

MONKTON SELECTBOARD MEETING MINUTES

Tuesday, March 25, 2025

DRAFT

The meeting was called to order by Jessica Demeritt at 7:01 p.m.

Members in attendance: Jessica Demeritt (Chair), Walter Crandall (Vice-Chair), Joe Szarejko, Sam Peisch, John Dunham

Members absent: none

Others in attendance: Stan Wilbur (Town Administrator), Bill Joos (Treasurer), Shane Lawrence (Road Foreman), Randy Charbonneau, John McNerney, Tom Steadman, Jaime Schulte, Callie Brynn, Ivor Hughes, Tom Kenyon, Susan Davis, Debra Sprague, Stephen Pilcher, Nathan Palmer, Jane Palmer, Lisa Burns

ANNOUNCEMENTS:

J. Demeritt noted the Board has received the Bike Scoping Study final report.

ADDITIONS OR DELETIONS FROM THE AGENDA:

None

REGULAR BUSINESS:

APPROVE 2025 TOWN MEETING MINUTES

W. Crandall moved to approve the minutes of March 1, 2025 as written. J. Szarejko seconded. T. Steadman asked if the minutes were available to the public. Yes, they are on the town website. **The vote passed 5-0-0.**

APPROVE MARCH 11, 2025 SELECTBOARD MEETING MINUTES

S. Peisch moved to approve the minutes of March 11, 2025 as written. W. Crandall seconded. There was no discussion. **The vote passed 5-0-0.**

REVIEW AND APPROVE CHECK WARRANTS

W. Crandall moved to approve AP 50329 in the amount of \$14,674.44. J. Dunham seconded. S. Peisch said it would be helpful to briefly describe what is in the warrant for members and the public. J. Demeritt said the information is public, so it could be shared and would be good for the public. **The vote passed 5-0-0.**

J. Szarejko moved to approve AP 50317 in the amount of \$17,651.51. S. Peisch seconded. This warrant includes Acker Waste Mgmt, Green Mountain Power, State of Vermont payroll transfer, and others items. **The vote passed 5-0-0.**

REVIEW AND APPROVE OVERWEIGHT PERMITS, ETC.

The following permits were reviewed and approved by W. Crandall:

A DUIE PYLE

R + J TRUCKING

RICHMOND HOME SUPPLY

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DEBISSCHOP EXCAVATING
TIM THOMPSON TRUCKING
C P SITE CONSTRUCTION
CHAMPLAIN VALLEY PLUMBING AND HEATING
CASELLA WASTE
KENT NUTRITION GROUP -BLUE SEAL FOODS
JOHN G FRENCH AND SONS TRUCKING
BTF BUNDYS SEWER AND DRAIN
BUD CARPENTER
MOE DUBOIS EXCAVATING
LAW FAMILY COMPANIES -BSP TRANS
LIVINGSTON FARM LANDSCAPE
MONUMENT FARMS
SCOTT PIDGEON
CASELLA WASTE
CURTIS LUMBER
DUTCH VALLEY TRANSPORT
CAMP PRECAST CONCRETE
S.T.ROGERS TRANSPORT
STRUCTURAL WOOD CORP
HARRISON REDI MIX
HARRISON CONCRETE
K POPE & SONS
AMERIGAS
BARRETT TRUCKING
KENNEDY EXCAVATION
CANOPY TIMBER ALTERNATIVES
FEED COMMODITIES INTERNATIONAL
802 EXCAVATING
COTA TRUCKING COMPANY
ABC SUPPLY
SHEEHAN EXCAVATION
REDLINE UNLIMITED
BIRDEYE BUILDING CO
GOODRO
MCELWAIN CONTRACTING
LAWES AGRICULTURE
KIMBALL TRANSPORT
STRUCTURES R.B.R.

FACILITY USE REQUESTS

W. Crandall noted there have been a few requests, but no significant schedule conflicts. Lisa Boeckman has created a form for the public to submit facility use

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requests, which would automatically come to the Select Board member managing requests.

