

Monkton Select Board Special Meeting Minutes

June 3, 2013

Approved 6/24/13

Monkton Central School Auditorium

1. Call to Order: Chair J. Phillips called the special meeting to order at 7:02 PM
2. Select Board (SB) Members Present: Anne Layn, John McNerney, Roger Parker, Jr., John Phillips, Stephen Pilcher

Others Present: VT State Senator Claire Ayer (Addison County), approximately 55 Monkton residents and Bill Joos

3. Announcements: None

4. Regular Business:

- a. **Review and discuss proposed Town of Monkton (“Town”)/Vermont Gas Systems, Inc. (“VGS”) Memorandum of Understanding [(MOU) 9 pages]**: J. Phillips explained the purpose of the meeting (to accept or decline the MOU) and ground rules for participation (i.e., i) those contributing comments and/or questions should limit their input to 3 minutes; ii) everyone wishing to speak will be allowed to do so before additional comments or questions will be considered from those who have previously had the floor. S. Pilcher then explained that he and J. Phillips negotiated the MOU on behalf of the Town. The MOU will be presented to the SB for consideration. S. Pilcher went through the document, and offered comments on the content and certain specifics of the negotiating process. S. Pilcher mentioned the project review to be provided by the Agency of Natural Resources (“ANR”) and the Army Corps of Engineers (“Corps”). S. Pilcher commented that one initial benefit sought by the SB from hosting the pipeline was distribution to the Town. S. Pilcher spoke about the projected cost to VGS to construct the pipeline through Monkton (+/- \$11 million), and projected resulting tax revenue to the town (\$243,000 annually). With S. Pilcher’s overview completed, the floor was opened for questions and comments. Monkton residents responded, and asked numerous questions, both general and specific. Matters considered included the availability to residents of legal resources, the preference of a contract to a memorandum of understanding, a confirmation of the Town’s official position on the project (as determined by the SB), the capability of the Monkton Volunteer Fire Department to respond to any pipeline-related emergency, and the skepticism of the audience to the Vermont Public Service Board (“PSB”) reacting to concerns expressed by ANR. The PSB will ultimately determine whether a Certificate of Public Good is issued to VGS. Audience members asked whether the MOU represented the Town’s “final” position on the project. Other questions included an inquiry about the timing of upcoming hearings before the PSB (the next hearing is scheduled for 9/11/13), the proximity of homes and wells to the proposed pipeline (at less than 300’), the differing construction standards to apply, the distinction between transmission and distribution pipelines, the location of a pumping station (the “Bailey property”), and the availability of gas service to certain Monkton residences. Other concerns expressed included the use of hydraulic fracturing, and the depletion of fossil fuel. A letter read by an audience member provided voluminous facts and urged rejection

of the MOU by the SB. S. Pilcher explained how the legal process works, with filings and rebuttal testimony. An audience member expressed his concern that the SB is supporting VGS and not Monkton landowners to be impacted directly by the pipeline. J. McNerney read 16 points that the Town gained through its negotiation of the MOU. S. Pilcher commented about ANR's impact on the project. A resident spoke about the regional significance and greater good to be considered, and what, if anything, would be lost if the MOU was not supported. A resident asked about whether a town-wide vote on the matter would have been preferable (instead of a binding vote by the SB). Joseph Boisse, a Monkton lister, spoke of recent research conducted by the listers of 3 Chittenden County communities to study the impact of transmission lines on appraised property values. The research indicated no adverse impact to appraised values. A number of residents expressed dismay with the pipeline project, and urged a "no" vote by the SB. Another resident urged a "no" vote on the project, and asked that the town fight back at every step. A resident asked for a financial projection 15 years in to the future. Caitlin Cusack, the Towns' Tree Warden, asked about tree removal along the VGS right-of-way. S. Pilcher explained that individual landowners might wish to have that conversation during their negotiations with VGS. A resident urged support of the MOU, for the protections that the document offers to residents. A resident spoke of the negative economic impact to local fuel dealers if the pipeline is successful. S. Pilcher identified 3 general options: 1) approve as is; 2) approve with tweaks; 3) reject outright. A resident asked if the pipeline project should be viewed as inevitable. The resident suggested that a filing be made to the PSB with a wish list of desires. A resident asked for confirmation that Monkton is the first town to publicize a MOU. ("Yes," to the best of the SB's knowledge). A resident expressed her continuing concern about the language related to blasting, and worried that the Town will have lost its voice within the process. Numerous residents asked the Town "to stand up" against VGS, and reject the project. **S. Pilcher moved to adopt the MOU. J. McNerney seconded.** The Select Board discussed the Mou **S. Pilcher called the question. Individual SB members were polled about their vote in response to the question of whether the SB should approve to the MOU as presently written: A. Layn (No), J. McNerney (No), R. Parker, Jr. (No), J. Phillips (Yes), S. Pilcher (Yes). With a 3-2 vote against approval, the MOU as written will not be submitted. Voted and approved.**

5. Adjournment:

Motion made by S. Pilcher to adjourn at 9:25 PM; seconded by J. McNerney. Voted and approved.