should continue to make donations.

Bob Chutter – He called for the question on the amendment.

David Miskell seconded.

AYES have it. Request to cease debate CARRIED.

Moderator Schwarz said that there will now be a vote on the amendment which seeks to eliminate \$18,451 series of line items of donations and move that money into the road budget.

NOs have it. Amendment FAILED.

Moderator Schwarz – he asked for questions and comments on Article 3.
Motion was made to call the question. Motion was seconded.
AYES have it. Cease debate CARRIES.

VOTE on Article 3:
Moderator read it.
AYES have it. Article 3 CARRIED.

Article 4: Will the Tow vote to authorize the Selectboard to borrow money by issuance of bonds or notes not in excess of anticipated revenues for the next fiscal year?

Moderator Schwarz read the article out loud.
He asked for a motion. Tina Flood made a motion to discuss Article 4. Lorna Jimmerson seconded the motion.

Moderator Schwarz – he asked for questions and comments.

VOTE: moderator read it again.
AYES have it. Article 4 CARRIED.

Article 5: Will the Town vote to authorize the Selectboard to create a reserve fund (“Charlotte Housing Trust Fund”) for the purpose of providing funds for the creation of affordable housing in accordance with a fund oversight policy to be adopted by the Selectboard?

Moderator Schwarz read Article 5 out loud. He asked for a motion. Tina Flood made a motion to discuss Article 5. Lorna Jimmerson seconded the motion.

Moderator Schwarz – directed the issue to the SB.

Selectboard Member Jenny Cole – She said that the SB is following up on an advisory motion from last year’s meeting. The amount of the affordable housing fund will be set in Article 6 if this is passed, she said.

Moderator Schwarz – he asked for questions and comments.

Andy Broderick – He said he is serving on the Affordable Housing committee. He has lived here since 1999. He has experience working with town trust funds in other towns. The idea behind this is to look at what was done to conservation in Charlotte – maintaining character was confronted early on and the Town decided to invest to protect open space, etc. – similarly, real estate confronted it – making development of open land a challenge. The same forces change Charlotte’s ability to live here (price of real estate market and price of homes in the last ten years made a difference. The proposed fund is a modest step to try and address that. The idea is to make an investment much like conservation made an investment in housing.

The two proposals before the Town are:

Articles 5 and 6. Article 5 sets up a fund and Article 6 establishes \$40,000 a year for 3 years as a trial. He encourages the Town to support this for 3 reasons. First, Vermont Housing and Conservation Board, a statewide housing and conservation fund, will only continue to fund conservation in Charlotte if it shows some investment in housing, 2) other funds could become difficult; volunteers have spent lots of energy with affordable housing, and 3) it's the right thing to do; it will give us a tool to help citizens who are trying to create supportable homes, etc.

Thanks.

Moderator Schwarz – he asked for questions and comments.

Colby Gatos – If we turn down Article 5, does Article 6 have any purpose and if we approve the fund and don't fund it, then what happens?

Moderator Schwarz – He said that you are putting the cart before the horse. You have to vote on both because both were warned. If the Town votes Article 5 down, then they still vote on Article 6.

Dr. Bernstein – He said that there is a lot of discussion about no affordable housing in Charlotte, but there is. Tenney's trailer park—he said that he has known people from there and there is more diversity in Charlotte than you think there is. He then asked the SB if he wanted to put an apartment in a house, can he do so per the zoning regulations?

Selectboard member Charlie Russell – He said by State law, an accessory apartment is allowed, but you do need septic for it though. In the zoning bylaws, for affordable housing, five-acre zoning is reduced to one or a quarter of an acre depending on the district you're in.

Dick Weed – He asked for some explanation on ongoing affordability requirements through restrictive covenants. What does affordable housing mean in Charlotte?

Moderator Schwarz directed the question to the SB.

Mr. Weed was asked to restate the question.

Dick Weed – He asked what are the restrictive covenants talked about on the pink handout in Paragraph 5 regarding affordability requirements.

Moderator Schwarz asked who was responsible for the pink handout.

Selectboard member Jenny Cole – She said that restrictive covenants are agreements that property owners make with an agency or the Town.

Andy Broderick - The idea is similar to conservation easements. The idea is to record a legal document that landowners do what say they are going to do; a zoning permit could also be that kind of covenant.

