

**SELECTBOARD MEETING**  
**May 14, 2026**  
**Minutes**

Present: Pat Haller  
Deb Jorschick  
Julia Andrews  
Casey Mathieu  
Nick Nichols

Callie Hamdy  
Tommy O'Connor

Guests: see attached.

The meeting was called to order at 6:15 p.m. The meeting was held in person and via Zoom.

**CHANGES TO THE AGENDA**

There were no changes to the agenda.

**PUBLIC COMMENT – Items Not on the Agenda**

Lynn Gauthier had met with Isaac Spaulding, the mowing contractor, and showed him around the Cemeteries. She had gotten feedback from a resident that leaves from the Cemetery sometimes got blown to her property. There was discussion on providing a remedy to that situation.

Dave Gauthier wanted the town to provide the mowing contractor with a list of what's to be mowed. Dave also wanted a dog bag dispenser provided at the lower end of the common similar to the one that is provided at the upper end. He also suggested that the rink supplies should be picked up earlier in the year. When they drain the rink, they let it go to the south end towards the culvert near the historical society. There's so much water going down there it's starting to wash that out. Perhaps it should be lined, or an alternative drain site should be chosen. He also inquired about the Town's newsletter and availability. He mentioned that for at least 4 of the last 11 months that he has not received the newsletter in a timely manner. C. Hamdy replied that the timeliness of the newsletter depends on several factors including the printer and the United States Postal Service. Every attempt is made to have the newsletter available by the first of the month.

Maureen Wilcox had seen there was a capstone survey in the packet and did not see the full survey in the packet.

Lori Johnson commented on the good job of the new mowing contractor. The Common Committee had also mulched the trees with volunteers which she acknowledged. The following folks were recognized as volunteers: Dave Gauthier, Tom Orfeo, and Common Committee members Susan Scmidt and Katherine Kearns. They also assisted Man Maid with mulching at the Town Office. She thought the rink group did a good job getting the rink off the Common early, but there is a wedding on the Common on 5/30 and she is hoping the boards can be gone from the park and ride before then. T. O'Connor informed the Selectboard that the boards were moved.

### **MINUTES**

J. Andrews moved to approve the April 23, 2026 minutes as amended. C. Mathieu seconded. Motion passed 5-0.

### **CCRPC UPDATE**

Ben Bornstein, CCRPC Representative, was present. The Environment, Community, Opportunity, and Sustainability (ECOS) plan is to be voted on during the May 20<sup>th</sup> meeting. Pat had asked Ben to inquire about the Emerald Ash Boer (EAB) and if there were any funds for remediation. CCRPC had responded with a number of links to provide some assistance, although CCRPC does not provide the remediation directly. The Unified Planning Work Program (UPWP) requests will be voted on soon as well.

### **ROAD SCHEDULE**

Sean Cushing, Road Foreman, was not present. P. Haller went over the road schedule from April 24, 2026 to May 14, 2026.

The board discussed having the road crew put “no parking” signs along VT Route 128 around the Common during events. The town sees a large number of cars being parked there during several events including Winterfest.

L. Gauthier asked if the road crew could evaluate the trees along Plains Road Cemetery for rot and see if any needed to come down.

### **TREASURER REPORT**

#### **Review FY’25 General Fund Budget Status Report**

T. O’Connor, Town Administrator, went over the FY’25 General Fund Budget Status Report.

#### **Review FY’25 Highway Budget Status Report**

T. O’Connor, Town Administrator, went over the FY’25 Highway Budget Status Report.

#### **Review and Approve Accounts Payable and Payroll Warrants**

The Selectboard reviewed and approved the accounts payable and payroll warrants.

### **CSWD PRESENTATION**

Sarah Reeves from CSWD (Chittenden Solid Waste District) was present and presented CSWD’s Annual Report. J. Andrews moved to approve the FY’2027 CSWD budget as presented. C. Mathieu seconded. Motion passed 5-0.

