

MONKTON SELECTBOARD MEETING

MONKTON TOWN HALL

January 23, 2012- Minutes

Approved: 2/13/12

Members Present: John Phillips, Stephen Pilcher, Peter Norris, Terry Cunningham, Anne Layn

Others Present: Charles Roumas, Wayne Preston, Roger Wallace, Thea Gaudette, Michael Bayer, Sharon Gomez, Wendy Sue Harper, Sam Burr, Peter Close, David Rath, Ken Wheeling

Call to Order: John Phillips called the meeting to order at 6:04 pm.

Announcements

None at this time

Regular Business

UPD Informational and Evidentiary Meeting Minutes

Stephen Pilcher presented the board with the changes to the informational and evidentiary meeting minutes. These changes were discussed among those present.

Anne Layn made a motion to approve the UPD informational meeting minutes as amended. Stephen Pilcher seconded the motion and it was passed 5-0.

Stephen Pilcher made a motion to approve the UPD evidentiary meeting minutes as amended. Anne Layn seconded the motion and it passed 5-0.

Regular Meeting Minutes

Stephen Pilcher made a motion to approve the meeting minutes from December 19th, 2011 as written. Peter Norris seconded the motion and it was passed 5-0.

Anne Layn made a motion to approve the meeting minutes from January 9th, 2012 as written. Stephen Pilcher seconded the motion and it was passed 5-0.

Warrants

A/P	1/23/12	#20123	\$18,996.45
P/R	1/17/12	#20117	\$8,093.73

Overweight Permit Approved

- R.K. Miles, Inc.

Old Business

Budget Review and Requests

- Highway Department: Charles Roumas presented the Select Board with an updated highway budget. Wayne Preston was also present to answer questions on the highway

department budget. The winter chloride has now been given a separate line from the summer chloride; in order to be able to see what is used in the winter and the summer. Other changes were noted in the payroll due to overtime, the healthcare plan, and state and federal funding.

- **Social Agencies:** The social agencies request for funding was reviewed; all the agencies were level funded except the following:
 - Addison County Humane Society: Peter Norris made a motion to warn for \$150 to the Addison County Humane Society. Stephen Pilcher seconded the motion and it passed 5-0.
 - Addison County Transit Resources: Terry Cunningham made a motion to warn for \$750 to the Addison County Transit Resources. Peter Norris seconded the motion. Stephen Pilcher made a motion to amend the amount to \$800. Anne Layn seconded the motion and the amendment was passed 5-0. The amended motion was passed 5-0.
 - Bristol Rescue Squad: Stephen Pilcher made a motion to warn for \$3,700 to the Bristol Rescue Squad. Peter Norris seconded the motion and it passed 5-0.
 - Northern Vermont Resource Conservation and Development Council: Anne Layn made a motion to warn \$100 for the Northern Vermont Resource Conservation and Development Council. Stephen Pilcher seconded the motion and it passed 5-0.
 - John W. Graham Emergency Shelter: Anne Layn made a motion to warn \$900 for the John W. Graham Emergency Shelter. Stephen Pilcher seconded the motion and it passed 5-0.
- **General Fund:** Sharon Gomez and Charles Roumas presented the proposed general fund budget. It was discussed among those present. The division of legal fees was discussed among those present. Stephen Pilcher proposed to change the legal fees to \$3,000 for general town, \$6,000 for the DRB, and \$1,000 for the Planning Commission.
- **Planning Commission:** The proposed budget was also discussed. The Planning Commission has received a grant; which will have town matching funds.
- **Payroll:** Payroll will be discussed at the next meeting.

Review and Act on Audit Proposals

This topic will be discussed at the next meeting.

Unified Planning Document- (Act on proposed changes)

Stephen Pilcher presented the proposed changes of the UPD. These changes were discussed among those present. The changes made were formatting changes and not substantive.

Unified Planning Document- (Select method and date of vote)

Stephen Pilcher explained the process of adopting the Unified Planning Document. By statute the Select Board has a year from the last public hearing held by the Planning Commission to adopt the new zoning bylaws. There are two ways to adopt the Unified Planning Document either by majority vote of the Select Board or, if the Select Board decides, by Australian ballot by the town voters. Since the last public hearing of the Planning Commission was February 24th, 2011 the Select Board has until February 24th, 2012. The options to vote on the UPD were discussed. Stephen Pilcher suggested that the UPD be voted on by the voters of Monkton; at a special

election if needed. Stephen Pilcher made a motion to hold a special election on February 23rd, 2012 to vote on the Unified Planning Document by Australian ballot at the Monkton Town Hall from 7:00am to 7:00pm. Peter Norris seconded the motion and it was passed 5-0.