Moderator Schwarz asked for questions and/or comments.

Larilee Suitor – She said that she is a resident of Common Pastures, a co housing community. This is her third town meeting, but first as a resident and she is speaking in support of the Charlotte Housing Trust Fund. Human communities thrive on diversity and affordable housing is a vital piece of maintaining diversity in the Town. Without diversity, a community is at risk of drifting towards a social monoculture. She said that she believes the quality of life in Charlotte is enriched and made more sustainable by a spectrum of constituencies. This is one way of doing that.

Tim Sianciello – He said that in the past you would buy land for conservation, but raised the price of land. Now people want to spend money for affordable housing. He said you are spending money on two sides of the same issue. Does that make sense as a policy issue?

Selectboard member Charlie Russell – The Vermont Housing Conservation Board does the same thing; it conserves land and provides housing, do they do go hand in hand.

Mike Yantachka- He asked what is going to define affordable and how will it change in the future, e.g. criteria?

Selectboard member Charlie Russell – he said that “affordable” per the bylaws is 99 years.

Andy Broderick – He said it is tied to 80% of median income – a family of four making up to \$56,000. As the number changes, perpetual affordability will change and be adjusted. They are complementary, but need to be planned together.

Ruah Swennerfelt – The conservation of land is not just for open space; it is to preserve farm lands as well. She said that she is in favor of the article. This is different from creating an affordable housing project; this allows individuals to create an apartment.

Spin Richardson – He asked (re: Dick Weed’s question), how is it taxed? If the covenant is not governed by the Town, does that affect the value of the house when it gets taxed? Does the covenant decrease the value of the land?

Selectboard Member Charlie Russell – He said that this did come up at a meeting and said that Andy could better answer it. Burlington voted to reduce taxes on this and it is something that the Town might have to do as well.

Andy Broderick – There is a legal restriction on value; fair market value is reduced. Yes, it could reduce the grand list number.

Moderator Schwarz recognized Spin Richardson to follow up.

Spin Richardson – Once a person qualifies, regardless of their income level, can they stay in the house? It would be easier to vote on this issue if there was a clearer picture and the impacts were more known.

Selectboard Member Charlie Russell – He said that initially there is an asset test done by Champlain Housing Trust, so wealth with low income can't benefit from it. It depends on an outside agency to make sure it is done fairly.

Selectboard Member Jenny Cole – She noted that if someone is living in affordable housing, and their income goes up, you can't force people to move, but she heard that it isn't usually a problem because that doesn't happen that way that often.

Kate Lampton – She said that Charlotte doesn't conserve enough land to put a lock on the market. The criteria that the Charlotte Land Trust looks at any time they are thinking of conserving is whether other techniques are appropriate. Criteria used are land use and whether conservation enhances the landscape. It is incorrect to say that we are funding one thing that is causing a problem (affordable housing and conservation). Every conservation dollar that Charlotte puts towards a project is enhanced multiple times. This fund works in the same way—a little out of our pockets creates leverage money for other sources. Her experience is that people that move in an apartment over a garage are young and people usually move onto a house.

Moderator Schwarz asked for questions and comments.

Lee Weisman said that he supports this but his concern is the approach. Keeping Charlotte affordable is important and raising taxes puts a higher burden on those people, so not sure if building houses is the right approach.

Sylvia Knight – She said that she is in favor of the conservation fund. It will enhance any affordability that is built or constructed in homes and it is important for us to support affordable housing within Charlotte because in a period of global climate crisis, the more miles that people have to drive increases global warming, but if people have jobs in Charlotte, e.g. teachers, store workers, emergency workers and they can live in town, they won't have to spend energy to drive here. She also believes that keeping some properties and creating more affordable housing properties is important for diversity. The amount that would be added to the tax around a \$200,000 appraised house would be the value of a pizza for one year so she doesn't think that this is really going to drive families out. She urges support for the conservation fund.

Walter Judge – He said that he is in support of affordable housing. Would the money from this fund if approved be applied exclusively to public agencies or could money from this fund go to private real estate developers?

Moderator Schwarz directed the question to the SB.

Selectboard member Jenny Cole – She said that this fund is aimed more at local users or property owners rather than larger developers. The policy refers to number of units and preference for Charlotte property owners. It is intended to help people in Charlotte now.

