

MINUTES OF TOWN MEETING
Fayston Elementary School
3/7/23

The legal voters of the Town of Fayston were notified and warned to meet at the Fayston Elementary School on Tuesday March 7, 2023, at 9:30 A.M. to transact the following business:

Jared Cadwell, Chair of the Fayston Selectboard, welcomed everyone to the Meeting at 9:35am. Jared introduced Rick Rayfield (Town Moderator), Patti Lewis (Town Clerk), Eve Silverman (Minute Taker), and acknowledged that the dedication of the Town Report is made to the Waitsfield-Fayston Fire Department. He thanked Rick and Holliday Rayfield, Three Mountain Café, and Karen Sauther for the food and coffee provided today.

Jared acknowledged those who have passed away this past year and asked for a moment of silence for Paula Jean Livingston, William Frascella, Jr., Dorothy LaCroix, Richard Ernest Rounds, Richard Joseph Petit, Charles Bates, Jeannine Celine Marble, and Sallie West.

Article 1. To elect a Moderator for the year ensuing. Rick Rayfield's term expires.

Kathy Cadwell nominated Rick Rayfield. Abby Dreyer seconded. No further nominations, all in favor. Rick Rayfield elected as Moderator.

Rick Rayfield took the podium and reviewed the Roberts Rules of Order for the meeting.

Rick introduced Dara Torre, our newest State Representative. She, and Kari Dolan, represent five towns in the district. Dara is on the Environment and Energy Committee and has been talking about climate action, with environmental bills such as “30 by 30”, an aspiration of what we need to do to protect biodiversity. It also addresses assessment and planning of strategic conservation needed to preserve connectivity. The Heating Act is also coming to the committee, which will help support local fuel dealers, keep heating affordable and cleaner, and retrain the current workforce. The Hazardous Waste bill will encourage manufacturers to create a plan that will be overseen by the ANR to manage waste in a convenient and affordable way; this will take pressure off our local waste districts. Another priority for Dara is “caretaking” including the childcare bill and paid family and medical leave insurance. There will be a Climate Action Update to be held at Sugarbush on March 30th, 6pm.

Article 2. Shall the Offices of Town Clerk and Treasurer move from one-year terms to three-year terms beginning March 7, 2023?

Freddie Graves moved the article as written. Ed Read seconded.

Discussion (alternating points of view): 1. If Patti retires and we don't like the replacement, we'll be “stuck” with them. 2. Three years will provide stability. 3. What is the procedure to get rid of someone if we needed to? 4. Does the Selectboard have an opinion on this? Chuck Martel responded that if we need to recruit a new Town Clerk, it would be more attractive if it were a three-year term, also this term would be more in line with other positions' terms (e.g.,

Selectboard, Planning Commission). 5. Is there a way to establish an impeachment clause? Jared replied that there are specific ways to handle this per the State/VLCT. 6. Can the town vote to give the Selectboard power to take the clerk out of office? The answer was that the Selectboard could if appointed but cannot remove if elected. 7. What do other communities do? Patti replied that most other clerks' terms are 3 years. Also, it is difficult to learn this job in only one year. She stated that she wouldn't support going from an elected position to an appointed position as the people should decide who the clerk and treasurer should be. 8. How about the Assistant Town Clerk? The Assistant Town Clerk is appointed by the elected official who holds Town Clerk or Treasurer positions. 9. Are you prepared, Patti, to serve for the next three years? Patti said she was not sure at this time, but if she couldn't complete the three-year term, then the Selectboard would appoint a replacement until election at the next Town Meeting.

A vote was taken on the motion. The ayes had it, motion carried.

Article 3. To elect a Town Clerk for the year ensuing. Patti Lewis' term expires.

Doug Mosle nominated Patti Lewis. Kathy Cadwell seconded. No other nominations. All in favor. Patti Lewis Elected

Article 4. To elect a Treasurer for the year ensuing. Patti Lewis' term expires.

Carolyn Bauer nominated Patti. Mike Bishop seconded. No other nominations. All in favor. Patti Lewis elected.

Article 5. To hear and act upon the reports of the Town Officers for the year 2022.