### **PLANNING & ZONING REPORT**

Harmony Cism, Zoning Administrator and Planning Assistant, had provided the Board with a report that goes up to May 8<sup>th</sup>. She went over the report. Since her last report the Developmental Review Board (DRB) has met twice, and three new plats have been recorded. She issued 8 zoning permits and 2 certificates of compliance. There are 6 active perceived zoning violations in town.

The board discussed next steps for a violation with a signpost in the right of way with Harmony. The board recommended that Harmony check with the Town Attorney to better guide her how to proceed.

Three violations have recently been cured.

Harmony noted a recent correspondence chain regarding potential ex-parte communication at a DRB meeting. The resident had not wanted the item in their zoning file. The board had advised Harmony to discuss how to proceed with the town lawyers. She had contacted both the town lawyer and Vermont League of Cities and Town (VLCT)'s lawyers. They told her that she is the administrator and has control over what's put in the zoning files. They noted it was likely not ex-parte communication, but that is not something that Harmony could decide as that was entirely up to the jurisdiction of the DRB.

J. Andrews understanding of the zoning files is that they're like any other work files, they're not necessarily for public consumption. H. Cism clarified that the zoning files are public records, but if she, for example, has a note from a conversation or phone call, she will put that in the file for context for the future. N. Nichols asked if there was any action the Selectboard was being asked to take other than being aware. P. Haller clarified that the landowner had wanted the letter/email to be removed from their file. P. Haller had heard about this and felt that if somebody had a note in his own file he'd want to know about so he understands the complaint from a personal standpoint, but once they got the due diligence from Harmony, the Town Attorney and VLCT he was satisfied that sometimes there are going to be records kept that he doesn't like. They don't have any legal precedent and it's the Zoning Administrator's filing system. Both attorneys had noted that if there was a future DRB application for this property the information provided would need to be disclosed. He thinks it was clear there was no ex-parte communication. He thinks the individual who had made that suggestion might have a personal issue with the landowner, but that is not the Selectboard's role to manage. It is their role to do what's right on behalf of the town and he doesn't see any issue. He recommended Harmony put these comments into the file that there was no ex-parte communication for future context.

D. Jorschick questioned if there was no ex-parte communication then why is this an issue and why is this in somebody's file? She doesn't understand. Harmony clarified that the reason she had put it in the file in the first place is that she cannot determine what is or is not ex-parte communication. She felt that was the DRB's sole responsibility.

D. Jorschick motioned to remove the email from the file. C. Mathieu seconded.

P. Haller reviewed what VLCT had written: If there is any indication that a project on this property would come before the DRB they recommend keeping this in the file. It's inclusion in the file does not equal ex-parte communication in itself and protects it from future challenges. P. Haller believes Harmony behaved professionally. He's torn with how to proceed. It is the Zoning Administrator's filing system. J. Andrews asked Harmony, based on her past practice with putting information in the files as it becomes available, if she would put information in the file that there was no ex-parte communication is that correct. That was correct.

Barb Peck was present. She commented that she'd read the memorandum that Harmony had put in the packet which includes VLCT's attorney's advice and the Town Attorney's advice. From that it's clear that she did not partake in ex-parte communication. To her this renders the original email meaningless. While the Zoning Administrator has the right to put items in zoning files Barb did not think she had the right to place a prejudiced accusation into a residents file secretly. She thinks this shows a bias and lack of due diligence. She wants Seth Jensen's letter out of her file.

L. Johnson was present. The lawyers clearly said it was not ex-parte communication. That means the accusation was false. She felt that placing that letter in the landowners file shows evidence of bias. She felt it was unsubstantiated.

Bill Cleary was present. He agreed with it coming out of the file. He wanted to speak to procedure misstep by Harmony. He felt that Seth had made an accusation against the DRB. He felt Harmony should have responded back and had the DRB discuss it together with a response. He felt it was secretly hidden from the DRB and took offense to that. Pat understands all sides. He trusts that Harmony is being professional to do the thing she thought was right at the time. It is the Zoning Administrator's filing system, and it is up to the Zoning Administrator to maintain those files. Vicky Ross was present. She agreed with B. Cleary. Her take on this is Zoning Administrator should have some policies and procedures/guidelines on how to handle files. She doesn't think there should be carte blanche ability to put things in the file. She thinks putting meeting minutes and summaries in a file is one thing, but she thinks putting in an email of one resident accusing a resident of something is different.