Walter Judge - He asked if he bought a tract of land and put houses on it, could he apply for the fund in return for saying that he make one or more houses affordable?

Selectboard member Jenny Cole – She said yes.

Moderator Schwarz asked Andy Broderick to comment.

Andy Broderick – He said the money goes up to \$10,000/unit up to 3 units and it would be tied to producing 3 units of housing that meet the requirements.

Alan Hughes – He asked how it affects a future sale? What happens to the equity and new value in the property both rental and affordable housing units – how do you manage value?

Moderator Schwarz directed the question to the SB and/or Andy Broderick.

Andy Broderick – He said that if you did rental housing, when you sold that property, that restriction would go with it. If you rented an apartment over a garage, there would be perpetuity. For ownership housing, in general, the equity sharing formula that applies to the future value of homes is between the community and homeowner – so 25% value – if \$200,000 they get \$25,000 out of additional equity. It is approved by the SB and there is some variability.

Elsie Carpenter – She said that she approves of the diversity in town, but has questions, such as who decides what is affordable, who is eligible and who decides the rent amount?

Moderator Schwarz directed the question to the SB.

Selectboard member Charlie Russell – He said it is all in the bylaws under definition and the Town Plan. The amount is 80% of the median family income.

Andy Broderick – Affordability defined the bylaws – 30% of someone's income would be going towards housing costs.

Elsie Carpenter – What about renting an apartment?

Andy Broderick – He said they would agree to keep it affordable, e.g. \$650 by the bylaws, which doesn't vary on the person moving in.

Selectboard member Charlie Russell – He said once a year, that renter would have to come into the Town to prove that their rent is under the affordable limit.

Bob Mesaros– He said that he supports affordable housing. This discussion is requiring that this trust fund has sanctification about it; what are the alternatives in the event that voters turn it down? The other option is that it doesn't come out of taxes in this town. He suggests to take this discussion out of the realm of right and wrong and focus on the

issue of using public money and creep taxes up. This objective of supporting affordable housing may be attainable through non-public funding.

Selectboard member Jenny Cole – She said that the affordable housing committee has been working since 2002 on this by trying to create different ways of allowing affordable housing to happen. Affordable housing here is hard because of land values and the affordable housing fund is one more tool to use to cause something to happen. There is some affordable housing now but if you look at the housing market, housing under \$200,000 is very limited and a goal of Town Plan is to address this issue.

Sheila Braun – She said that she lives on one acre of property, has aging parents and growing children. She has no idea whether or not affordable housing is feasible on her property. She suggested a town-paid feasibility study to address how much affordable housing is needed in our town.

Selectboard member Francis Thornton – He said that he voted against putting this out in the warning because it is very premature. There are only 200 families in Charlotte who presently earn less than the money proposed. There are also approximately 200 landowners who now have sites which are of less value that would come up under affordable housing. He wouldn't go for it until there are more facts.

Susan Crockenberg – She said that she supports it and appreciates concern for unresolved details. She is impressed with the thoughtfulness and intelligence of volunteers who have worked on it and is confident that decision will be reasonable.

Dan Rosen – He said that he is ambivalent. He appreciates and supports diversity and affordable housing, but need to get beyond ideas and look at facts and understand that in a big way we are late coming to this issue. The market has cast its decision and Charlotte is not going to be a diverse community with all income levels. The market has spoken. What do we do about it? He is confused by what he has heard. Maybe it is premature. He is concerned about the Town being in a position supporting development. He is against development and would like to do what is possible to restrain it. He spent time living in New York City where there is a rent-control issue. If it succeeded there, he wouldn't be living here. It looks like a reasonable approach, but the Town needs to think clearly and act when there are more facts.

John Freidin- He said that this is his first meeting here and glad to be here and asked the SB what is the language that is being voted on. On page 19, he asked if “Charlotte property owners on their property” means people who own property and also town residents?

Moderator Schwarz directed the question to the SB.

Selectboard member Charlie Russell – He said there has been a debate on whether to put this in the Town report and they did it because it gives everybody a clear understanding of what the Town intends to do. In the case of the conservation fund, there wasn't one

ahead of time, so the SB has conditionally approved this but has an opportunity to change it. So it means it is restricted to Charlotte property owners, which was not the intent. He said this is a good point.