Chuck Martel asked that everyone turn to page 8 and 9 of the Town Report to review the Selectboard Report.

Overview/Background

Chuck acknowledged the impact of inflation on the budget, specifically on the costs of goods and services such as diesel fuel, gasoline, heating fuel (including pellets) and health insurance. In addition, challenges with the supply chain created problems getting parts, and there has been a scarcity of bidders and workforce shortages (long opening periods for zoning administrator and auditor for example). We came close to losing road crew members and had to reassess our salary structures so that we could keep our road crew intact. We have also had many openings for volunteers; we rely heavily on volunteers, and we need more, specifically on the Conservation Commission, School Board, Planning Commission, and a future stewardship committee for Boyce Hill. Despite all these challenges, we still came in under budget, spending 98% of the budget.

2022 in Review:

We adopted the Declaration of Inclusion (on page 4 of Town Report) that says we are a welcoming community to everyone.

We stone-lined the final pitch of Center Fayston Road to the intersection of Bassett Hill Road, even though we were down two dump trucks due to supply chain challenges.

We rebuilt a poorly constructed part of Kew Vasseur Road.

We completed the paving on North Fayston Road (American Recovery Plan Act funded so didn't come out of our budget).

We paved the entrance and exit walkways at the Town Office to be ADA compliant (ARPA funded).

Tree removal and cleanup was completed at the Town Office and Bragg Hill Cemetery (ARPA funded).

We completed Phase One of the state mandated 911 road signage replacement (ARPA funded). Question: will you be also replacing private road signs (Chuck replied yes).

We hired Landslide Natural Resource Consulting to develop the Boyce Hill management plan (ARPA funded).

We approved the use of ARPA funds for reroofing the Town Hall, replacing the boiler, and parking lot lighting; these projects will be completed in 2023.

We allocated ARPA funds for new zoning software and a scanner for land records.

We set aside ARPA funds for the Waitsfield-Fayston fire department firefighter gear and equipment.

We replaced culverts at various locations along Town roads.

We negotiated the lease of space at the Town garage property to the Mad River Ridge Runners for equipment storage sheds. Their plan, which has been approved by the DRB, is to build a storage building consisting of trusses over storage containers (they haven't had a permanent home in the Valley since their founding in 1968). One resident who lives across the street stated that they didn't find the storage containers appealing and were hoping their appearance might be improved if they are permanent.

We looked at Town employee benefits and reviewed and put into effect vacation time adjustments, benefits, and salary increases.

We hired Jason Wilson, our new zoning administrator. A heartfelt thank you to the employees in the Town office who kept everything going during the vacancy.

Looking Ahead to 2023:

We may be losing our current Town Clerk/SB Assistant/Treasurer to retirement in 2024. We are looking ahead to having someone come in and shadow the position. The Road Foreman position might also be opening up if Stuart decides to retire.

We will be reviewing our equipment replacement policy; we need to reexamine the current 7-year plan. We have moved the grader replacement to 2025. Loader replacement has been moved from 2026 to 2028.

We are looking at replacement of the Town Garage. We previously had a committee to determine needs for the Town Garage. The space is cramped, the trucks are larger and there is a lot now stored outside that shouldn't be. We will reactivate the committee and start looking at our needs. We don't expect to start working on it right away but we will start reviewing it.

On German Flats Road we will be replacing culverts and will be putting into place a repaving and resurfacing plan.

Chuck appealed to the audience for volunteers for the openings mentioned previously.

Other Reports:

The Conservation Commission won't have an official report today, but their written report is on page 15 of the Town Report.

Karrie Thomas spoke about Boyce Hill, a 98-acre parcel at the top of Boyce Road donated to the Town of Fayston in 2019. It has a Vermont Land Trust easement designed to protect its natural values and public access. In 2022 the Boyce Hill Steering Committee was assembled to work on developing a long-term Management Plan. Up until now, the land has been managed using an interim plan developed by the Conservation Commission. The Steering Committee is making good progress on the Management Plan; they have done extensive research, examined plans for other similar properties, gathered public input and hired a consultant to write the plan. Currently it is in draft form and should be completed by end of Spring 2023. We will be submitting a draft to the VLT for review, then there will be a public hearing with an opportunity to comment on the plan before it goes to the Selectboard to get final approval to adopt the Plan. Details can be found on the Conservation Commission page on the Town of Fayston website. If anyone is interested in volunteering on the Stewardship committee (which will be set up after the plan is adopted, at which point the Steering Committee will be dissolved), please contact: faystonconservation@madriver.com.