H. Cism added the reason she did not forward the email to the DRB is because the DRB can't discuss a certain landowners project without there being an open application. That would absolutely be ex-parte communication. There is not an application open for the property in question currently. If somebody was to report a suspected violation on a property she would put the complaint in the file, investigate and put her findings in the file. She doesn't take an accusation out of a file if there is not a violation, she simply clarifies that the accusation was unsubstantiated.

B. Bornstein was present. He pointed out that both attorneys said there was no basis in fact or law of ex-parte communication. He thinks it's evidence of bias to put something that is factually inaccurate in a file. H. Cism could not have legally determined whether the accusation was accurate or not because she was not the judicial body that makes that decision, the DRB was.

The motion to have the letter removed passed 4-1.

P. Haller- Nay

D. Jorschick – Yea

J. Andrews – Yea

N. Nichols – Yea

C. Mathieu - Yea

#### **TOWN ADMINISTRATOR REPORT**

T. O'Connor, Town Administrator, gave the Town Administrator's Report. He also mentioned that work continues the Veterans Banners.

## **DISCUSSION**

### **Girr License Agreement**

Rachel Girr was present. The board needed to review and approve the License Agreement. J. Andrews moved to approve the Girr license agreement. D. Jorschick seconded. Motion passed 5-0.

### **Covered Bridge Donation Request**

J. Andrews moved to decline to support this request. D. Jorschick seconded. Motion passed 5-0.

### **Local Emergency Management Plan Update**

Francois Ross, Emergency Management Coordinator, was present. The renewal is an annual item, and he'd not seen any significant changes from last year. B. Bornstein wondered if we needed to update the listing for the Fire Chief. T. O'Connor checked the current copy. It was corrected on the version for signing present at the meeting. P. Haller motioned to approve. C. Mathieu seconded. Motion passed 5-0.

### **Fire Warden Appointment**

Steve Willard had stepped forward to be Fire Warden. He is currently active on the fire department. D. Jorschick made a motion to accept Steve Willard as Fire Warden. N. Nichols seconded. Motion passed 5-0.

### **Update from Nominating Committee**

The Nominating Committee for the Treasurer and Delinquent Tax Collector positions had met and finalized their members. The committee added two residents to go along with the Selectboard member and two justices of the peace already on the committee. Vicky Ross and Greg Bemis were both nominated. The nominations were accepted. The applications for the two positions are due on 5/22. The next meeting will focus on choosing candidates to interview and solidify interview questions. The committee is hoping to have recommendations to the SB in June.

V. Ross thanked Tommy for vetting her questions regarding the auditors.

### **VAST Discussion**

This was regarding the pulling of snowmobile stakes this winter and the breaking down of the relationship between VAST and the town because of that situation. N. Nichols acknowledged this was a hard discussion. He'd been asked by at least five different residents what the consequences of the criminal action were and he couldn't give them an answer about anything the Selectboard did. The board had talked about some sort of restorative justice process but that has not happened. The original question was whether we should turn our evidence over to law enforcement, but his initial proposal for discussion is that unless we are confident that some sort of restorative justice has been taken, that the town hand over the evidence we have to law enforcement and let them take action.

C. Mathieu thinks it's something we should do. After having a conversation with Andy at VAST, it was communicated that VAST did not feel positive about the situation or a future restoration

of the trail spur to the store. Nick commented that a lot of people have asked him why they haven't turned over the evidence. He suggested that the Town should turn it over unless restorative action has taken place, which it has not. P. Haller made a motion to hand over the evidence to the county sheriff. D. Jorschick seconded. Motion passed 5-0. P. Haller was hopeful that the board could work something out in the future that was amendable to all parties.

T. O'Connor will contact the county sheriff and pass along all information that was collected in relation to the incident. Once that is completed, T. O'Connor will report back to the Selectboard with any updates.

