

MONKTON SELECTBOARD MEETING  
DATE: Monday June 8, 2020  
REMOTE MEETING ONLY  
(Approved 6/22/20)

The meeting was called to order by S. Pilcher at 7:02pm.

**Members Present:** Stephen Pilcher, Bill Martin, Marikate Kelley, John McNerney, Paul Low

**Members Absent:** none

**Others Present:** Tom Steadman, Carolyn Fogg, Angela Zaikowski, Bill Joos, Nathan Palmer, Jane Palmer, Robin Hopps, Michael French, Will Bown, Betsy Brown (Recording Secretary)

**ANNOUNCEMENTS**

The Selectboard meetings are being recorded and being put on the Town website. The link to access the recordings is here:

<http://monktonvt.com/town-hall/select-board/select-board-recordings/>

A link to the recordings can also be found on the website of NEAT-TV.

<https://neatbristol.com/>

**REGULAR BUSINESS:**

**APPROVE MINUTES**

**J. McNerney moved to approve the minutes of May 25, 2020 as amended. B. Martin seconded. All voted in favor. Motion passed 5-0-0**

**REVIEW AND APPROVE CHECK WARRANTS**

**J. McNerney moved to approve Check Warrant A/P #00530 dated 5/30/2020 in the amount of \$32,578.44. B. Martin seconded. All voted in favor. Motion passed 5-0-0.**

**M. Kelley moved to approve Check Warrant P/R #00608 dated 6/8/2020 in the amount of \$8,662.52. J. McNerney seconded. All voted in favor. Motion passed 5-0-0.**

**REVIEW AND APPROVE OVERWEIGHT PERMITS, ETC.**

The following overweight permits were reviewed and signed:

- Mitchell Excavating (Timothy Mitchell)
- EB Campbell Forest Land Management LLC
- Clarendon & Pittsford Railroad Company

## **PUBLIC COMMENT**

None.

## **NEW BUSINESS:**

### **CURBCUT APPLICATION - 2448 TYLER BRIDGE ROAD**

B. Martin and Ben Hollwedel have looked at it. It's an additional driveway on the lands of Andrew Tracy. A culvert is needed. This would be a second curb cut on one lot. The current curb cut goes to the house. B. Martin suggested postponing for clarification because the plan submitted shows 3 curb cuts. The Board will ask Mr. Tracy to join the Selectboard on the 22nd.

### **CURBCUT APPLICATION – NEW TOWN HALL AND LIBRARY**

Curb Cut app by Town of Monkton for a curb cut on Monkton Ridge Road. B. Martin and Ben Hollwedel looked at this curb cut. No culvert is needed and visibility is good both north and south. **M. Kelley moved to approve the curb cut for the new Town Hall and Library. P. Low seconded. All voted in favor. Motion passed 5-0-0.**

### **ADDISON COUNTY SHERIFF UPDATE**

S. Pilcher noted that they are changing their billing going forward. They now have a detective, and they now have someone on call 24/7.

### **VERMONT LOCAL GOVERNMENT RESOLUTION - VLCT**

VLCT sent resolution that they asked be taken up by all VT Selectboards. "All Cities, towns and villages in Veront are essential, and Vermont local officials support fair and direct federal emergency aid to reopen and rebuild local American economies", etc.....

S. Pilcher asked what the Board would like to do with this. M. Kelley noted she is supportive, but is curious what VLCT's reasons are for putting it out. P. Low does not see a problem with the resolution. **P. Low made a motion to adopt the resolution as presented. M. Kelley seconded. All voted in favor. Motion passed by a vote of 5-0-0.**

### **REQUEST TO DELAY CONSTRUCTION AND BOND – BY PETITION**

S. Pilcher would like to address what T. Steadman brought up re: conflict of interest at the last meeting. T. Steadman noted that by looking at Article 3A #3 of the Conflict of Interest Policy, that Mr. Pilcher is in conflict. S. Pilcher noted that this is not a quasi-judicial proceeding as was outlined in that article. T. Steadman noted S. Pilcher's participation on both the building committee and the Select Board. J. McNerney noted that T. Steadman has not shown that S. Pilcher has some financial or personal gain out of this and that a contribution to a library fund is not a financial gain. J. McNerney noted that it is not a conflict of interest for a Select board member to have an opinion on a matter to come before the board. T. Steadman feels the Selectboard is all in conflict because it has been pushed

on for many years. S. Pilcher said he is not going to recuse himself and noted that all his actions have been in the best interest in the Town of Monkton. He noted he has not placed his interests in above those of the Town of Monkton. J. McNerney noted that he agrees with S. Pilcher-he does not see a conflict of interest. C. Fogg asked about the fact that he is on the building committee and the Selectboard. S. Pilcher noted that a direct personal interest means financial gain and that he is not gaining anything financially for this. M. Kelley feels that being on the committee the purpose was to work on a proposal to go to the town to vote.