Rebecca Baruzzi spoke about the Fayston Planning Commission. The PC updates the Town Plan every eight years and looks at the Land Use Regulations. They are looking for people interested in helping to set the vision for land use regulations changes to join the board. She noted that while the Planning Commission is a seven-person board they only currently have four members. If interested, contact Rebecca or Jason.

Doug Mosle, one of three members the Board of Listers along with Kirsten Andreae and Kim Laidlaw, spoke about the Common Level of Appraisal (CLA). Fayston's CLA has dropped to 80% which by law triggers a requirement to reappraise our properties. This reduction in CLA is because properties are selling between 5-50% above assessed values, due not to improper appraisals but to a very strong statewide real estate market. This year, 165 towns have been ordered to reappraise but there are only a half dozen appraisers available to do this work. (Of note, the cost of an appraisal runs \$120k-\$140k (we do get \$25k/year from the state to go into reappraisal fund, we now have \$155k in our reappraisal fund); we have done them in-house

previously.) At this point the state requires that we provide a plan – the plan is that we have put out the RFP for the appraisal and will see what responses we receive. The state is aware of the problem of the appraiser shortage, and it probably will be 4-5 years before we will be able to do the reappraisal. The state is considering other ways to handle town appraisals. Note that your property's appraisal doesn't affect your taxes. What you vote to spend is what will affect the taxes. We are voting on the municipal taxes, which is a lesser portion of our property tax; the greater amount goes to education. (P10 and 11 of the Town Report describes how the CLA is calculated).

Shane Mullin, chair of Development Review Board, responsible for administration of Land Use Regulations, spoke. They currently have (5) members and (2) alternates. 2022 was a busy year and it is expected that 2023 will be as well. The DRB wants to thank the members of the board who helped the Town as Jason got up and running. All meetings are open to the public, in person and via Zoom.

Casey Murphy moved to accept the town officer reports as presented. Karen Sauther seconded. All in favor, motion carried.

Article 6. To elect a Delinquent Tax Collector for the year ensuing. Patti Lewis' term expires *Kathy Cadwell nominated Patti Lewis. Bev McMullin seconded the nomination. Ed Read, Freddie Graves seconded. No other nominations, Motion passes. Patti Lewis was elected.*

Article 7. To elect a Selectboard Member for a three-year term. Michael Jordan's term expires.

Jared nominated Mike Jordan. Chuck seconded.

There was a discussion with some members of the public expressing concern about Mike's level of participation, especially given that it is just a three-person board. Mike responded and acknowledged that the end of last year his time was constrained but moving forward he expects that situation to improve. There was also a concern expressed about some of his comments during a Boyce Hill Steering Committee meeting.

Motion to close nominations: Casey Murphy moved, seconded by Freddie Graves. No other nominations. Mike Jordan elected.

Article 8. To elect a Lister for a three-year term. Kirsten Andrae's term expires.

Doug Mosle nominated Kirsten Andrae. Seconded by Candace Porter. No other nominations. Kirsten Andrea elected.

Article 9. To elect a Second Constable for a one-year term. Chris Griffin's term expires.

Jared nominated Chris Griffin. Seconded by Abby Dryer. No other nominations. Freddie Graves moved to cast a single ballot for Chris Griffin. Jared seconded. All in favor. Chris Griffin elected.

Article 10. To elect a Cemetery Commissioner for a three-year term. Candace Porter's term expires.

Ed Read nominated Candace Porter. Freddie Graves moved to cast a single ballot for Candace Porter. Jared seconded. All in favor. Candace Porter elected.

Article 11. To elect a HUUSD School Director to complete Kim Laidlaw's three-year term to 2025. Article to be voted by Australian Ballot at the Fayston Elementary School.

There are no candidates. If no one steps forward, someone will be appointed.