### **Emerald Ash Borer Update**

P. Haller had talked with Owen Jacobs, the tree warden, who is eager to help with this matter. They had a meeting with him, Will Dunkley, Kirsten Tyler, and H. Cism. The idea is this team would ask for volunteers to do an ash tree survey. Then they can plan for the future and next step.

### **Public Outreach Planning (1705/Town Plan)**

P. Haller had put this on the agenda, but he didn't realize the Planning Commission (PC) wouldn't have had a meeting prior to this current meeting. Max Tyler had reached out to him to say he's nervous about trying to get through 1705 planning and the Town Plan planning. P. Haller asked if the Town had thought about how it might over survey and confuse residents when we're asking about both. J. Andrews noted these are big long-term projects with their own timelines. Two different boards oversee each of them, so she agrees with Max regarding confusion. Can we carve out some time in an upcoming meeting to try to rough out a 1705 timeline of what we need to do? She imagines the PC will be doing something similar regarding the town plan. Then the two boards can come together. D. Jorschick liked this plan.

Max Tyler was present. He is not that concerned, but he did reach out to P. Haller because we have something from CCRPC related to Act 181. Planning and public outreach as it pertains to the Town Center being the growth center is something that should be up for discussion soon. The ECOS plan is going to be approved by March of 2028 and so our town plan, if we were going to change any designations, need to be done in January or February. To J. Andrews point, we're going to be asking people, he hopes, about both topics and he thinks there's overlap. He would much rather be accused of asking too frequently rather than not asking enough.

### **Dog Warden Resignation**

Matt Bartholomew had put in his resignation as Dog Warden. D. Jorschick was saddened by this and wished things could have worked out better so Matt could have been retained. In the interim the Selectboard members are acting as dog warden.

Carol Winfield was present. She asked if T. O'Connor would carry the phone 24/7 so it will be covered at all times. J. Andrews wants to be realistic. There is nobody that's going to be available 24/7. P. Haller thinks if Tommy is going to field calls, we should set expectations that he's not 24/7 going to pick up and answer. He should do it at a reasonable time. She also suggested the town thank Matt for his service over the past five years. J. Andrews motioned to

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accept Matt's resignation with gratitude for his years of service to the town through some especially difficult cases. D. Jorschick seconded. Motion passed 5-0.

Barb Peck was present and thought the board should not accept the resignation and should try to get Matt back. She doesn't think they should let him walk away. Nick had wondered about that option but there are lot more issues than what Barb is referring to and he felt this was a long time coming. He thinks it's okay for the town to transition.

### **CORRESPONDENCE**

Correspondence from Callie Hamdy, Town Clerk, about unlicensed dog owners getting a letter in a mail from her office reminding them to renew their license.

Resident had sent the Board an email regarding speeding on Old Stage Road. T. O'Connor and P. Haller had responded.

UVM Capstone Project had provided next steps. They will discuss it at next meeting.

### **COMMUNICATION**

Advertise Town Planner position, Dog Warden position.

### **EXECUTIVE SESSION**

P. Haller motioned that premature public knowledge revolving personnel and legal would place the town at a significant disadvantage. C. Mathieu seconded. Motion passed 5-0. P. Haller moved to enter executive session at 8:37 p.m. and invited Tommy O'Connor. D. Jorschick seconded. Motion passed 5-0.

The Board exited the Executive Session at 8:56 PM

### **ADJOURN**

D. Jorschick moved to adjourn the meeting at 8:57 PM. C. Mathieu seconded the motion. Motion carried 5-0

Respectfully Submitted,  
Pat Haller  
Selectboard Chair

Callie Hamdy  
Minute Clerk

**GUEST LIST**

Dave Gauthier  
Lynn Gauthier  
Dick Lavallee  
Maureen Wilcox  
Bill Cleary  
Rachel Girr  
Barb Peck  
Ned Meehan  
Harmony Cism  
Lori Johnson

Carol Winfield  
Nate Hendee  
Vicky Ross  
Michael G  
Max Tyler  
Dave Lavallee  
Ben Bornstein  
Francois Ross  
Jen Holiday