

Monkton Special Select Board Meeting Minutes

June 12, 2013

Approved 6/24/2013

Monkton Town Hall

1. Call to Order: Chair J. Phillips called the meeting to order at 7:05 PM.
2. Select Board (SB) Members Present: Ann Layn, John McNerney, Roger Parker, Jr., John Phillips, Stephen Pilcher (via phone)

Others Present: Attorney Joshua Diamond,
Various community members

3. VT Gas Pipeline Memorandum of Understanding (MOU)
 - a. J. Phillips explained that the purpose of this meeting was to review the changes to the MOU negotiated with Vermont Gas Systems, Inc. (VGS) for the Addison Natural Gas Project (ANGP). **A. Layn moved to enter into Executive Session at 7:06 PM to speak with the town's attorney regarding the negotiations over the MOU; motion seconded by R. Parker. Voted and approved.** Attorney J. Diamond was invited to join the Executive Session. **A. Layn moved to come out of Executive Session at 7:11 PM; seconded by R. Parker. Voted and approved.**
 - b. A. Layn and J. Phillips described the changes to the MOU from the previous version.
 - c. **J. McNerney moved to approve the MOU. A. Layn seconded the motion.** J. Phillips opened the floor to questions and comments. Resident M. Hurlburt asked if a landowner could still negotiate an alternate route across their property. J. McNerney responded that if a landowner negotiates an alternate route across their property that is better for them, and does not create other issues (such as causing setback issues for other landowners), the town would not stand in the way of that. I. Hughes pointed out that this document does not fully address the economic impacts to the town or its residents – such as the legal bill to the town, the impact on those not served, etc. A resident asked for clarification on the meaning of the last sentence in paragraph IV.G.6. Attorney J. Diamond explained the language appearing in the MOU. J. Diamond stated clearly and repeatedly that he is neither providing a legal opinion on behalf of any particular visitors that they may rely upon nor representing any of the visitors via his general comments in response to their inquiries. J. McNerney added that his understanding was that this language was changed to clarify the intent in response to concerns raised by a resident in a previous meeting that residents who were affected by construction of the pipeline may not have standing to make a claim if the pipeline did not go through their property. E. Doyle asked why we can't just say "we don't want this in Monkton" and file that on June 14? A discussion ensued about the benefits of proceeding with our without an MOU. A resident asked about getting together with ACRPC and other towns to oppose the pipeline. A board member responded that we seem to be the only town in phase 1 who is taking much action, Hinesburg appears to have taken no action once the pipeline was moved off their roads. New Haven has been largely quiet. Other towns have come out in support of the pipeline. Another resident explained that ACRPC's position was NOT to oppose the pipeline. They are in support of it going through, but did indicate they would support Monkton in our attempts to get the pipeline off the town roads. P.

Norris commented: the town has to take a pragmatic approach. The pipeline is most likely coming through, and Vermont Gas has committed to things they would not commit to before, and will not commit to if this is not signed. This isn't perfect, but it's better than we were 6 months ago. A resident asked if a spring used as a home's water source was protected under this MOU in the same way that a well was. **R. Parker moved to enter into Executive Session at 8:02 PM to speak with the town's attorney regarding the well/spring issue; motion seconded by J. McNerney. Voted and approved.** Attorney J. Diamond was invited to join the Executive Session. **J. McNerney moved to come out of Executive Session at 8:06 PM; seconded by A. Layn. Voted and approved.** After exiting the executive session the question was called. **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 (Yes), J. McNerney (Yes), R. Parker, Jr. (Yes), J. Phillips (Yes), S. Pilcher (Yes). Motion passed 5:0. Voted and approved.**

4. Adjournment:

A. Layn moved to adjourn at 8:10 PM; seconded by R. Parker. Voted and approved.