HIGHWAY DEPARTMENT UPDATE

J. Szarejko mentioned that it would be good to also cover the curb cut and right of way permit agenda items while S. Lawrence is with us. J. Demeritt agreed. S. Lawrence noted that some minor cold patching has been in progress and brush clearing. The Bristol Road mudslide location has been cleaned up for FEMA and re-defined the ditch. Roller is in use for mitigating potholes. "Pike pack" from Pike Industries is being tested on Boro Hill Rd to see if it works well on steep sections. The price point is similar to gravel. S. Lawrence has been working with FEMA and is receiving some estimates for reimbursements. J. Szarejko said FEMA needs the culvert locations on Piney Woods Rd. S. Lawrence said he also needs to get the sizes and GPS coordinates of the smaller culverts northeast of the washed out areas. S. Lawrence has been following up on the hydraulic study. J. McNerney mentioned that some years ago an inventory was created of all culvert locations and sizes in town. J. Szarejko mentioned an email received about an employee who was grading this morning. S. Lawrence described that a resident was upset and made inappropriate gestures toward the employee and indicated the Town is taking too much of the resident's lawn. W. Crandall looked at the location and said the work occurred in the town's right of way. There was discussion about more communication to residents when work is happening on a road. This could make sense for major ditching or similar work, but less so for routine work like grading. There was discussion of posting on the Town Website, Front Porch Forum, Facebook, and perhaps a future electronic town sign. W. Crandall will look into next steps for an electronic sign. J. McNerney offered to share previous work on this project with W. Crandall.

CURB CUT – CASSARINO CEDAR LANE

J. Szarejko described that Paul and Tracie Cassarino at 20 Cedar Lane have applied for a Curb Cut for a driveway, as they are building a house. There was a site visit by J. Szarejko and S. Lawrence and the view to the left is about 100' and it is about 60' to the right. The road is transitioning from a class 3 to class 4 road in this area. The roadway is relatively level and there was no concern about visibility. Drainage is good. J. McNerney mentioned the driveway standards. S. Pilcher mentioned a proposal in front of the DRB for a project on a parcel beyond this location that would add 50 residents with the related traffic on Cedar Lane. J. Schulte clarified the traffic S. Pilcher describes passing by the proposed driveway.

J. Szarejko moved to approve the Curb Cut request of Cassarino on Cedar Lane. W. Crandall seconded. The vote passed 5-0-0.

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RIGHT OF WAY PERMIT – WAITSFIELD CHAMPLAIN VALLEY ROTAX ROAD
The pipeline work would involve vibratory plowing of a 1.25” conduit. The location relative to the VT Gas pipeline was discussed. W. Crandall asked I. Hughes how deep the gas pipeline is supposed to be. I. Hughes believes it is supposed to be 4 feet deep. I. Hughes recommends that a VT Gas have an engineer on site to supervise drilling if the conduit crosses the pipeline (over or under). As a condition of approval the town would require that WCVT consult with VT Gas.

W. Crandall moved to approve the Right of Way Permit of Waitsfield Champlain Valley Telecom on Rotax Road, provided that they consult with Vermont Gas. Seconded by S. Peisch. The vote passed 5-0-0.

RIGHT OF WAY PERMIT – WAITSFIELD CHAMPLAIN VALLEY BARNUM ROAD

S. Szarejo moved to approve the Right of Way Permit of Waitsfield Champlain Valley Telecom on Barnum Road. Seconded by S. Peisch. The vote passed 5-0-0.

PUBLIC COMMENT

T. Kenyon brought forward a document with questions for the Board about his concerns with the management of recent road flooding and timely road closures on Parks-Hurlburt and Hollow Roads. He hopes the board is more engaged with the work of the road crew going forward. His concern is with regard to public safety. J. Szarejko said the Vermont State Police did receive calls and there was a safety issue. S. Peisch said it would be reasonable to have an operating procedure for how to handle road flooding and the timeframe. J. Dermeritt said the Select Board hires a Road Foreman and has a liaison from the Board who works with the Foreman. Calls to the Town Garage are not answered 24x7. J. Szarejko suggested the phone might be forwarded to Town Hall. Regarding incidents on the weekends J. Szarejko said S. Lawrence often receives calls directly from the public about concerns. J. Demeritt asked how other towns handle off-hours concerns. There was discussion of a town truck going off the road on Boro Hill Rd. in the past, which T. Kenyon believes it was avoidable. J. Demeritt suggested that may have been a mistake or learning opportunity and noted other feedback that roads have been improving. T. Kenyon agreed there has been improvement. His input is to help the Town continue to improve.

