Town of Panton Chartered 1761

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Selectboard Meeting Minutes
Monday, July 22, 2024

In attendance: Selectboard Chair Howard Hall, Selectboard Vice-Chair Teresa Boucher, Emergency Management Coordinator Bob Groff, Road Foreman Rick Cloutier, Town Clerk & Treasurer Maggie McCormick, Kevin Cooke, Lorraine Kayser, Richard Jackson, Jeanne Jackson, Denise Strona, Sharon Ashcraft, Chuck Kennett, Kathy Kennett

Via Zoom: Zoning Administrator David Martini, Dave Hazel (FreePoint/SunEast), M'lissa Dayton, Sean Sullivan

1. Howard called the meeting to order at 5:32
    a. Solar field not on agenda

2. Additions/deletions to the agenda: None.

3. Approval of the minutes of the July 8, 2024 Selectboard meeting

Teresa moved to approve the minutes. Howard seconded. All in favor; the motion passed.

4. Emergency Management Coordinator's report
    a. Thanks to the road crew for their work following heavy rains
    b. Pease Road culvert was repaired quickly with the help of neighboring town's road crews.
    c. Repairs will be made to Jersey Street and West Road next.
    d. Bob will post Road closures to Front Porch Forum.
    e. Vermont Emergency Management is having three meetings/week about the flooding that Bob is attending.
    f. Bob also attended a Vermont League of Cities and Towns (VLCT) meeting about the flooding.
    g. Bob has also posted a heat warning to Front Porch Forum.
    h. The National Weather Service is predicting severe storms as new normal

Howard thanked Bob for his work.

5. Road Foreman's Report
    a. Rick is waiting for culverts to be delivered. Once they are available, the culvert on Jersey Street near Diddle and Zenn will be replaced. The road will be closed for a few hours while the repair is being done.

Howard thanked Rick and Jeff for their work and has written a thank-you letter the Jim Larrow and the Vergennes Road Crew for their assistance.

    b. He and Jeff will address roadside mowing as soon as they are able. Repairing road damage takes precedence. is secondary to repairing roads.
    c. Adam's Ferry Road has significant flooding. When the culvert was last replaced, the State refused to have a larger diameter culvert installed.
    d. Both Rick and Jeff have been subpoenaed for July 30 for the Vorsteveld/Hopper case.
    e. Rick has ordered more "road closed" signs due to the extent of flooding in the past two storms.
    f. Rick contracted LaPete to haul in truckloads of dirt, since they have bigger equipment and can deliver more material more efficiently than the Town road crew.

Howard requested that Rick keep the culvert list updated.

6. Resident concern: flooding and culverts
    a. Tom Saltus noted that the culvert in front of his property on Panton Road is too small to handle the volume of run-off there. He and two neighbors had flood damage in the lower levels of their homes.
    b. Rick will be copied on the concern.

7. Zoning violation enforcement
    a. David has read the zoning ordinances for Ferrisburgh, Monkton, and Vergennes. He noted that Addison's regulations are not available online.
    b. He reported that only Vergennes has an enforcement section.
    c. There are two enforcement methods available:
        i. The town's attorney can file suit in Environmental Court.
        ii. The town can appoint an enforcement officer. Panton's Zoning Regulations do not provide for an enforcement officer, so they would need to be amended. The enforcement officer is empowered to write tickets, which are adjudicated through small claims court.

Howard asked if these methods are effective. What works? David stated he was unprepared to answer that because he had no experience with either method. David will call Vergennes Zoning about their enforcement experiences.

8. Grievance appeal
    a. The Board of Civil Authority will meet on Wednesday, July 24, 2024, at 5:15 at Town Hall to hear an appeal of a grievance decision.

9. Fire protection contract
    a. The cost for FY25 for Vergennes Fire Department contracted services is $52,000/year.

Howard moved to accept the FY25 fire protection contract. Teresa seconded. All in favor; the motion passed.

10. Catering event liquor license
    a. Diddle & Zen has been issued a catering permit for August 10, 2024.

11. Vermont Local Government Institute
    a. Maggie has registered to attend a program through UVM and VLCT with classes on how to better run town government.
    b. Teresa will write the required letter of support from the Selectboard for Maggie's participation.

12. Public comment (limited to 10 minutes total with no more than 2 minutes/speaker, each person may speak only once)
    a. Teresa clarified that the restriction on speaking was an unintentional holdover from the prior meeting and was not in effect for this meeting.
    b. She asked that people not repeat items that have already been heard.

Kathy Kennett

Noted that just as the board has heard the same issues raised, the attendees have heard the same answers and felt the board needed to be responsive to residents. She also questioned if the board followed Robert's rules in regard to executive session at the July 18 meeting.

Sharon Ashcraft

Noted that draft minutes from the July 18 meeting were posted and asked if the minutes would be expanded to include all the comments from all the participants. She was told that minutes are not meant to be a full transcript, but to document topics discussed and any votes or actions taken. The recording of the meeting is available on the Town's website and there is no plan for the Town to remove the recording of access to it.

There was a discussion about the timing of the Public Utilities Commission (PUC) permitting process and that there is a 45-day notice period, which is followed by more opportunities for public input.

Lorraine Kayser

Questioned the fairness/legality of limited speakers to one turn of only two 2 minutes.

She asked Teresa to clarify who was involved when she says "we" on establishing the Selectboard's position on the project. Teresa clarified that she meant all three board members. Questioned the selectboard members not participating in all of the FreePoint meetings and their commitment to their position on the board.

Sean Sullivan

He would like to share information about solar power generation at the next meeting and is concerned about "green-washing" since energy generated from this project will not be used in Vermont.

Kathy Kennett

Asked why the board was willing to accept contracts with just two members, but wanted all three to make determinations about the solar project.

Teresa and Howard responded that contracts and accounts payable are regular town business, while the solar proposal is not.

Denise Strona

Concerned about negative health impacts of solar field. Advocates for a vote by Panton voters on whether they are for or against the solar field.

Teresa restated that the PUC provides a preliminary 45-day comment period and then no less than 18 months with numerous opportunities for input from community members. The project is not even in the preliminary period.

Howard stated that the PUC has the ultimate say for approval or rejection of the project.

Cindy Cooke

Asked if abutting landowners that weren't Panton residents would be able to vote on the solar field.

Howard answered that only voters registered in Panton can vote in Panton.

Kevin Cooke

Stated that the PUC gives a lot of weight to the Town's wishes.

13. Communications
    a. Howard stated that representatives from the 5-Towns (Addison Waltham Ferrisburgh, Vergennes, Panton) had a meeting with the Vergennes Area Rescue Squad (VARS) leadership VARS meeting about the performance of ambulance service. Pushing to create capability to respond 24/7 versus being out of service.
    b. Calls to 911 getting farmed past VARS to Middlebury and Charlotte.
    c. He next meeting is September 19. 9/19 is next meeting.

14. Review/approval of accounts payable warrant, timesheets & payroll warrant
    a. AP $40,592.76
    b. Payroll $8,817.51

Howard moved to approve the warrants and timesheets. Teresa seconded. All in favor; the motion passed.

15. Executive session if needed

Howard moved to enter executive session to discuss town legal matters. Teresa seconded. All in favor; the board entered executive session at 6:31 p.m.

Howard moved to exit executive session. Teresa seconded. All in favor; the board returned to open session at 6:53 p.m.

No actions were taken following executive session.

16. Adjournment

Howard moved to adjourn. Teresa seconded. All in favor; the meeting was adjourned at 6:54 p.m.

Respectfully submitted,
Maggie McCormick
Town Clerk & Treasurer