

TOWN OF CANAAN
Office of the Selectboard
Po Box 159
318 Christian Hill
Canaan, VT 05903

June 2, 2026

Jonathan Benoit
465 Pollard Hill Road
Canaan, VT 05903

RE: Response to Alleged Violation of Vermont's Open Meeting Law – May 8, 2026, Special Selectboard Meeting

Dear Mr. Benoit,

Thank you for your written notice dated May 19, 2026, regarding alleged violations of Vermont's Open Meeting Law, 1 V.S.A. §§ 310-314, concerning the May 8, 2026, special meeting of the Canaan Selectboard.

The Selectboard reviewed your notice at its May 29, 2026, meeting. Pursuant to 1 V.S.A. § 314(b)(2)(B), the Selectboard determines that no violation of the Open Meeting Law occurred and that no statutory cure is necessary.

The May 8, 2026, meeting was a special meeting of the Canaan Selectboard. The meeting was not intended, warned, or conducted as a separate meeting of the Canaan Board of Listers. The Listers were present because their information was needed by the Selectboard in connection with pending litigation and related assessment and abatement matters involving the Town. The Listers did not convene as a separate public body, did not deliberate or act as the Board of Listers, did not vote, and did not make any separate decision as a body.

The notice and agenda for the May 8, 2026, special Selectboard meeting were physically posted on May 7, 2026, before 4:30 P.M., at the Canaan Town Office, the Canaan Post Office, and the Beecher Falls Post Office. The meeting was held on May 8, 2026, at 5:00 P.M. The Selectboard members were also notified of the meeting. The Town does not agree that metadata associated with a later saved or re-saved agenda document establishes that the meeting was not timely warned or that the physical postings were not made more than 24 hours before the meeting.

The executive session was entered by motion during the open portion of the meeting. The executive session concerned pending litigation and related confidential legal advice involving the Town. The people asked to remain for or participate in the executive session were present as Town officials, staff, legal counsel, or people whose information was needed by the Selectboard. No formal action, vote, binding decision, direction, or instruction was taken by the Selectboard during or after the executive session.

Phone: 802-266-3370
Fax: 802-266-8253

The Selectboard also notes that the May 8, 2026, minutes state that no action was taken. Therefore, even apart from the Selectboard's determination that no violation occurred, there is no action from the May 8, 2026, meeting to ratify or declare void.

For the foregoing reasons, the Selectboard denies the alleged violations set forth in your May 19, 2026, notice and determines that no cure is necessary under 1 V.S.A. § 314(b).

Although the Selectboard does not acknowledge that any Open Meeting Law violation has occurred, the Board recognizes the importance of clear meeting records and consistent meeting procedures. Going forward, the Selectboard intends to use more specific wording for proposed executive-session agenda items and motions, including identifying the nature of the business to be discussed and documenting people invited to participate in executive session.

Respectfully submitted,

Dillon Begin
Chairman, Canaan Selectboard
On behalf of the Canaan Selectboard