S. Pilcher asked for the opinion of the other Selectboard members. J. McNerney had already expressed his. B. Martin noted that he does not see how S. Pilcher benefits from the project and does not see a conflict of interest. M. Keley noted that she does not see a conflict of interest noted his service has been to the town. P. Low noted that everyone has a personal opinion and that Selectboard members are allowed to have them. The idea is that the Board is doing the best for the community. He noted that he does not believe S. Pilcher is in conflict of interest.

S. Pilcher presented the petition that he received from C. Fogg. C. Fogg feels that there should be a re-vote to see if we should wait. She noted that the economy is a real situation. J. Palmer asked if that because of the petition is there is a requirement of the SB to respond? S. Pilcher noted that he believes the intent is to take the recommendation encapsulated in the petition or not. B. Martin noted that there are 54 signatures. J. Palmer asked what the procedure is for getting a vote regardless of what the Selectboard thinks. M. Kelley noted that the use of the word petition is a bit of a misnomer.

S. Pilcher showed a spreadsheet of what will be spent between now and Dec. The end of July would be a good point to "mothball" this project. S. Pilcher asked Naylor & Breen what it would be like to "mothball" the project...we will have spent \$137K on this project by end of July. This came out of the municipal building fund. IF we were to delay, the subcontractors would get zeroed out. If it were to sit for a year or more, the building codes will most likely change in subtle ways and you could easily incur more design and re-work costs. S. Pilcher noted that the architect said it could be \$10,000 for a code refresh. Another 4-7K could be incurred for other processes. S. Pilcher noted that the bond the market is extremely favorable. The Town has gone out for both Tax Anticipation Notes and Bond Anticipation notes and got quotes from 1.25-1.7% which S. Pilcher stated are amazingly cheap rates. S. Pilcher noted that going forward with this project, by rolling monies already spent it helps decrease taxes.

M. Kelley asked about contracts with the contractors that have already been signed...could we be in breach of the contract? P. Low noted that he works in the construction industry and that there are a lot of benefits to moving forward. He noted that he really does understand the impact to some members of the community. He also stated that if people start pulling out, that costs will increase because contractors will increase prices next year to make up for lost income this year. C. Fogg thanked P. Low for his explanation. She noted that her whole point is that within the span of that year, people are really looking at their budget.

What happens when people can't pay their taxes? P. Low noted that as a contractor and is just as concerned as he has lost a lot of work. He noted that those in the business are trying to find solutions and one of the solutions is dropping prices. People are going to make less money. J. Palmer thought this discussion was to ask the Town for a vote. S. Pilcher noted that the petition was to delay. J. McNerney noted that if we pause at this point, taxes WILL go up this year. He also noted that he doesn't agree with the statement by one of the town residents present that almost all of what we have already spent would not be wasted if we delayed. The design is done, but another review for code compliance would probably be required, all the bids would have to go back out, and the firm managing that process is not going to do that work for free. J. McNerney runs a manufacturing business whose sales were off 30% in April... they are actually pushing ahead with upgrades and construction because they are seeing really good prices from contractors and suppliers. The bond rates are also incredibly low right now which is a huge advantage that will not be there forever. He feels that delaying will increase costs with borrowing. P. Low agreed. Robin Hopps noted that she shares people's concerns. However, she is in favor of proceeding. She noted that there is a cost to a re-vote. She ran some numbers and on a median home price of \$261K, the new town hall is about \$10/month. She is in favor of proceeding with what we know. She asked when does the tax increase tax effect? S. Pilcher noted 2021. **J. McNerney moved to continue the project on the current schedule. B. Martin seconded. All voted in favor. Motion passed 5-0-0.**

#### **ANIMAL CONTROL OFFICER**

Mike French is the applicant. He works in Middlebury full time at the Addy Indy. He asked if the position is an on call position or weekends. He noted he has extra time on his hands and loves dogs. J. McNerney noted his impression of the job is that is extremely rare that there is an emergency and you need to come right of way. Most of the work is that the officer gets a complaint, and the officer makes an appointment to speak with the person complaining and then take any action the officer deems appropriate. S. Pilcher's recommendation is for M. French to have a conversation with the former officer, Melanie Peyeser to see if he is still interested and come back in a couple weeks. P. Low asked how he would respond to an upset dog owner. M. French noted that he would not be intimidated. It was also discussed if there should be a deputy (back up officer).

