

MONKTON SELECTBOARD MEETING MINUTES

Tuesday, February 11, 2025

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The meeting was called to order by M. Kelley at 7:09 p.m.

Members in attendance: Walter Crandall, Marikate Kelley(acting chair), John McNerney, Joe Szarejko

Members absent: none

Others in attendance: Stan Wilbur (town administrator), Jessica Demeritt (recording secretary), Stephen Pilcher, Tom Steadman, Susan Randall Davis, Denise Dalton, Chris Gherst, Callie Brynn, Larry Pike, Kathy Alexander, Steve Alexander, Jaime Schulte, Lisa Burns, Tom Charbonneau, Sharon Gomez (Town Clerk)

ANNOUNCEMENTS:

M. Kelley announced a notice of a scheduling conference for the Public Utility Commission on amending the certificate of public good for Vermont Gas on February 20 at 1 p.m.

ORGANIZATIONAL MEETING:

FILL SELECTBOARD VACANCY

M. Kelley noted that there were two interested people: Tom Steadman and Stephen Pilcher. T. Steadman noted that he would be happy to fill the open position. S. Pilcher read his letter of interest, see below. J. Schulte read a statement, see below. T. Steadman responded that if it was not appropriate for a person running for a selectboard position to be appointed to the vacancy, then it was not appropriate for the recording secretary to be running for a seat. He expressed concerns about a conflict of interest. He questioned the ability of M. Kelley to be impartial. J. McNerney nominated S. Pilcher to the Selectboard. J. Szarejko nominated T. Steadman to the Selectboard. J. McNerney noted that it was not a conflict of interest to have an opinion. He also noted that T. Steadman had not given a letter of interest to fill the vacancy on the Selectboard prior to the January 28 meeting, causing some surprise at his interest. M. Kelley explained why she did not have a conflict of interest and how the Selectboard was following the correct process for filling the seat. W. Crandall noted that he would like to see as much continuity as possible for the town at Town Meeting. He explained that all members of the board work together to set the budget. He said after the election day, he would welcome the new Selectboard members. M. Kelley asked who was in favor of T. Steadman filling the vacancy? J. Szarejko responded aye. M. Kelley asked who was in favor of S. Pilcher filling the vacancy? M. Kelley, J. McNerney and W. Crandall voted in favor. S. Pilcher was voted into the vacancy. The vote was 3-1-0. T. Steadman asked who would administer the Oath? It was determined that the Oath of Office would be read in front of the Town Clerk. S. Gomez noted that it was official.

MONKTON SELECTBOARD MEETING MINUTES

Tuesday, February 11, 2025

DRAFT

ELECT CHAIR, VICE CHAIR, SECRETARY

J. McNerney nominated S. Pilcher as chair. The vote passed 5-0-0.

REGULAR BUSINESS:

APPROVE MINUTES

J. McNerney moved to approve the minutes of January 28, 2025 as amended - adding the corrected Town Meeting warning. W. Crandall seconded. The vote passed 5-0-0.

REVIEW AND APPROVE CHECK WARRANTS

W. Crandall moved to approve PR 50210 in the amount of \$14,581.97. J. McNerney seconded. The vote passed 5-0-0.

REVIEW AND APPROVE OVERWEIGHT PERMITS, ETC

check with Sharon/Walter

FACILITY USE REQUEST

W. Crandall noted that two were outstanding.

PUBLIC COMMENT

S. Alexander noted that he and his wife were there to ask about the status of repairs to Piney Woods Road. He noted that communication about the road was sparse. J. Szarejko noted that every Tuesday Monkton had been meeting with FEMA. They are waiting for FEMA approval before making a decision on how to proceed. K. Alexander asked if anyone had looked at the road. S. Pilcher explained that it was a process, and that they would not want to put the road back the way it was and have another storm cause an identical washout. FEMA would pay a portion, the state would pay a portion, and the town would pay the rest. J. McNerney explained some of the prior discussions about Piney Woods Road at previous meetings, and that the road foreman, FEMA officials, a local excavation contractor and multiple Select Board members have visited the road.

NEW BUSINESS:

MONKTON SCHOOL BOARD BUDGET PROJECTIONS

no action taken

HIGHWAY DEPARTMENT UPDATE

J. Szarejko noted the FEMA updates. He said the road crew were plowing, and doing roadside mowing to push back brush and prepare for future ditching.