Article 12. To elect a HUUSD School Director to complete Mike Bishops two-year term to 2024. Article to be voted by Australian Ballot at the Fayston Elementary School.

There are no candidates. Mike Bishop said that he would serve again if no one else comes forward. Danielle Dukette (currently Justice of the Peace for Fayston) stated that she is running as a write in for the one-year term. If no one steps forward, someone will be appointed. Work requirements two meetings a month, you can log in over Zoom. Kathy Cadwell asked Danielle if there was no one elected, and she didn't receive adequate write ins if she would be coming to the Board to ask to be appointed. Danielle replied yes.

Freddie Graves said that we should really consider getting out of this consolidation and take back the education of our children; we shouldn't send money to the state and keep the money here. There are ways to do it; if there's a committee put together to look at this, I will work on that.

Article 13: Shall the Town pay the Selectboard expenses in the amount of \$1000 each?

Ned Kelley moved the article as written. Kathy Cadwell seconded. No further discussion, all in favor, motion carried.

Article 14: Property taxes are due 30 days from the generation of the bills and become late after that date. Taxes not paid by November 1, 2023 are delinquent (postmarks (not metered mail) accepted). Delinquent taxes will incur a one-time penalty of 8% and interest of 1% per month for the first three months and 1.5% per month thereafter shall be applied.

Shall November 1, 2023 remain the date that taxes become delinquent?

Shane Mullin moved article as written. Abby Dreyer seconded. For clarification, if tax is paid on 11/2, you are not just one day late you are significantly late as the grace period before being delinquent is very long. All in favor, unanimously. Motion Carried.

Article 15: Shall the voters authorize the sum of \$7,500.00 to be paid to the steward MRV?

Shane Mullin moved article as written. Don Simonini seconded. To clarify, the Steward MRV is a Chamber of Commerce initiative to provide maintenance and upkeep for popular local recreation areas. Last year the amount was \$5,000, but this year there will be additional sites

hence the amount has increased to \$7500. Warren and Waitsfield will also pay the \$7,500. For Fayston, most of the use of stewardship was at Chase Brook. Upkeep primarily includes porta potties and trash removal.

A vote was taken. All in favor; motion carried.

Article 16: Shall the voters authorize a sum of money (\$ 1,627,750.89) to pay debts and expenses of the Town of Fayston for the year ending December 31, 2023?

Karen Sauther moved article as written. Jared seconded.

Mike Jordan reviewed some of the key budget items that have changed including but not limited to, on the income side: records preservation (scanning/digitizing), filing fees. On the expense side: increased legal to cover some zoning issues, audit expense increased due to switching to new accountant/full audit, increased benefits costs (health insurance), highway equipment (parts, fuel etc. all have increased), repairs exceeded its budget due to plow fleet (although we have replaced some equipment, one of the newest trucks has been down the most), highway salaries increased (following market trends), highway supplies have gone up (cost of calcium has risen despite reducing the amount we are using), insurance, municipal buildings, office (addition of paid minute takers who are not also meeting participants), salaries (8% increase to help address inflation), increase in donations and recreation district budget.

Mike discussed equipment transfers (for replacing equipment on an established schedule). The transfer bridge fund was not funded as the current bridge reserve will cover any match needed as required by a grant, which will be necessary to undertake any bridge project. Fire equipment reserve remains the same as we plan for equipment replacements. Road construction has come down as several large projects are complete. Reappraisal reserve has been steadily funded for a while. Fayston Conservation Commission is level funded; Town Garage is down a bit. Culvert reserve is the same, based on the capacity of what the road crew can take on during a construction season. Road retreatment increased to prepare for German Flats work. The Town Forest reserve is down as it is funded through Conservation Commission or ARPA funding. Road sharing agreement with Waitsfield is adjusted, Waitsfield-Fayston fire department (our 40% share), Recreation Reserve is a credit from a line item that is no longer used and will be removed and added to the general fund.

Overall, the budget increased by 13% which is the largest increase the Town has ever had.