J. Szarejko described how some other towns handle hours and staffing. Some use 4 or 5 day weeks and the schedule can be seasonal, staffing levels. J. Demeritt asked about how comparable the miles of roadway per town might be. Relatively similar to Monkton’s approximately 50 miles. There was discussion of how to reach the road crew off-hours. Currently S. Lawrence is effectively on-call 24x7x365, which does not seem sustainable. W. Crandall asked J. Szarejko to discuss possibilities with S. Lawrence.

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S. Pilcher mentioned that the DRB is also looking for a Recording Secretary. He requested that as the Select Board searches for a Recording Secretary the candidates be asked to cover the meetings of both Boards.

NEW BUSINESS:

DELINQUENT TAXES

B. Joos was invited to discuss delinquent taxes. There is a tax collection policy and there have been recent changes to make the process less onerous by reducing the maximum 8% to 4% and also to accept postmarks after the regular tax due date to a limited extent. For late payments interest applies at 1% from November 1st for 3 months. As of February 16th it remains at 1 and 1 / 2%. Monthly notices are sent. The taxpayer receives statements or a paid-in-full notice.

DELINQUENT TAX SALE

Occasionally a tax sale has occurred. B. Joos takes a collaborative approach with the Select Board on decisions of how to proceed. The Town Attorney becomes involved in tax sales and handles communication with the taxpayer on their options. The Town Attorney recently notified the Treasurer that state law had been changed and the tax sale had to be rescinded. Numerous other changes were also noted to the statute by the Town Attorney, who is working with the Vermont League of Cities and Towns to understand the implications. The tax sale in question has not yet been rescheduled, pending clarification of next steps from the Town Attorney. In the meanwhile additional delinquent tax parcels have been added to the list. B. Joos understands that there is now a 1-year grace period, which would cover many of the current list of approximately 36 properties that owe delinquent taxes. There also need to be some options for a payment plan offered to taxpayers, which is not a new expectation. B. Joos will learn more and bring updates back to the Board. For 2024 the outstanding tax balance owed is \$91,266. For 2023 the amount is \$54,139. Modest amounts from prior years. J. Szarejko asked about prior years. B. Joos noted the amounts are similar to what was noted in the town report. Much of the outstanding balance is under a handful of taxpayers, in some cases where penalties and interest have accumulated substantially. W. Crandall asked J. McNerney to confirm that the Board chose not to pursue a tax sale on some of the more recent delinquent taxpayers, which later became part of the state statute. W. Crandall mentioned there must be a cost to on-going collection. B. Joos said the cost is minimal and he is willing to do it. T. Steadman stated the cost of collection falls to the winning bidder in a tax sale. The cost goes into the Town Attorney's escrow fund for a year, which can be refunded to the bidder with interest if the taxpayer is able to pay the taxes due within 365 days.

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ASSISTANT TREASURER

J. Demeritt asked B. Joos if he has thoughts on the Assistant Treasurer role. He does not object to an Assistant, but would use the role differently. What B. Joos did in the past when Assistant Treasurer was to handle all the accounts payable, payroll, and tax processing. The most recent Assistant mostly worked on closing the books monthly, town reports, and provided valuable experience as a retired CPA. He would like the role to do more of what he did with the role in the past. Perhaps a combined approach. B. Joos is willing to review the job description. J. Demeritt noted a general lack of job descriptions for a number of roles in town, which is an opportunity for improvement. T. Steadman indicated interest in being the Assistant Treasurer. He has a concern about a financial statement that was not posted to the website. B. Joos clarified that the report was not posted in a timely way, but all work was completed properly and approved by a CPA.

BUDGET STATUS REPORT

J. Demeritt asked B. Joos for any general comments on the budget status report. B. Joos noted it is an overview and there are additional supplemental reports. He is willing to appear and answer any questions in the future. S. Pilcher recommended the Board look at the percentage of budget on the report, as we are approaching 25% of the way through the year. The other way to look at it is with the budget worksheet.

DESIGNATE SELECTBOARD MEMBER TO REVIEW & APPROVE WARRANTS

S. Wilbur clarified this would be for warrants that are off cycle with a Select Board meeting for time-sensitive payroll or other payments. Timing can cause some weeks to go by before the Select Board can review and approve, which does not always work well for payroll or other bills the town needs to pay timely. W.

Crandall was OK with a designate on an exception basis.

J. Szarejko moved to authorize the Chair or Vice Chair as the Board's designate to review and approve warrants. Seconded by S. Peisch. The vote passed 5-0-0.