Peter Close asked the Select Board what happened to the 150 days between when the new zoning bylaws are warned and when they are adopted. Stephen Pilcher stated that there was a new statute added to (VSA 24 4449(d)) whereby when the Select Board warns the bylaws there is a 150 days in which those bylaws are in use by the ZA and DRB. The Select board warned a public hearing of the UPD meeting on August 4th, 2011 which was held on August 24th, 2011. Subsequently, the Select Board made substantive changes to the Unified Planning Document. The Select Board discussed with VLCT and Regional Planning the timeline and were given advice that that the 150 day clock resets when there are substantive changes made. After the objections raised by Allen Brisson and David Shlansky at the last public hearing on the UPD, the Select Board consulted with the Town Attorney who felt that this might not be the case. The 150 days from August 4th, 2011 expired on or about January 1, 2012. It was noted that the Select Board received several different interpretations on this statute. David Rath noted that this is not yet settled law. Ken Wheeling noted that all members of the town government that worked on the UPD had good intentions with the information and knowledge they had at the time. Mr. Wheeling noted that it is important to move forward on the process.

Proposed Town Meeting Articles

- Culvert on Monkton Road- John Phillips presented the board with two proposed articles regarding the culvert project on Monkton Road. The project estimates were reviewed and discussed among those present. It is important to note that none of the estimates were official bids. Mr. Behr suggested having an independent engineer examine the bids. Peter Norris noted the state engineer could also be used. This will be discussed further at the next meeting.
- PACE Program- Wendy Sue Harper presented a proposed article to be added to town meeting day. The proposed article reads: Shall Monkton establish a town wide PACE (Property Assessed Clean Energy) District and authorize the Select Board to enter into an agreement with Efficiency Vermont to operate the PACE home energy improvements program for interested homeowners as provided by 24 VSA Chapter 87 (Section 3261 et. Seq.)? There will be an informational meeting in February before Town Meeting. Stephen Pilcher made a motion to approve the article as amended. Anne Layn seconded the motion and it was passed 4-1.
- Truck Purchase- This will be discussed at the next meeting.
- New Town Hall/ Library- John Phillips presented a proposed article for Town Meeting. This article was discussed among those present. Mr. Behr suggested the article include some matched funding from other sources. Wendy Sue Harper and Thea Gaudette noted that the committee is not able to apply for grants until the project is approved. Roger Wallace suggested looking at how people in town are doing paying their taxes, as to avoid ‘bad blood’ among the voters. Charles Roumas noted that it is important to note what else is being required of the tax payers in the next few years. The proposed article reads: Shall the town authorize the relocation of the existing Town Hall, and the renovation/construction of a new town hall and library; and borrow, by issuance of bonds, a sum not to exceed \$1,500,000.00 to be financed over a period not in excess of

twenty (20) years for payment of all expenses related to or associated with its construction. Terry Cunningham made a motion to warn the article for Town Meeting. Stephen Pilcher seconded the motion and it passed 4-1.

- Saving American Democracy Amendment- Roger Wallace presented the board with a petition with 84 signatures of Monkton voters. The petition is regarding adding an article at town meeting. The article shall read: Shall the voters instruct the Monkton Select Board to urge the Vermont Congressional Delegation and the U.S. Congress to propose a U.S. Constitutional amendment which provides that money is not speech and that corporations, along with other entities, established by the laws of any State, the United States, or any foreign state, are not persons under the U.S Constitution; urge the General Assembly of the State of Vermont to pass a similar resolution and send this resolution to Vermont State and Federal representatives within thirty days of passage?

New Business

Town Garage Propane Gas Quote

This will be discussed at the next meeting.

Energy Committee

John Phillips received three letters of interest for the energy committee. Anne Layn made a motion to appoint Bill Martin, Peter Default, Jay Frater to the energy committee. Stephen Pilcher seconded the motion and it passed 5-0.

Warning for the Special Vote

The Select Board signed an official warning of the Special Vote for the Unified Planning Document.

Next Meeting

A special Select Board meeting will be held on Thursday, January 26th, 2012 at 6:00 pm. The next regular Select Board meeting will be held on Monday, February 13th, 2012 at 7:00 pm.

Adjournment

Motion to adjourn was made by Anne Layn, seconded by Stephen Pilcher. The motion was approved unanimously. Meeting adjourned at 9:55 pm.

Respectively Submitted,
Bailee Layn-Gordon

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