Discussion: 1. How necessary is it to have propane as backup heating for the Town Hall? Answer: The system we are replacing the oil boiler. We use pellets all the time in winter as it is most efficient when running 24/7; the propane is for the generator and is used in the saddle seasons when heat is turned on and off. Laura Bailey offered the information that the state will provide assistance (grant) up to \$500K to replace existing systems with higher efficiency systems; we might want to pause on systems replacement until we learn more about this program (Patti stated that no contracts have been signed as of yet and asked for more information on this state assistance.) 2. Given the costs of labor and supplies, a 13% increase in the budget is fair. A request for next year: can you please put the balance sheet in the report as well. Mike replied that every year we have been using fund balance in proportion to offset our taxes. Currently we have a fund balance of \$240K, some of which may be used to offset the tax rate. 3. What are the current ideas for replacing the town garage? Response: We are looking at a metal building with a larger footprint for room to do maintenance. Question: What is the

timing for this? Answer: We will likely need to bond a project like this; we might want to wait a year or two to see what happens with inflation before we do that. 4. Is it possible to consider sharing Road Department facilities with Waitsfield? Answer: The issue of Road Department facilities is a complicated issue; there are a lot of miles between one end of the Valley and the other, we need to evaluate the cost and benefits. 5. Can we add into the budget something for new flashing signs by the school which are broken? Also, can we manage the traffic on German Flats during pickup time when a lot of cars are parked along the road?

The motion to authorize the proposed budget went up for vote. All in favor, motion carried.

Article 17: Shall the Town vote to start next year's Town Meeting (March 5, 2024) at 9:30 o'clock in the forenoon?

Al Coccagna III moved article as written. Abby Dreyer seconded.

Laura Bailey asked if we could switch to an evening meeting for folks who work during the day. Many other towns have moved to this.

Laura Bailey then moved to amend the motion to strike out "9:30 in forenoon" and replace it with "an evening time". Karrie Thomas seconded the amendment.

Discussion of the amendment: 1. Can we put down a specific time (vs "an evening time"), and can we ensure that there is advertising of this new time, so people know that there has been a change. 2. There has been research on town meetings and the finding was that the time the meeting is held doesn't really affect the level of engagement. 3. The School has the night before Town Meeting Day chosen as their time. School break may fall during Town Meeting week as well. 4. Should a location be specified? Answer: We purposefully didn't include a location so that we could decide closer to the meeting date. 5. Can this be put out for community feedback? 6. There is precedent for doing it during the day. We do have 57 people here now.

Vote was taken on the amendment to change the meeting time from 9:30 to an evening time. The Nays had it, amendment failed.

A vote was then taken on the motion as originally stated: all in favor, motion carried.

Other Business:

The Road Crew has done a fabulous job this year.

Can the Selectboard coordinate with Waitsfield so that Fayston can take care of the entirety of Center Fayston Road until mud season is over?

Want to commend the Selectboard on the Inclusion Proclamation.

Round of applause for the food laid out for lunch. Any profits go to the PTO.

Freddie Graves made a motion to adjourn, Woody Dugan seconded, all in favor, motion carried. Meeting adjourned at 12:26pm.

Dated this 30th day of March 2023 at Fayston, Vermont

Respectfully submitted,

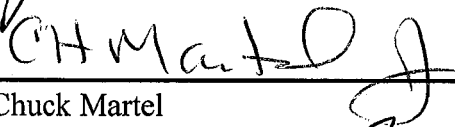
Eve Silverman



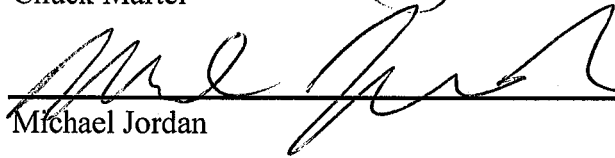
Rick Rayfield



Jared Cadwell

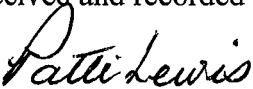


Chuck Martel



Michael Jordan

Received and recorded this 5 day of ^{April}~~March~~ 2023.



Patti Lewis

FAYSTON TOWN CLERK'S OFFICE

RECEIVED FOR RECORD

DATE 4/5/2023 TIME 12:00 PM

RECORDED IN BOOK VOL 7 PAGE Town Proceedings

ATTEST Madeline Vasson ASST. TOWN CLERK