#### **TAX ANTICIPATION LOAN AND BOND ANTICIPATION LOAN**

S. Pilcher noted that the Treasurer has gone out and asked for quotes for a tax anticipation note (375K) and a bond anticipation note. If the bond goes through cleanly the bond anticipation note would only cover a part of July and early August. The Town Treasurer got quotes from several banks in the area and gave a recommendation to the Seleboard. The Board appeared to agree with the recommendations and will vote on approving final paperwork at the next meeting.

### **REVIEW DELINQUENT TAX POLICY FOR TEMPORARY CHANGES**

M. Kelley reviewed S. 344 which was just passed gives Towns the authority to establish a grace period and waive fees for late payments of taxes. She also went over other state statutes pertaining to interest and penalties. The Town has the authority to waive the 8% fee for this tax year. After that it would have to go before the voters. B. Joos noted that the 8% may bring in 12K-15K per year (guess, without having a status report to look at). B. Martin asked for the percentage of taxes paid directly by mortgage companies. B. Joos estimated 35%. B. Martin asked if waiving this, would more people would be delinquent? B. Joos said no, he does not believe it. He feels the interest rate is probably enough of a motivator. This will continue to be discussed at the next meeting.

### **NEW TOWN OFFICES AND LIBRARY STATUS**

W. Bown updated the Board. Construction should start sometime around Aug 1. He believes that the Civil contract has been awarded. P. Low asked about a website where local contractors can go and look for the bids. W. Bown noted that he did put something on FPF to ask any local contractors so he can get their info to Naylor & Breen. W. Bown noted that it will be worth doing it again. Works in Process is the site people can go to see the project. P. Low asked W. Bown to put it on FPF again and W. Bown agreed that he would. S. Pilcher noted he started a "1061" warning about conveying real estate re: the easement to the Church. S. Pilcher noted the water permit is still in process. J. McNerney noted that he has some people with local wood available who would be interested in talking to some local contractors. He asked who these people should speak with. J. McNerney noted he has some wood but would have to take a loss on something like this in order to be competitive with box store prices (which he would be willing to do). McNerney would drop the idea of selling his wood if it would appear to be a conflict of interest. W. Bown noted that contractors for the library furniture might be interested in wood for shelving, furniture, etc. P. Low noted that he spoke with Eric Bessette re: moving the war memorials to the new Town Hall. Eric supported the idea of moving them. P. Low has asked a monument moving company about cost but hasn't heard back yet.

### **EMERGENCY MANAGEMENT DIRECTOR STATUS RE: COVID-19**

S. Pilcher noted that there has been an uptick in COVID-19 cases due to a cluster in Winooski.

### **OLD BUSINESS:**

#### **INFRINGEMENT OF ROW ON JOCKEY LANE**

The Town Attorney has contacted the complainant in the Jockey Lane dispute to see about doing a site visit. J. McNerney expects it to happen sometime this week.

**SALVAGE YARDS IN MONKTON**

no action taken

**TH 36 ROAD RECLASSIFICATION**

no action taken

**TOWN CREDIT CARD AND POLICY**

no action taken

**CLOUD STORAGE AND POLICY**

no action taken

**OTHER BUSINESS:**

J. McNerney and B. Martin have both been confronted by a resident unsatisfied with drainage and maintenance of one of the town roads near his home. P. Low noted that he had also been approached by the same individual. Bill offered to have this person meet with the Highway Foreman but that person declined, saying he had had a number of conversations with our previous Road Commissioner.

It was noted that there were 2 more complaints about roads. One on Boro Hill Road about how the town grader is run and another on Bennett Road.

It was also noted that Ben had a complaint on Hardscabble about a dangerous curve and the person stated that he/she would like to see it paved.

**DETERMINE TIME/DATE OF NEXT MEETING**

June 22, 7pm Zoom.

**ADJOURNMENT**

**B. Martin made a motion to adjourn. J. McNerney seconded. All voted in favor.** Meeting was adjourned at 9:17pm