TOWN MEETING MINUTES 2012

The legal voters of the Town of Fayston were notified and warned to meet at the Fayston Elementary School on Tuesday, March 6, 2012 at 9:30 A.M. to transact the following business:

9:35a.m.

David Jones (David) welcomed everyone and read announcements as follows:

In order to vote during Town Meeting you need to be wearing a tag.
If you are not registered to vote and wish to speak we must first ask the body to grant that permission.
Budget is on pages 21-23 in the Town Report (TR).
There is a new PA system w/remote microphone and David asks that all use it. Judy Dimario and Corey Stephenson have volunteered to be runners for the microphone.
The Town has vacancies in three different areas, DRB, PC and Zoning Administrator. If anyone is interested in public service please step forward.
David noted a correction in the TR. Page 3, The Mad River Valley Chamber of Commerce report, some of the Board names were omitted by accident. Those were Rosemarie White, Tom Mehuron, Vickie Walluck, Steve Butcher and Lisa Loomis.
David Koepele announced that the Planning Commission is in the process of reviewing the Town Plan last adopted in 2008 and due to be updated and readopted by 2013. The PC will be sending out a survey to gage the towns' peoples' desires and he asks that people take the time to respond.
David noted that Adam Greshin (Adam) would like to address the assembly about 10:00 a.m. David will finish whatever article we are on and then ask the assembly for permission for Adam to speak.
David brought everyone's attention to Page 1 in the TR and the dedication to Hanne Williams who has passed away this past year. David then asked that the assembly for a moment of silence for Hanne N. Williams, Robert John Mayer, Barbara B. Cain, David Drury, Lindley Read Devereux, William Richard Griffin, Richard Reisner, Mae Ada Ketcham.
David recognized Adam and asked that with the approval of the body that Adam be allowed to speak at this time. The body agreed in the affirmative.
Adam talked about Irene (80 million dollars in FEMA assistance is considered a disaster. Government will pay 90% of eligible repairs, the State has stepped in whenever the cost of repairs to a Town has equaled more than three cents on the municipal tax rate), Health Care (By 1/2014 the Health Care Exchange Bill has to be passed, three plans must be offered – Platinum (90%), Gold (80%) and Silver (70%). There is also now a Bronze level at 60%. Small Group is an organizing with no more than 100 employees) and Apportionment (Fayston is slated to become a two member district with Warren, Waitsfield, Moretown and Duxbury. Adam gave the community the position to redraw the lines and he encourages Fayston to do so. However, he is okay with a two member district as proposed.).
David then noted the sheet on each seat explaining Roberts Rules of Order and how the meeting would be conducted.

10:05AM

Article 1. To elect a Moderator for the year ensuing. David Jones' term expires.

Ann Day nominated David Jones.
No second needed.
By voice vote so moved.

Article 2. To elect a Town Clerk for the year ensuing. Patti Lewis' term expires.

Tony Egan nominated Patti Lewis.
No seconded needed.
By voice vote so moved.

Article 3. To hear and act upon the reports of the Town Officers for the year 2010.

Jared Cadwell (Jared) welcomed the assembly and reminded everyone that the Selectboard (SB) meets the 2nd and 4th Monday of each month and that the public is invited to attend and directed everyone to Page 15 Jared for SB summary.
He reviewed some impressive results summarized by David Frank, Fayston Energy Coordinator, regarding energy efficiencies. He also wished to thank Mike Quenneville and Kerry Hale for their contributions to that project.
Jared explained that much of the work of the Town for 2011 was dominated by the flood events of last spring and August. There was a combination of volunteer, local government, and State and Federal assistance that was extraordinary. What we accomplished in less than six weeks, and the agencies on the phone with the Town whenever guidance was required, Jared feels Fayston used 1/3 of the possible costs of repair without cutting corners. Jared had recently testified at the House Senate Joint Transportation Committee regarding these disasters and he noted that Sue Mentor, Assistant Secretary of Transportation and he were clearly on the same page.
Jared stressed the need for people to step forward to serve on the PC and DRB. He explained that the Zoning Administrator position is a paid part time position. All positions are very important. He said that he, Robert and Ed like most of the work they do. However, settling legal disputes is particularly challenging and he is sobered by the fact that they had to budget $20,000.00 in legal fees for 2012 to help settle an issue that could not be resolved between neighbors having to do with water flow. The SB tries to mediate and find the practical and least expensive solutions.
Robert Vasseur (Robert) noted the culvert project that was completed on German Flats Road in 2011. Jared said that none of those culverts had any trouble during the flood and thanked the road crew and Griffin & Griffin for the success of that project.
Jared also thanked Griffin & Griffin and Kingsbury Construction for their help with the flooding events.
The SB plans to fix the guardrail on Number Nine Hill in May or June of this year.