OVERWEIGHT ORDINANCE

J. Szarejko described that our current road posting is based on the state statute regarding abuse of highways. The draft ordinance would enable the sheriff to better enforce the rules and be helpful in any court proceedings. The ordinance needs some additional work, such as listing all of the roads, bridges. S. Pilcher commented that the bridges and their weight limits need review. J. Dunham asked if the large culverts should also be added to that. S. Pilcher thought the culvert inventory might give insight to that.

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TOWN FOREST MANAGEMENT PLAN

J. Schulte described the interim report to the USDA Survey.

W. Crandall moved to empower the Chair to sign the interim SF425 report to the USDA Forest Service. J. Szarejko seconded. The vote passed 5-0-0.

The Board requested a summary of community feedback received on the draft Town Forest Management Plan. C. Brynn described that there have been two community meetings which seem to have covered the range of topics. The Town Forest Committee has two questions for the Board around the degree of community input received to date and whether the Board has feedback for or concerns about approving the Plan in April. The primary areas of feedback were on hours of operation, off-leash dogs, biking, hunting, and access points.

S. Pilcher stated that the management plan is an amazing document and the Town Forest Committee is to be congratulated for trying to drive through the eye of the needle on these difficult topics. He recommends that the Board look at the Vision statement and consider the balance between wildlife considerations vs. human recreation. He feels that the balance on hunting and dogs should also be considered.

S. Peisch thanked the Committee for leading a very inclusive process. There were multiple opportunities for meaningful input for the community. The definition of success should not be making everyone happy. The committee appears to have been trying to thread the needle.

J. McNerney commented on the community input and a comment made by Bob Heiser of Vermont Land Trust that he hasn't seen a community undertake as extensive a community engagement process. He commented on the process for considering the factors for hunting and biking. J. Demeritt noted that this will never be a final management plan, as it can always be amended. The committee

S. Davis commented that she is pleased with the draft management plan and did not feel blindsided by anything in it, which she appreciates. She feels the committee did a good job.

APPOINTMENTS

S. Peisch invited J. McNerney to talk about at will employees. J. McNerney described that some roles on the roster of town officials show an end date, but operate more like a longer-term employee with the positions usually being renewed and with the option to terminate them during a term or year. Treasurer, Assistant Treasurer, Town Administrator, Zoning Administrator, etc. T. Steadman commented that the Delinquent Tax Collector may be 1 or 3 years. He asked about the motivation for shifting from elected to appointed positions. It can be difficult to fill positions and it allows the position to be filled by a non-resident. Clarification is needed on whether the Tax Collector is covered by a state statute.

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S. Peisch moved to change the Treasurer, Assistant Treasurer, and Town Administrator to be listed as positions hired by the Select Board rather than elected on the roster of town officials. W. Crandall seconded. All were in favor 5-0-0.

S. Peisch has a working list of people interested in open positions. Only one position has two candidates: for Emergency Management Director both S. Pilcher and J. Szarejko are interested. S. Pilcher would like to complete some work in the role for one more year and then indicated he would hand it off. J. Szarejko was agreeable to that.

Emergency Management Director	Stephen Pilcher
Conservation Commission:	Sue Stasny
ADSWM Delegate	Deborah Gaynor
ADSWM Delegate	Jessica Demeritt (alternate)
Energy Committee	Dave Bristol
Development Review Board	Michael Brennan
ANAC	John Mejia
	Dawn Vukas - volunteer deputy
Animal Control Officer:	
Recreation Committee	Adam Crary
Recreation Committee	Ed Cook
Recreation Committee	Sarah Bouchard
Conservation Commission:	Debra Sprague
Animal Control Officer:	Jane Palmer
Web Master	Ian Schulze
Assessor	Lisa Burns
Tree Warden	Mark Boltz-Robinson
Maple Broadband	Mark Boltz-Robinson

W. Crandall moved these candidates and appointments as a slate. J. Szarejko seconded. The vote passed 5-0-0.

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Discussed potential candidates for other positions. Interest was informally confirmed from a few others for certain positions.

S. Peisch moved to reappoint Susan Mahony to her position on ANAC, Robin Hopps as Recycling Coordinator, and Susan Gulrajani as 911 Coordinator. J. Dunham seconded. So voted 5-0-0.