John Freidin- He asked if someone had to be a resident as well as an owner?

Selectboard member Charlie Russell – He said he will refer this question to the Town’s lawyers.

John Freidin– He said that the language suggests that if the fund is approved, we “will fund it with \$40,000 annually for 3 years.”

Moderator Schwarz – he told Mr. Freedman that this language is in Article 6 and we are voting on Article 5.

John Freidin – He said that there is an inconsistency then between the second paragraph and funding with less than \$40,000. He said that his last point is in the third line from the last paragraph, which authorizes these funds to be used for feasibility studies as well as for actual changes to homes or creation of new buildings. It is not a wise use of town revenue to do a feasibility study of this kind of change. He asked if the SB had received testimony from developers that a \$10,000 grant from the Town will make a difference between building an affordable housing unit and not building one?

Moderator Schwarz directed the question to Andy Broderick.

Alan Jordan – He said that he has been on the affordable housing committee for 5 years – the pink slip is designed to get this thing off the ground and also is in there aimed for the person with an apartment or a large house who want to make an apartment. The Town is willing to help them make it. The \$10,000 is for a homeowner who wants to make an apartment for income because it is the only way they can stay in their house.

Moderator Schwarz – He said that the bylaws are not subject to vote, but people wanting to change the language can take it up with the SB at one of their meetings.

John Freidin - He requested that Article 3 be amended to include language that is on page 13 to reflect the Town’s intention that it is for rental housing

Moderator Schwarz – He said that changes cannot be made to page 19, but can make changes to Article 5.

John Freidin – He said thank you for the clarification. He made a motion to amend Article 5 so that it reads: “Will the Town vote to authorize the Selectboard to create a reserve fund for the purpose of [add word ‘rental] housing, not including feasibility studies, in accordance with the fund oversight.”

Moderator Schwarz asked for a second on the motion.

Dan Rosen – He seconded the motion.

Discussion on the amendment.

Al Jordan – He said that the article should stay the way it is because the money could be used to help a homeowner know if their was enough septic capacity.

Selectboard Member Ed Stone – He said that this is getting out of hand. To begin with, it started with a small conversation that he and Charlie had in how they are going to address the affordable housing issue with dedicated affordable housing people. They talked about half a penny on the tax rate to help people put in an apartment rental in their house. From that sentence, it has grown to this one-page document. The idea of perpetuity is that something stays the same for 99 years. The affordable housing committee has done a super job. This is not a big project and there may be three families in Town that it can help. He supports the idea of affordable rentals, but not for big projects because they are talking about perpetuity.

Moderator Schwarz asked for questions and comments.

Martha Perkins – She said that she spoke with a woman who has been here for generations and she was lamenting that her kid could not come and live on their land because he could hardly afford the money that it takes to go through the approval process, and feasibility study and he wanted just to build a small house on that piece of land and sell it. This does exclude other people who might want to come in and put a building on a family farm and not a rental.. She likes the idea of having a rental, but it is also important to think about the big family farms and the kids coming back and wanting to build their own place there.

Tina Flood – She asked if this would change the rules that apply if someone just wanted to put in an apartment?

Selectboard member Charlie Russell – He said that the bylaws give preference if it is a reduced density requirement and if affordable housing and part of adaptive reuse.

Tina Flood – She asked if density could be adjusted to accommodate affordable housing. Are there other issues that would be adjusted to accommodate affordable housing?

Selectboard member Charlie Russell – He directed this question to Andy Broderick.

Andy Broderick – He said that there is nothing in here that will change the zoning bylaws and requirements – they were already passed. Last year, they did include some provisions around affordable housing, but nothing presented here does that.

John Freedman – He said he would like to eliminate his suggestion about the language about feasibility studies.

Moderator Schwarz – He said that now we are talking about an amendment that simply adds the word “RENTAL” between affordable and housing.

Jennifer Zubarick – She said that she is in favor of affordable housing but the Town is in danger of creating a fund that we don’t know enough about.

Point of Order was made – We are talking about the amendment.

Jennifer Zubarick – She said that the administration of the fund needs to be clarified. There is nothing about where the person asks for money and if it is based on need, etc.

Points of order were made again as to discussion.