Patti Lewis spoke regarding Town Clerk duties referring the assembly to a hand out she provied to the assembly. This hand out delved into the Town Clerk duties more completely this year but did include a summary of Treasurer and Assistant to the Selectboard duties as well.

David asked the assembly if all in favor of the reports as given.
By voice vote so moved.

Article 4. To see if the Town will authorize the Selectboard to borrow money in anticipation of general revenue and with short term notes fund the Capital Budget.

Robert so moves.
Nancy Mongeur seconds.
Leo Cohen asked who money was being borrowed from.
Robert explained it has been through NSB but in the past few years little borrowing has been necessary.
Ken Amann asked if the lawsuits will result in borrowing money and the answer was no.
It was noted that if the State of Vermont decides to take over the collection of education taxes it

will have an impact on borrowing for the Town.

David restated the article.
By voice vote so moved.

Article 5. Shall the Town pay the Board of Selectmen's expenses, and if so, how much?

Tom Jefferys so moves.
Kim Laidlaw seconds.
Discussion followed about amount ($750/person), expense accounts, and IRS requirements.

David restated the article.
By voice vote so moved.

Article 6. To assess a time of payment of several taxes (PROPERTY TAXES ARE DELINQUENT ON NOVEMBER 1).

Nancy Mongeur made a motion that taxes are delinquent on November 1st.
Read Henry seconds.
By voice vote so moved.

Article 7. To elect a Treasurer for the year ensuing. Patti Lewis' term expires.

Ann Day nominates Patti Lewis
No second needed.
By voice vote so moved.

Article 8. To elect a Delinquent Tax Collector for a one year term. Patti Lewis' term expires.

Carol Chamberlin nominates Patti Lewis
No second needed.
By voice vote so moved.

Article 9. To elect a Selectman for a three year term. Jared Cadwell's term expires.

Ed Read nominates Jared Cadwell.
No second needed.
By voice vote so moved.

Article 10. To elect a Lister for a three year term. Fred Spencer's term expires.

Mike Quenneville nominates Fred Spencer.
No second needed.
By voice vote so moved.

Article 11. To elect a Second Constable for a one year term. Allen Tinker's term expires.

Rick Rayfield nominates Allen Tinker.
No second needed.
By voice vote so moved.

Article 12. To elect a Cemetery Commissioner for a three year term. Ken Amann's term expires.

Tom Bisbee nominates Ken Amann.
No seconded needed.
By voice vote so moved.

Article 13. To elect a Trustee of Public Money for a three year term. Ronald Graves Jr.'s term expires.

Ann Day nominates Ron Graves Jr.
No seconded needed.
By voice vote so moved.

Article 14. To elect a Grand Juror for a one year term. David Jones' term expires.

Reed Henry nominates David Jones.
No second needed.
By voice vote so moved.

Article 15. To elect a Town Agent for a one-year term. David Olenick's term expires.

Judy Dimario nominates David Olenick.
No second needed.
Jared addressed the assembly explaining the invaluable unpaid public service that David Olenick performs for the Town in reviewing and signing contracts.
Ken Amann asked if David Olenick could be consulted on settling lawsuits. Ed said he could but that for lawsuits generally we need to engage VLCT attorneys as they cover our insurance.
David noted that as a point of procedure he would not have allowed this discussion had there been other nominations.

David restated the article.
By voice vote so moved.

Article 16. Shall the Town establish a Conservation Reserve Fund at a starting amount of $10,000.00 to help preserve our lands with ecological, cultural, or recreational significance in Fayston?

Sue Jefferys so moves.
Ann Day seconds.

Corey Stephenson and Ky Koitzsch presented on the what, why and how of establishing a conservation fund. See attached.

Many things were discussed including but not limited to:
Town Plan Section 3.1 conservation language, 2006 survey showing support for a conservation fund, conserving land to not just conserve it but for the conservation of its uses, any town resident could make a proposal to the FNRC for use of these funds, the SB will need to grant approval for any expenditure, estimated cost per person is $7.00/year, Big Basin Trust will donate between $1000-$3000 annually to the fund if this article passes, would this request be a one time request or yearly (the answer was it would be an annual request) would the list of permitted uses include snowmobiles (answer was it already does), how much input the general