INSURANCE CLAIM

S. Pilcher noted that a person who lives on Hardscrabble Road hit a pothole on the Monkton Ridge Road and bent a rim. M. Kelley noted that the insurance

MONKTON SELECTBOARD MEETING MINUTES

Tuesday, February 11, 2025

DRAFT

adjuster recommended denying the claim because the road crew took care of the issue as quickly as they could. **J. McNerney moved to accept the insurance adjuster's recommendation to deny the claim. W. Crandall seconded.** There was discussion about whether the road repair was made in a timely way. **The vote passed 4-0-1. M. Kelley abstained.**

ANAC OPERATIONAL GUIDELINES

There was discussion about the guidelines. **J. McNerney moved to approve the ANAC operational guidelines dated 2/4/25 with the modification, contingent on approval by ANAC. W. Crandall seconded. The vote passed 5-0-0.**

ITEMS IN THE TOWN RIGHT OF WAY

M. Kelley and J. McNerney drafted and published a notice about items in the right of way. There was discussion about letters for property owners. S. Wilbur agreed that he could send letters as soon as he received them. M. Kelley read the letter regarding cars parked in town right of way. **J. McNerney moved to send the items in right of way letter drafted by J. McNerney to the landowner on Hollow Road. W. Crandall seconded. The vote passed 5-0-0.** There was discussion about statutes regarding cars parked in the right of way. **M. Kelley moved to give the road foreman authority to cause the vehicle in the right of way letters to be sent to owners of vehicles interfering with road maintenance. W. Crandall seconded. The vote passed 5-0-0.**

SUBDIVISION AND ZONING PERMIT FEES

M. Kelley moved to approve the subdivision and zoning permit fees proposed by the Zoning Administrator. J. McNerney seconded. The vote passed 5-0-0.

CODE OF ETHICS AND ENFORCEMENT ORDINANCE

There was discussion about the ordinance and the process for creating an ordinance. **M. Kelley moved to approve the code of ethics and enforcement ordinance as amended. J. McNerney seconded. The vote passed 5-0-0.**

OTHER BUSINESS

KENYON DEED

M. Kelley moved that the Selectboard appoint both S. Pilcher and M. Kelley or either to sign any documents needed for the closing of lands from Tom Kenyon as previously approved by the Selectboard. J. McNerney seconded. The vote passed 3-0-0. W. Crandall and J. Szarejko recused themselves.

OLD AIRPORT ROAD MAINTENANCE AGREEMENT

J. Szarejko and W. Crandall recused themselves. S. Pilcher noted that the Selectboard had looked at the road maintenance agreement that was given to

MONKTON SELECTBOARD MEETING MINUTES

Tuesday, February 11, 2025

DRAFT

them by S. Randall Davis. S. Pilcher noted that he had merged the lawyer's version with this one. M. Kelley asked if all the owners on Old Airport Road wanted to sign the deeds of acceptance. S. Randall Davis said yes, they want the agreement to run with the land. There was extensive discussion about each item on the proposed agreement. There were several clarifying points. M. Kelley offered thanks to D. Daulton and S. Randall Davis for their many hours of work on the agreement. M. Kelley noted that there was agreement, and that J. Carroll needed to finalize the agreement. There was discussion about who needed to sign the agreement, those with curb cuts and those without. S. Pilcher asked about next steps. It was agreed that a final version should go to Jim Carroll and D. Daulton and S. Randall Davis. **M. Kelley moved to authorize S. Pilcher and M. Kelley to work on drafting the road maintenance of Old Airport Road for presentation to Jim Carroll and S. Davis and D. Daulton. J. McNerney seconded. The vote passed 3-0-0.** W. Crandall and J. Szarejko recused themselves.

J. McNerney moved to accept the Form PVR-4155 certificate - no appeal or suit pending, dated February 4, 2025. W. Crandall seconded. The vote passed 5-0-0.

J. Schulte noted that there was a request to monitor bats in the Town Forest. C. Brynn said the monitoring would be happening in the summer. The Selectboard asked to be kept informed about any progress.

OLD AIRPORT ROAD DEEDS OF DEDICATION
no action taken

OLD AIRPORT ROAD CLASS 4 HIGHWAY
no action taken

EXECUTIVE SESSION:

EMPLOYEE EVALUATION REVIEW

M. Kelley moved to go into executive session at 9:18 p.m. pursuant to 1 V.S.A §313(a)(3). S. Wilbur was invited. J. McNerney seconded. The vote passed 5-0-0.

M. Kelley moved to exit executive session at 9:30 p.m. J. McNerney seconded. The vote passed 5-0-0.

W. Crandall moved to appoint J. Szarejko, road crew liaison, to go over the road foreman's review with him. M. Kelley seconded. Vote passed 5-0-0.

The next meeting will be Tuesday, February 25, 2025 at 7 p.m.

J. McNerney moved to adjourn the meeting at 9:32 p.m. All voted in favor.

MONKTON SELECTBOARD MEETING MINUTES
Tuesday, February 11, 2025
DRAFT

Respectfully submitted,

Jessica Demeritt

Stephen Pilcher's letter of interest: (read at meeting)

Dear Selectboard Members:

I would like to be considered for the Selectboard vacancy and to serve on the board until Municipal Elections on March 4, 2025. As you know I have been serving on the Selectboard for the past 14 years and I believe this makes me very well qualified to fill this short-term position. Below are some of the reasons that I believe would make me an asset to the Selectboard both in the next two Selectboard meetings and especially at Town Meeting on March 1, 2025.