Moderator Schwarz – He directed people to limit their discussions to the amendment of Article 5.

Jennifer Zubarick – She said that the comment is that change of rental does not address all the aims and intentions that people have questions about before creating a fund.

Mischul Brownstone – He said that this is an important issue; he likes the amendment because it gets more specific.

Craig Reynolds moved to cease debate.

Ed Amidon seconded the motion.

VOTE was taken to cease debate on the amendment to Article 5.

AYES have it. Motion CARRIED.

Vote ON ARTICLE 5 – AMENDMENT – ADDS “rental”. Moderator read it.

Call for division of house. The Board of Civil Authority directed the division of house vote.

Second OF ARTICLE 5 – Dan Bflaster.

Moderator Schwarz read the results:

108 to 103 –

108 NO

103 YES

Amendment FAILS.

Moderator Schwarz directed people back to Article 5 as originally warned.

John Rosenthal – He said that he is completely in support of the concept as put forward by Andy. In the pink sheet, it says that someone can make a charitable contribution to the fund. You are going to tax people who can barely afford living in Charlotte to affordable housing. It doesn’t make sense.

Brookes Withersfeld – She said that she is in favor of the trust fund. It is not being created out of the blue and that Charlotte is not the only place in Vermont to create affordable housing and that Charlotte is behind other towns in this issue.

Frances Foster- She said that she is support of the fund. Her concern is that if we vote it in, not too many will take advantage of it because \$10,000 is not a lot of money and if they don't rent the apartment in the future , how does that work out or if a mother-in-law moves in, do they have to pay rent, etc.? Details?

Moderator Schwarz directed this question to the SB.

Andy Broderick – He said that the commitment is by the individual and is a decision you make by yourself. If a building comes down or is unoccupiable, there will be ways for the Town to negotiate and remove the easement if it makes sense; circumstance change. The property tax in Vermont is income-sensitive.

Craig Reynolds –He said that he is in favor of the article.

Walter Gates – He said that he is in support of Article 5, but has doubts about supporting this fund with tax funds.

David Perrin – He said that his concern is that it is giving immense power to the SB. The SB has been talking about affordable housing for the last 10 plus years and hasn't come to an agreement on what should be done and what's happened now is that the SB is telling people to trust them.

Al Jordan – He said that when the SB said “premature,” it struck a cord because the Town Plan has had for the last 25 years a phrase in there “we should do things to have a diverse community economically.” This has been going on in Charlotte for a long time, so “premature” is disgusting. The amount of money is not big; it's the right thing to do.

Martha Perkins – She said that this is a matter of doing the right thing. She said that every village has a couple of houses that have 2 people living in them. You don't notice that it changes the look of the town; architecture can be simple in harmony. It is not going to change Charlotte to have some people who want to live here who can't afford a \$500,000 house. It is a trust factor; we have to put trust into the fact that the Committee will tend to it the right way. We are voting citizens and can ask if we can help. Many communities in Vermont are doing this and have done it for a long time. This is how New England started and it is a modern way of taking care of our own.

Lee Weisman- He said that it is important to recognize the difference between a good idea and whether this is the right way to do it is the question. There is affordable housing in Charlotte. This is a policy which is subject to change. We are voting on setting up something that maybe we don't have enough details and information to do.

Dan Bflaster – He said that affordable housing is a great idea. After a policy is approved, what is the process to be sure that rent payers are really people who need assistance given to them?

Moderator Schwarz directed the question to Andy Broderick.

Andy Broderick – He said that it is intended there will be a yearly filing under an agreement with the Town which will state the rent and provide documentation that certifies the income of the renter.

Dan Bflaster – He asked if it would be the landlord's requirement to verify income?

Andy Broderick – He said yes, but there will be a third party verification.

Graham Destakasi – He said he supports it.

Jenny Sancillio – He said thank you and ditto.

Maura O'Dea made a motion to call the vote.

Craig Reynolds seconded the motion.

AYES have it. Motion CARRIED.

Debate ceased.

Shirley Bean requested a paper ballot.

Moderator Schwarz – He said that Article 5 has been warned; there has been a request for paper ballot and if 7 among the gathering also want that, then they will do it. Are there 6 others? He counted 7 hands.

Moderator Schwarz - He asked the Board of Civil Authority to begin the paper ballot process for Article 5.