public would have on spending the money, general public is welcome to bring ideas to the FNRC or the SB, examples of what other Towns have done with such funds, land that is purchased is taken off the grand list and potential tax implication, no lands being considered at this time, was this a duplication of the Vermont Land Trust organization (answer no, was in addition to), the fact that 72% of Fayston Land is already conserved in some way, was it a good year to be asking for $10,000.00 in the year of Irene, should we wait a couple of years, when the FNRC was created it was specifically charged with the management of the Chase Brook parcel and education and did not include a conservation fund, was there any discussion about fund raising instead, noted was that probably 60-70% of Fayston land is in current use but only 16% is actually conserved with easements, some people spoke in favor, some spoke against, one suggested that property values would go up if conserved land was your neighbor, one suggested if that were true than they would be unable to continue to live here because of the already burdensome taxes, a suggestion was that the FNRC become a 5013c entity that those who could afford to give could but that it would not be a broad base tax, the lack of affordability in Fayston was discussed and with further restricted land the more tax restrictive we become, question was asked of the FNRC committee how many of them had their own land conserved (David did not allow the answer to this question), it was suggested that the means to control development is in the town plan and perhaps greater support of that plan is the way to go, others talked about how they had grown up with less development, some talked about the need to protect some land for animals that are now coming into our backyards, again the town plan was mentioned as the vehicle to this means, someone suggested the town plan is a policy statement but the fund would put the Town in a position to be proactive.

Susan Klein made a motion to call the question.
David explained it would take a 2/3 vote (66) to call the question. He asked all in favor to stand. David could see there were more than 66 people standing and motion to call the question passed.

David restated the article.
By voice vote so moved.

Article 17. Shall the voters authorize a sum of money to pay debts, if any, and expenses of the Town of Fayston for the year ending December 31, 2012?

Nancy Mongeur so moves.
Tom Jeffrey seconds.
Ed Read (Ed) went over each category in the proposed 2012 budget.

Question was asked what the FES $20,000.00 line item was?. Ed responded that it paid to the Fayston Elementary School for the Town's usage of the facility such as on Town Meeting Day.

Ed explained that with the passage of Article 16 the number to be voted is $978,979.63.
Rick Rayfield stood to compliment the Road Crew on a job well done this past year. All stood and clapped.

David restates the article.
So moved by voice vote.

Article 18. Shall the voters authorize the Selectmen to set the necessary tax rate after the Grand List has been completed and lodged in the Office of the Town Clerk?

Tom Jeffrey so moved.
Sue Jeffrey seconded.
So moved by voice vote.

Article 19. Shall the Town of Fayston continue to fill the office of first constable by appointment of the Selectboard rather than by election in accordance with Statutes, Title 17 V.S.A. Section 2651a?

Jared Cadwell moved.
Ann Day seconded.
Jared gave a point of information. Ray Munn is our first constable who showed valiant effort during the August floods and believes he is our eyes and ears around Town.

So moved by voice vote.

Article 20. Shall the Town vote to urge the Vermont Congressional Delegation and the U.S. Congress to propose a U.S. Constitutional amendment for the States' consideration which provides that money is not speech, and that corporations are not persons under the U.S. Constitution, that the General Assembly of the State of Vermont pass a similar resolution, and that the town send its resolution to Vermont State and Federal representatives within thirty days of passage of this measure?

Sue Jefferys moves.
Nancy Mongeur seconds.

Some discussion followed about constitutional law, corporations not being mentioned in the constitution, this town by town and state by state movement, and who is Citizens United.

So moved by voice vote.

Article 21. Shall the Town vote to start next year's Town Meeting at 9:30 o'clock in the forenoon at the Fayston Elementary School?

Mike Quenneville so moves.
Tom Jefferys seconds.
Paul Sipple questions if he school portion could come before the Town.
David believes the majority of towns switch back and forth from year to year.

David restated the question.
So moved by voice vote.

Article 22. To transact any other business which may properly come before the meeting?

David reminded everyone that anything under this article was non-binding.
Ken Felderman, Joslin Library Board of Trustee. The Library is seeking input as to the services they are currently providing. The survey is on the back table and he would appreciate people taking the time to fill one out.
Muriel Griffin – spoke about the possible closures of post office facilities. Please pick up the flyer on the back table and call the numbers to show your support of these workers (245 workers in White River Junction alone will lose their jobs and several other Vermont post offices are slated to be closed), and self-maintained (no federal dollars involved with the post office) postal facilities.

Susan Klein asked for support and assistance for the Warren 4th of July parade and event.

The Fayston School was thanked for providing child care services during the Town Meeting.

Carrie Wilson spoken on behalf of the Fayston PTO encouraging the purchase of Monte Carlo tickets for this fund raising event.

Jared spoke on behalf of Arthur Williams who could not make Town meeting this year but plans to attend next.

David said that we were not going to make the 1:00pm warned time for the school board meeting and asked if all agreed to convene at 1:30PM. So moved by voice vote.

12:06 PM

Ann Day moved to adjourn the meeting.
Mike Quenneville seconds.
By voice vote so moved.

Respectfully Submitted:
Patti Lewis

Selectboard;

Robert Vasseur, Chair

Jared Cadwell

Edward Read

David Jones, Moderator

Dated this 26 day of March, 2012, at Fayston, Vermont

Patti Lewis, Fayston Town Clerk

Received and recorded this 27 day of March 2012.