

**Monkton Select Board Meeting Minutes**  
**December 9, 2013** (Approved 12/30/13)  
**Monkton Town Hall**

1. Call to Order: Interim Chair S. Pilcher called the meeting to order at 7:00 PM.
2. Select Board (SB) Members Present: Anne Layn, John McNerney, John Phillips, Stephen Pilcher

SB Member Absent: Roger Parker, Jr.

Others Present: Sam Burr, Thea Gaudette, Wendy Sue Harper and Bill Joos

3. Announcements: None
4. Organization – Elect New Chair & Vice Chair: J. Phillips resigned his position as Chair at the conclusion of the 11/25 SB meeting. As a result, the floor was opened for nominations. J. McNerney nominated S. Pilcher to serve as Chair; J. Phillips seconded the nomination. There were no other nominations or discussion. **S. Pilcher was elected Chair by voice vote.** J. Phillips nominated A. Layn to serve as Vice Chair; J. McNerney seconded the nomination. There were no other nominations or discussion. **A. Layn was elected Vice Chair by voice vote.**
5. Regular Business:
  - a. **Approve Minutes** of Previous Meetings: The SB reviewed the regular meeting minutes of November 25<sup>th</sup>. Several misspellings were corrected, and item 4.d. regarding the appointment of a new Recreation Committee member was relocated to New Business (item 6. g.). **J. McNerney moved to approve the 11/25 minutes as amended; J. Phillips seconded the motion. Voted and approved.**
  - b. The SB reviewed and approved the following **check warrants**:
    - A/P# 31126, 11/26/13, \$149,588.37
    - P/R# 31202, 12/02/13, \$ 7,726.42
  - c. There were no **overweight permits** to review.
  - d. **Public Comment**: None
6. Old Business:
  - a. **PACE Program Contract**: S. Pilcher spoke with Jay Frater of the Energy Committee. The initial PACE program application period is now closed. J. McNerney suggested that the PACE program should be publicized at Town Meeting and perhaps within the town report. S. Pilcher will resend PACE documents to the SB, for review and discussion at the next regular SB meeting (12/30).

- b. Review Openings for Elective/Appointed Positions: J. McNerney reviewed a detailed listing of appointed positions and terms of office, some of which are open. The SB discussed specific positions, and confirmed term expiration dates. A brief conversation followed about the Town Municipal Building Committee. **J. McNerney moved to appoint S. Pilcher to the Town Municipal Building Committee; A. Layn seconded the motion; voted and approved. J. Phillips nominated Nate Palmer to serve on the Energy Committee for the 3-year term expiring in March 2015; A. Layn seconded the motion. Voted and approved.** J. McNerney will update the list of elected/appointed positions.
- c. Public Area Ordinance (copy attached): S. Pilcher asked A. Layn if the proposed ordinance was ready for review by the town attorney, which J. Phillips endorses. J. McNerney wondered if the Sheriff's Department might also be able to provide feedback, which will happen after the attorney's review. J. Phillips reminded the SB of a specific series of events that need to happen to validate the ordinance, including public notice, a public meeting, and a designated number of days to allow comment. The draft ordinance will be forwarded to the town attorney.

7. New Business:

- a. Presentation of New Revision of Town Plan and Timeline (T. Gaudette): T. Gaudette appeared and explained the timeline. *The Addison Independent* will publish the warning notice, which T. Gaudette will compose and email to the newspaper. S. Pilcher mentioned the need for the SB to review the revised preliminary Town Plan. T. Gaudette encouraged the SB to contact her with questions. All agreed that it would work best to have the document before citizens at the 2014 Town Meeting. W. Harper referenced the municipal planning grant; the resulting document is much easier to read and review, especially when compared to the prior town plan.
- b. Willowell (Sam Burr): S. Burr, an adjoining landowner, appeared to discuss Willowell's proposal for the development of its land. S. Burr explained the history and process of the Development Review Board (DRB) regarding Willowell. S. Burr mentioned conditional use, restrictions and deeds, and legal concerns. S. Burr shared commentary about the process the Environmental Court uses – referenced a "de novo" review (i.e., "from the beginning"). S. Burr has hired an expert witness. S. Burr mentioned that the town has been monitoring the litigation; he is asking now for the town's participation in the proceedings, since a DRB decision is involved. S. Burr also mentioned the requirement of a performance bond. In S. Burr's view, the town needs to support the decision of the DRB (such as having an attorney present information in court). The SB asked various questions related to the case. Attorney James Runcie represents S. Burr. Attorney Liam Murphy of Murphy Sullivan Kronk is aware of the issues. S. Pilcher mentioned the need to hear from L. Murphy to discuss the case, its merits, path(s) to consider, and related legal costs. A. Layn wants to hear directly from the DRB. S. Burr shared a copy of the Mylar/land map. A. Layn expressed a concern that more information is required before the SB can act. T. Gaudette commented that the pending legal matter has nothing to do with the DRB. S. Pilcher suggested asking L. Murphy for

his review and opinion; S. Pilcher agreed with T. Gaudettes's assessment about the DRB. A. Layn reiterated her belief that the DRB needs to provide more information, so all may understand the decision(s) made.

- c. Current Financials (Bill Joos): No report this evening. The treasurer will provide financial reports electronically. The elected auditors visit Town Hall tomorrow.
  - d. Establish Budget Goals: A. Layn suggested keeping the tax rate level, and wondered if that might be possible. S. Pilcher expressed his hope that the SB can determine an anticipated tax rate goal for 2014. J. McNerney commented that the SB may not hit the goal following the budget process. A. Layn suggested prioritizing where money needs to go first, and then consider budget cuts. S. Pilcher proposed publishing an anticipated tax rate, with assumptions and the Grand List considered. J. Phillips expressed doubt that the Highway Department budget can be adjusted much.
  - e. Budget: A. Layn asked about setting up meetings to discuss budgets; some people have come in already. S. Pilcher referred to the Multi-Year Budget Comparison. The SB made a preliminary review of those departments that had submitted proposed budgets. The SB approved several budgets as submitted, and will contact those departments/committees for which questions resulted.
  - f. Review Draft Articles: S. Pilcher commented on the two articles that need to be submitted for the next town meeting. S. Pilcher has begun sketching in the notice. S. Pilcher sought feedback from the SB.
  - g. Review Draft SB Report: The SB reviewed briefly a number of 2013 events and actions to include in its report to appear in the town report. More information is required.
  - h. Review Timeline for Town Meeting: Proposed meeting dates were circulated for consideration. More action is required.
  - i. Determine Time/Date of Next Meeting: The SB decided to reschedule its next regular meeting to Monday, December 30<sup>th</sup> at 7:00 PM. The SB may meet on Monday, January 6, 2014 as well.
8. Other Business: S. Pilcher confirmed VT Health Connect's inability to process/administer the town's application and plan in a complete and timely manner. Fortunately, BCBS and VLVT worked together on a solution. The town's health care coverage will continue unchanged with BCBS.
9. Adjournment: **A. Layn moved to adjourn at 9:26 PM; seconded by J. McNerney. Voted and approved.**