Moderator Schwarz– officially closed the ballot box at 11:54 a.m.

Moderator Schwarz – He called the meeting to order at 11:55 a.m. and invited Scott Orr to come up and talk about legislative issues while the Civil Board of Authority was tabulating votes for the paper ballot for Article 5.

Scott Orr talked about legislative issues to the public.

Moderator Schwarz read the results of the paper ballot:

AYES- 157

NOS – 85.

Article 5 – CARRIED.

Article 6: Will the Town vote to authorize the Selectboard to increase the municipal tax rate in order to deposit \$40,000 into the Charlotte Housing Trust Fund for a period of three years commencing with FY 07/08?

Moderator read Article 6 out loud.

He asked for a motion. Tina Flood made a motion to discuss Article 1. Lorna Jimmerson seconded the motion.

Selectboard Member Charlie Russell – He explained that this amount would be a half cent on the tax rate of \$.55 - \$.50/per \$100,000 is the tax implication.

Moderator Schwarz asked for questions and comments.

Dan Flaster – He asked how long will 3 installments of \$40,000 last? Will we have to do it again?

Selectboard Member Charlie Russell – He said they will attempt to start out with this small step and do for it for three years.

Wadi Sawabini - He made a motion to call the question and cease debate.

Dick Weed – He seconded the motion.

NOs have it. Motion FAILED.

Continuing debate.

Marty Ilick – She said that you would need 46 rental units to the build gap between supply and demand so \$40,000 a year is good to start as a pilot.

Robin Reid – She said that this fund can also be supplemented by private donations. She asked if the Town should be talking tax dollars to pay for this or start with goodwill and then consider tax dollars?

Dr. Bernstein – He said that he agrees with Robin and that the Town shouldn't vote to fund at this time. There is a huge need and giant houses are not affordable with the energy crises. The Town can help without money right now. Steamlining the permit process for subdivisions is an idea and also to put out a pamphlet on how to do it for homeowners creating rental housing in their house. Therefore, he votes no for funding.

Mike Russell – He said that he is pleased that more people are engaged as opposed to last year and it is not sensible not to fund it by private money.
He made a motion to call the question and cease debate.

Alan Jordan – He told Dr. Bernstein that there are already regulations in zoning that address the problem of permitting for affordable housing.

Moderator Schwarz asked for a second on the motion to cease debate and call the question.

Wadi Sawabini seconded the motion.

AYES have it- Motion CARRIED.

Moderator Schwarz read Article 6 and asked for a vote.

Division of house requested.

Moderator Schwarz read the results.

AYEs - 126

NOs – 85.

Article 6 – CARRIED.

Article 7: Will the Town vote to authorize the Selectboard to increase the municipal tax rate by two and one half cents for deposit in the Fire and Rescue Capital Reserve Fund in FY 07/08?

Moderator Schwarz read Article 7 out loud. He asked for a motion. Tina Flood made a motion to discuss Article 1. Lorna Jimmerson seconded the motion.

Discussion

Selectboard Member Charlie Russell – He said that this gets voted on every year. It had been three cents in recent years. He asked Chris Davis if he wanted to speak on behalf of this Article.

Ker Walker – Kerr explained the budget item and where the funds would be allocated.

Moderator Schwarz asked for questions or comments.

Wadi Sawabini, Jr. – He asked if the Town can really do a truck for \$180,000?

Chris Davis – He said that they reworked that number and moved it slightly based on the SB recommendation. It is based on pricing. This truck is replacing a 1973 truck, which is currently being used for utility work (brush truck). They are envisioning the new truck will also be used for fire fighting. It is a 4 wheel drive but with a larger chassis to allow them to carry a compressed air foam system. The point of the fund is to allow them to make purchases outright and not accrue loans.

Larry Hamilton – He asked Chris Davis if there are no homeland security funds available to help with this?

Chris Davis – He said that in their previous reports, they received \$62,000 that were used to replace radios and equipment that were in Fire & Rescue, which were essentially Operations items. The following year \$125,000 was received, which was used to purchase heavy rescue equipment for trucks. Lighting devices were purchased. There was \$68,000 that was approved for 2005 that purchased items that were identified in their capital plan under operations (safety). They will not buy however fire coats, helmets, boots, etc.