1. Extensive knowledge of the 2025 budget and I can explain budgetary numbers to a variety of audiences. As noted below, I created the budget worksheet that we use to create the budget and to give the budget to the Treasurer.
2. Very familiar with all of the ARPA projects and how the money has been obligated.
3. Reviewed and commented on the Town Plan currently under consideration at Town Meeting.
4. Involved with Town Forest and Old Airport Road negotiations.
5. Technical expertise. Able to manipulate Zoom, email clients, fix problems with logging on to various systems including FEMA Grant Portal and SAM.gov.
6. History of municipal accomplishments (in rough chronological order):
 - a. Creation of Conflict-of-interest policy
 - b. Creation of crowd sourced website – still in use after 13 years. Website includes calendar, document control system, simple posting on front page and pages for individual committees and community organizations.
 - c. Creation of individual email accounts so town officials do not have to use personal email accounts for town business. Initially hosted on HostGator now hosted on Zoho Mail. Includes email vaults to ensure that public records are not deleted.
 - d. Created budget worksheet to help the Selectboard develop the budget every year and understand what the projected tax rate would result from their decisions.
 - e. Negotiated Memo of Understanding with Vermont Gas.
 - f. Purchased OWL 360-degree video conferencing device to allow for hybrid meetings. Started recording Selectboard meetings and posting them to the Monkton website.
 - g. Instrumental in the building of the new Town Offices and Library including procuring a bond from the Vermont Bond Bank with a rate below 2%.
 - h. Obtained cloud storage as a Google Drive to give the town a repository for digital data to help preserve public records.
 - i. Instrumental in hiring of Town Administrator to give the town continuity when there are changes to the Selectboard.
 - j. Wrote Selectboard Report for Town Report for last 12 years. This document has evolved over the years to include and explanation of how the tax rate is calculated and a

MONKTON SELECTBOARD MEETING MINUTES
Tuesday, February 11, 2025
DRAFT

proposed tax rate for the current budget.

Being on the Selectboard is about creating and following best practices, good governance and transparency. It means following the Open Meeting Law, asking members to recuse themselves if they have a Conflict of Interest, bidding out projects when the costs are over amounts in the Purchasing Policy, and advertising for appointments following the Appointment to Boards and Commissions Policy. Everything I have done in my time on the Selectboard has been based on the love for, and best interests of, the Town of Monkton and its citizens. I look forward to serving on the board for the last two meetings and participating in Town Meeting Day.

Thank you for your consideration.

Regards,
Stephen Pilcher

Jaime Schulte's written public comment: (read at meeting.)

I've had some time to think about this appointment, since your last meeting in January. I have a couple of thoughts:

1. The Select Board should not get involved in the election for the 3-year seat, which is coming up in just three weeks. We have three candidates running, in what might be a close race, and to appoint one of them to the Board, at this time, very likely confers to that person some of the advantages of incumbency. They would sit at the front of the room at Town Meeting as part of the Board and be recognized as a member of it. The optics of that are worth some votes three days later, I would think. It's OK for you to endorse a candidate as private citizens, for whatever that may be worth, but voting to put a current candidate onto the Board influences that election in your official capacity. It did concern me to see a member of the Board nominate a candidate in a contested election at the last meeting and to see that candidate submit a letter of interest in the position. Influencing the election may not be anyone's intention, but it would be a likely consequence of Tom being appointed to the Board ahead of March 4th.

2. Second, last March the voters elected Stephen to a two-year term and so they obviously expected him to be in this seat in February of 2025. The voters know they will be replacing him in March, but for now he is the only voter-approved option until March 4th. That should carry some weight.

3. Lastly, you are facing what will probably be a difficult Town Meeting with some challenging questions about the budget. The person in the best position to answer questions on the budget from the public "on the fly" at Town Meeting is Stephen. The question for this appointment should be what best serves the public interest. Stephen is already fully up to speed in the role and with the budgets, etc., and needs no ramp-up to help the Board and the public navigate these next few weeks. More importantly, the voters at Town Meeting deserve to hear from the Board who have been in place over the past year, if possible. That best serves the public interest.

To summarize: 1) the Select Board should not take actions that would directly influence the election coming up in just three weeks. 2) Last March the voters elected Stephen to be

MONKTON SELECTBOARD MEETING MINUTES

Tuesday, February 11, 2025

DRAFT

on the Board in this month of February 2025. We should be grateful that he is willing to still do that and to help you with what will likely be a difficult Town Meeting. 3) There is a public interest in having a full Board with current experience who can speak to the town's finances and anything else that may come up at Town Meeting.

With all of this in mind I believe the best course of action is to appoint Stephen to the remainder of the first year of his term.

Thank you,

Jaime Schulte