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September 30, 2024

Town of Greensboro
Attn: Greensboro Selectboard
P.O. Box 119
Greensboro, VT 05841

RE: Town Hall Redevelopment Proposal – Apparent Conflict of Interest and Potential Self-Dealing

Greensboro Selectboard:

Our client, the Save Town Hall Coalition, has brought to our attention an apparent material conflict of interest pertaining to a Selectboard member and a certain privately-owned property under consideration as a potential wastewater disposal site for the Town Hall redevelopment proposal with RuralEdge. It is our understanding that at the September 18, 2024, Selectboard meeting, residents asked about the existence of the potential conflict of interest. We also understand that the Selectboard refused to confirm or deny the existence of the conflict of interest and made no effort to address the question. This is unacceptable.

The wastewater disposal issue has been characterized by the Selectboard in public meetings as a central issue as to whether the RuralEdge Project is viable. This concept has been discussed publicly multiple times. We understand that the Selectboard has frequently blended its updates relating to the RuralEdge Project with updates on the community wastewater project, although the Selectboard stated at the September 18th meeting that the two projects were not currently connected. It has become apparent that the dissociation between the two projects is an attempt by the Selectboard to conceal an apparent conflict of interest, and misleadingly pushes forward efforts towards a community wastewater solution.

Through our research, and by observation of our client, we believe that the adjacent parcel of land being considered for an alternate wastewater site is owned by immediate family members of Selectboard member MacNeil. Our research leads us to believe that the alternate location being explored is a roughly 138-acre parcel at 456 Craftsbury Road, which is owned by Alice Perron, MacNeil's wife, and Robert Perron, MacNeil's brother-in-law (referred to herein as the "Perron Parcel"). If this is in fact the case, this would be a clear conflict of interest. In MacNeil's position as the Vice Chair of the Selectboard, a co-lead negotiator on the Purchase & Sales Agreement for the RuralEdge Project, a member and/or former member of the Wastewater Committee and current and/or former clerk of the Wastewater Committee, and a close relative of the owner of the parcel being considered as the alternate wastewater site location, MacNeil is in the position to influence the selection of property, negotiate the terms of its use, allocate tax payer resources toward the project, and personally benefit from providing the "solution" to the wastewater disposal problem.

Under 3 V.S.A. §1222 a conflict of interest is defined in part as “an interest of a member that is in conflict with the proper discharge of his or her official duties due to a significant personal or financial interest of the member, of a person within the member’s immediate family, or of the member’s business associate.” If the Perron Parcel is in fact being explored as a wastewater site for the RuralEdge Project and for the greater use as a community wastewater solution, Selectboard member MacNeil is in breach of not only the local Conflict of Interest Policy, but also Vermont State Law.

Furthermore, based on my review, if the property previously identified by the Selectboard as a potential new site for a wastewater disposal field is indeed the Perron Parcel, members of the Selectboard have also violated Greensboro’s Conflict of Interest Policy. It is evident that the Selectboard members knew, or should have known, about the potential conflict of interest and failed to disclose it publicly or insist that MacNeil disclose the conflict and recuse himself from pertinent discussions and decisions, as required by law. The Selectboard meeting minutes and recordings contain multiple instances where these claims are substantiated by testimony.

We want to make it clear to the Selectboard and the Town Attorney that transparency, due process, and ethical behavior by Selectboard members are required by law. In fact, newly enacted Act 147 has bolstered the ethical regulatory landscape for municipalities for reasons just like this. As members of our legislative body, you must be held accountable for your actions.

Our client is willing to enforce the fiduciary, procedural, and legal obligations Selectboard members owe to residents of Greensboro, if the Selectboard remains unwilling or unable to respond to the reasonable and lawful demands set forth in this letter. Moreover, should the public information requested below support our belief related to the potential conflict of interest, my client intends to demand, through all means necessary, the resignation of any member of the Selectboard who is either involved in this potential conflict of interest or had knowledge of the potential conflict of interest but enabled it to continue by not taking appropriate action. Given the tainted circumstances and disregard for the integrity of the public office, simple disclosure and/or recusal would not be considered a sufficient remedy at this point.

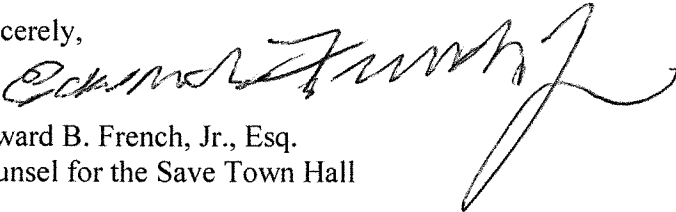
Request for Data and Information: In the interest of transparency and in order to confirm the credible belief of a material conflict of interest on the part of MacNeil and, by extension, a failure to disclose and address that conflict of interest on the part of the other Selectboard members (Eric Hanson, Ellen Celnik, and David Kelley), we request the following public information and supporting public documents:

1. Did Hoyle Tanner and/or Stone Environmental do any work or analysis on the property referred to here as the Perron Parcel in Greensboro on Friday, September 6, 2024, or any other time within the previous 5 years? If so, exactly what site work was performed, when, at what cost, and at whose instruction? How and by whom was Hoyle Tanner paid for such work? Please provide the instructions for the site testing, documents related to the scope of that testing, and grant reporting data that could provide the relevant information.
2. Is the Perron Parcel the “new piece of land” that Eric Hanson referred to at the August 14, 2024, Selectboard meeting? If not, what is that “new piece of land”?
 - a. Who selected the “new piece of land” for testing, when was it selected, and by what process? When was this potential site first discussed with Hoyle Tanner?

- b. Who on the Wastewater Committee, the Selectboard, the Housing Committee, and the Planning Commission knew, and when did they know, about this potential site, its intended purpose, and/or Hoyle Tanner's plan to test the site?
3. What consideration of conflicts of interests was done by each of those with knowledge of the Perron Parcel?
 - a. Why was this site held in confidence when other potential sites were publicly disclosed?
 - b. Why didn't MacNeil disclose the conflict? Why didn't MacNeil recuse himself from deliberations about wastewater issues and/or the RuralEdge Project?
 - c. Why didn't any other member of the Selectboard disclose the conflict of interest when directly asked?
 - d. Why did the Chair of the Selectboard choose to terminate discussion rather than address the unanswered question on the existence of the conflict of interest?
4. Was the Perron Parcel, or any other property owned by MacNeil or any of his relatives or friends, identified as and/or investigated by any member of the Selectboard, Wastewater Committee, Planning Commission, Housing Committee, or Hoyle Tanner, or by any private individuals (not authorized to act in an official capacity on behalf of the Town), as a possible wastewater disposal site? If so, please list each property with its location and date on which it was identified or investigated.
5. With which individuals has Hoyle Tanner engaged in substantive discussions related to wastewater or housing in Greensboro at any time since January 2019?
 - a. Who, specifically, from the Town (e.g., current or former members of the Selectboard, Wastewater Committee, Planning Commission, or Housing Committee) or from among private individuals (not authorized to act in an official capacity on behalf of the Town) is guiding and/or directing Hoyle Tanner's work, in whole or in part?

Time is of the essence. We look forward to your thoughtful consideration and to your written responses by October 4, 2024. In the meantime, we demand that there is no further action on the proposed project until these serious issues are fully addressed and resolved.

Sincerely,


Edward B. French, Jr., Esq.
Counsel for the Save Town Hall

CC: Kevin Kite