Larry Hamilton – He asked if they had received any grant money this year?

Chris Davis – He said that grant money they received doesn't show up in the formal budget.

Elizabeth Bassett – She asked - can we see money from the Barrows estate?

Kerr Walker – He said that \$1 million from that estate was left to Charlotte Fire & Rescue. Last year they only saw interest and revenue coming in; principal is never touched. Therefore, \$40,000 went into the account last year. The bank and trustee took \$31,000 in expenses.

Meghan Price – She asked if the 3% increase that the SB represented that they tried to hold budget at included all items that they are voting on?

Selectboard Member Ed Stone – He said that they had had a 2% decrease. It didn't go up, so if they add \$40,000 that might go up and it might be the same as last year, which was two and a half cents for fire the same as last year.

Meghan Price – She asked what the annual interest return was for the investment?

Selectboard Member Charlie Russell – He said that that can be found in the audit report.

Dick Weed moved to cease debate and call the question.

Motion was seconded.

AYES have it. Motion CARRIED.

Moderator Schwarz read Article 7 again:

municipal tax rate by two and one half cents for deposit in the Fire and Rescue Capital Reserve Fund in FY 07/08?

He asked for a motion. Tina Flood made a motion to discuss Article 1. Lorna Jimmerson seconded the motion.

AYES have it. Motion CARRIED.

Article 8: Will the Town vote to increase from \$20,000 to \$40,000 the exempted property value for each Veteran's Exemption from education and municipal taxes commencing in FY 07/08?

Moderator Schwarz asked for a motion. Tina Flood made a motion to discuss Article 8. Lorna Jimmerson seconded the motion.

Selectboard Member Ed Stone – He directed people to look at page 35. Veterans exemptions totaled \$240,000. Charlotte has 8 veterans who are 50% disabled. The State gives \$10,000 automatically and they were matching the State. The SB felt this year they should move from \$20,000 to \$40,000. This amount of money is to be paid through the education fund only. We would be giving each veteran \$3,158.00, he said.

Moderator Schwarz asked for questions and comments.

Larry Hamilton – He said as a veteran, he thinks that the country has treated our veterans shamefully. Anything we can do to take care of veterans and returning troops has his total support. He asked about eligibility.

Selectboard Member Ed Stone – He said it is based on 50% disability.

Moderator Schwarz asked for questions and comments.

Elizabeth Bassett – She said she has questions whether the disability part should be part of this Article.

Selectboard Member Ed Stone – He said that there is a pre-requisite with the VA that you are 50% disabled. The Town submits paperwork to the Listers and they have nothing to say about it.

Patricia Horsford – She said that the disabled veterans deserve it. She asked if the Town had ever considered giving senior citizens over the age of 80 an exemption like this?

Moderator Schwarz – He told her that that is something to bring up when discussing Article 9.

Jane McCulloch – She asked if this article is tied only to the existence of a disability or some sort of income sensitivity?

Selectboard Member Ed Stone – He said that it is strictly disabled and they have to pass a test from the VA before they submit their paperwork.

Eddie Krasnow – He made a motion to cease debate and call the question.

Dick Weed – He seconded the motion.

AYES have it. Motion CARRIED.

Moderator Schwarz read Article 8 again:

Will the Town vote to increase from \$20,000 to \$40,000 the exempted property value for each Veteran's Exemption from education and municipal taxes commencing in FY 07/08?

He asked for a motion. Tina Flood made a motion to discuss Article 8. Lorna Jimmerson seconded the motion.

Article 8 – AYES have it.
Motion CARRIED.

Article 9: To transact any other business proper to come before said meeting.

Moderator Schwarz explained that anyone can make an advisory motion at this time.

Patricia Horsford – She made an advisory motion that both the SB and voters here today would consider making an exemption for seniors over the age of 80 years.
Motion was seconded.

Discussion.

Bob Mesaros – He asked what impact this would have on total tax revenues?

Moderator Schwarz – He said that we are not taking any binding action. He explained that an advisory motion is something that you would want the SB to look into.

Katherine Hughes – She said she would like to see some income sensitivity built into it.

Moderator Schwarz asked for questions and comments.

Patricia Horsford – She said that she agrees with the income sensitivity issue. She asked the SB if the Town did this, would it affect the State with the money coming back into the prebate, i.e. do veterans automatically get the prebate?