SELECTBOARD RULES OF PROCEDURE

Postponed to a future meeting

OLD BUSINESS:

ITEMS IN TOWN RIGHT OF WAY – HOLLOW ROAD

There is a location on Hollow Rd. that does not have a permit to be a salvage yard. That topic is with the state. Separately the same property has some items too close to the road. T. Steadman and S. Pilcher agreed that some progress has been made at the property very recently. J. Demeritt would like to postpone the topic until the next meeting. J. Szarejko would not like to continue to postpone. Next steps could include referring the issue to the sheriff's department. S. Pilcher would suggest asking S. Wilbur to reach out and express appreciation for the progress made and ask for more work to be done.

VERMONT GAS SYSTEM

S. Wilbur indicated a letter was sent to VT Gas and a response was received from their attorney. I. Hughes indicated he was speaking as a citizen, not as a member of the Planning Commission. He indicated as the Town decides how to proceed as an intervenor this might be a last chance to get something as this pipe will be in the ground for some 30 years. Some citizens will be speaking at the hearing on Thursday to give public input. I. Hughes indicated that having decided to be an intervenor the Town could decide not to do anything or can work on questions such as whether the fire department has the training to deal with a theoretical pipeline blowout. Monkton has more crossing points than other towns. It will be important to maintain such capability in the fire department and road crew as those organizations change over the years. He assumes he will not be here in 30 years and there will be all new members on the Select Board then. It is important for the town to establish and maintain institutional memory and add this to the hazard mitigation plan. I. Hughes recommends that VT Gas help pay Monkton for this effort. Some pipeline sleeves were faulty and it is believed that VT Gas doesn't know the locations of all of these. That is a question the Town could ask VT Gas.

J. Demeritt asked if the Town remains an intervenor if the Certificate of Public Good (CPG) is approved. We are an intervenor for that certificate, in effect. So making a comment for the record is important. J. Demeritt asked for clarification on what being an intervenor means. I. Hughes said it enables the Town to ask

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questions and intervene through its attorney. J. Palmer clarified that the deadline for comments has not been established. S. Wilbur clarified that the Select Board's role would be to engage the Town Attorney to take steps regarding support for a mitigation plan.

N. and J. Palmer joined the board to discuss. J. Palmer noted that the CPG was used to threaten eminent domain and landowners signed leases. In her view VT Gas has not followed the terms of those leases and is in breach of contract. The pipe is defective (sleeves, depth, etc) and should not be used for transmission. N. Palmer indicated the pipe is at 250lbs of pressure. He feels the town should take the position that we want the pipeline that was described in the leases. The installation and maintenance of the pipeline has caused issues with drainage on some of our farms. Welds were buried without being inspected, etc. There was not a professional engineer overseeing all of the work. Monkton should want the pipeline to be physically safe, not just legally safe for VT Gas. S. Peisch asked if the Public Utility Commission (PUC) can require all of that. It could, but the Palmers do not have a lot of confidence that will occur. There was discussion of induced voltage. J. Dunham asked if the PUC had an engineer review the changes made to the CPG? Yes, although the person may have been working with VT Gas rather than independent. It was asked if VT Gas pays significant taxes. About \$8k per year. J. McNerney asked how other towns are responding. New Haven is concerned about the pipeline in a swamp. It was noted that the pipeline is moving up to the surface over time, like rocks in a field. This puts it at risk from accidents.

J. Demeritt asked how the Select Board would like to proceed. They would generally like to remain involved. W. Crandall would like to hear about how the hearing on Thursday goes. J. McNerney commented that the previous Select Board filed to be an intervenor to have the option to do something. It would be good to have a focused request for the Select Board and for the Town Attorney to consider. There was discussion of next steps for the Select Board.

VTRANS ANNUAL FINANCIAL PLAN

S. Wilbur described that this plan refers to the annual financial plan for town highways.

W. Crandall moved to sign the revised annual financial plan for town highways. J. Szarejko seconded. The vote passed 5-0-0.

OTHER BUSINESS:

DETERMINE TIME/DATE OF NEXT MEETING

The next meeting will be Tuesday, April 8th, 2025 at 7:00 p.m.

EXECUTIVE SESSION:

none needed

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**S. Peisch moved to adjourn the meeting at 10:36pm. J. Szarejko seconded.
The vote passed 5-0-0.**

Respectfully submitted,

Jaime Schulte