Selectboard Member Ed Stone – He said that the Town would still have to pay education tax; if we give \$40,000, that's what \$3,158 is for. It is not an exempt thing.

Moderator Schwarz said that the Town can't change the State education tax.

VOTE was taken on the advisory motion that the SB would consider making an exemption for seniors over the age of 80 years.

NOs have it. Advisory motion FAILED.

Virginia Keyser said that she would like the SB to appoint a committee of people to establish guidelines and make a recommendation back to the SB regarding the Town's donations, gifts and contributions to non-profit organizations.

Motion was seconded.

Moderator Schwarz asked for questions and comments.

There was no discussion.

Moderator Schwarz read the advisory motion again and asked for a vote.

AYES have it. Advisory motion CARRIED.

Ruah Swennerfelt- She proposed that the SB look at the vote tabulating machines to determine whether it seems reasonable to bring that to a Town vote?

Motion seconded.

Mike Yantachka – He said that he highly endorses that suggestion.

Selectboard Member Ed Stone – He said that the cost is around \$6,800 if we were to buy it but we have some time, so the State would give it to us. Every time we have a program it costs money, so instead of counting ballots, we'd have the machine down there and get it done quicker.

Ruah Swennefeld – She asked if the Town would have to use it just for general elections?

Selectboard Member Ed Stone – He said that the Town could use it for more, but it would be required to be used for general elections.

Moderator Schwarz asked for questions and comments.

Tim McCulloch – He said that it seemed an unnecessary and high cost for the number of people that last voted in an election with was 2,600.

Mike Yantachka – He said as a point of information that this machine is free from the State.

Mary Mead- She confirmed that the machine is free; the first two years of maintenance are free.

Spin Richardson – He asked how it would work as a machine for the election(s).

Mary Mead – She said that a person would stand in a booth like always.

Dan Rosen- He directed everyone to page 11 in the Town report to look at the library, senior center and ballfield and said that the Town is lucky to receive lots of gifts, but all of these things come with strings attached.

Meredith Moses – She asked when it would happen?

Selectboard Member Charlie Russell – He said that the SB is envisioning a special meeting for the Town update and zoning bylaws and new fire truck some time this year. This would have to be purchased by the end of this calendar year.

Meredith Moses – She asked if this machine would handle instant runoff voting?

Moderator Schwarz – He said that he assumes it can.

Mary Mead – She confirmed that it would.

Moderator Schwarz asked for questions and comments.

There was no discussion.

Moderator Schwarz read the advisory motion again and asked for a vote.

AYES have it. Advisory motion CARRIED.

Hans Ohanian – He made a motion as follows:

WHEREAS George W. Bush and Richard B. Cheney have:

1. deliberately misled the nation about the threat from Iraq in order to justify a war,
2. condoned the torture of prisoners in violation of the Geneva Convention and U.S. law,
3. approved illegal electronic surveillance of American citizens without a warrant, and,

WHEREAS these action have undermined our national security,

Therefore, the voters of the Town of Charlotte call upon the U.S. House of Representatives to investigate these charges and to initiate the process of impeachment for George W. Bush and Richard B. Cheney. This resolution shall be signed by the Town Clerk and forwarded to both the Speaker and the Clerk of the U.S. House of Representatives, and Representative John Conyers of the House Judiciary Committee.

Thomas Naylor – He seconded the motion.

Dick Weed – He said that a Town meeting in Vermont nor the legislature of Vermont has the power to impeach.

Speaker Polosi and Majority leader Reed have recently said that the issue of impeachment is off the table so we are wasting time debating this issue.

Bob Mesaros – He called the question.

Motion was seconded.

AYES have it. Motion to cease debate CARRIED.

Moderator Schwarz asked for questions and comments.

There was no discussion.

Moderator Schwarz read the advisory motion again and asked for a vote.

Hans Ohanian – He requested a paper ballot.

This request was rejected. A voice vote was held.

There was a division of house.

Moderator Schwarz read the results from the Board of Civil Authority:

49 AYES, 49 NOS.

Motion FAILED.

Spin Richardson made a motion to adjourn. Robin Reid seconded the motion.

AYES have it. Motion CARRIED.

Meeting adjourned at 1:15 p.m.