TOWN MEETING MINUTES 2013

The legal voters of the Town of Fayston were notified and warned to meet at the Fayston Elementary School on Tuesday, March 5, 2013 at 9:30 A.M. to transact the following business:

9:32a.m.

David Jones (David) read announcements as follows:

Reminder to stop and vote the Harwood budget ballot.
Both Adam Greshin (Adam) and Maxine Grad (Maxine) would be joining the assembly at which time David will ask the body if they will be allowed to speak.
If you are visiting the Town or not a legal voter, please do not attempt to vote. If you want to speak you can ask permission to do so.
David asked in an effort to help the Town Clerk fully recognize people that each speaker clearly states their name before speaking.
Taylor Jean Lewis Quenneville agreed to run the microphone. David will recognize you, announce your name and then you may speak.
On your seat is a sheet with Roberts Rules of Order. Please take a moment to read.
David asked permission to conduct the town meeting through its entirety before breaking for lunch. He asked for a vote and hearing no objections he moved that all articles would be heard prior to breaking for lunch.
David read names of those citizens that had died in 2012, John Robertson, Anna Thomas, Andrew Stewart, Julia Ludewig, Joseph Koch, John Ewing, Jonah Rule (Starksboro Resident that died in Fayston), Madeleine Howes, James Hopper, David Wood, and Wayne Johnson, A moment of silence followed.
David noted that nominations for elected officials needed no second.
10:10AM David turned the microphone over to Robert Vasseur (Robert) to deal with article one.

Robert read Article 1.

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.

Reed Henry nominated Patti Lewis (Patti).
No seconded needed.
By voice vote so moved.

Article 3. To hear and act upon the reports of the Town Officers for the year 2012.

Judi Dimario so moved.
Mike Quenneville seconded.

Jared Cadwell (Jared) welcomed everyone, and said it was nice to see new faces, and welcomed back familiar folks such as Paul Marble. Jared extended greetings from one who is absent, Arthur Williams. Jared then spoke

about ongoing legal negotiations regarding a water dispute in Fayston Farms and his optimism that it will be resolved within 6-9 months. Thanked Stuart Hallstrom (Stuart) for his practical advice on the matter. Jared noted that later on in the meeting they would be presenting a town policy that is being considered regarding the watershed and maintenance of private driveways and culverts.
He noted that in addition to the twice a month Selectboard meetings, each Selectboard (SB) member are representatives on other councils. Jared on the Mad River Valley Planning District Steering Committee, along with Chuck Martel. He encouraged everyone to get to know Joshua Schwartz, Exec. Director of the MRVPD. Robert sits on the Mad River Resource Management Alliance currently dealing with the Moretown Land Fill situation. Ed Read (Ed) is a member of the Chamber of Commerce and his business sits on the thoroughfare of Waitsfield.
He stressed that each of the Selectmen is very accessible if there the public has any concerns.

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.

Ann Day so moves.
Patty Green-Swift seconded.
Robert noted that while the SB is authorized to borrow money they have not had to in the last few years.
By voice vote so moved.

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

Tom Jeffrey's so moved.
Holliday Rayfield seconded.
Jane Hobart asked if they were satisfied with the $750.00. Answer yes.
By voice vote so moved.

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

Jane Hobart made a motion that taxes are delinquent on November first.
Michael Quenneville seconded.

Rick Rayfield explained that this was an important decision. Taxes are due within 30 days of receiving one's tax bill and delinquent 11/1. Every year some people don't get their taxes in on time for reasons such as illness or a catastrophic weather event and that by making this decision you are supporting the Board of Abatement who hears these cases. Should anyone not like this then the time to take up the conversation is now.
No further discussion.
So moved by voice vote.

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

Ferris Buck 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's term expires.

Judi Dimario nominates Patti Lewis.
No second needed.

By voice vote so moved.

Robert spoke on behalf of the Selectboard and their appreciation of the work Patti has done with the difficult job of collecting delinquent taxes.

9:57 a.m. – David recognized that the Representatives were here and did the body favor allowing them to speak at this time.
So moved by voice.
Maxine spoke first thanking the assembly for voting her into office to represent Fayston. She serves on the House Judiciary Committee. They are working on the prescription drug problem, highway safety issues such as cell phones and DUI, the GMO Bill and Death w/Dignity.
Adam spoke next. He is on the Ways and Means Committee. His committee recommended a five cents resident and six cent nonresident education increase. He spoke about break open tickets, early childhood education, gas tax which will probably happen, federal funding received in the past of almost a million dollars, soda tax, and health insurance costs (VEHI), and early childhood education.
David Jones spoke about his concern with the 70 million in taxes the State is trying to raise (gas tax, fuel tax, and income property tax) and wonders when it is going to stop. He does not feel Legislators are getting the message from the average citizen. Adam replied that there are a lot of initiatives and asks that people get in touch with them.
Ann Day asked how the sequestration affected taxes. Adam replied there is nowhere for federal funding to go but down.
Patti Green-Swift suggested they look away from taxing what people need but rather tax things like soda that people want.
Helen Wybrow noted that schools are unable to keep their budgets down due to health insurance increases.
Raymond Schneck asked what the Legislative position was on transporting tar sands. Adam replied that there is no official view on that.
Rick Rayfield stated that there is 100% inflation of legislative members in our district due to redistricting. Who should people contact? Maxine replied that people can communicate with either herself or Adam.
Gail Breslauer thanked the representatives for speaking today. She noted that there are a lot of new initiatives but reminded the assembly that there is still a lot of post Irene work to be done. She suggested holding off on new taxes as people struggle with town and school budgets. She asked for a show of hands to indicate how frustrated people are with the taxes and the fact we love the State but can't afford any more. She asked that the Selectboard or Town Clerk then send an email of this straw vote to the Legislators. David Jones told her a straw vote could be taken at the end of the meeting under other business.

All thanked the Representatives for attending.

Article 9. To elect a Selectman for a three year term. Robert Vasseur's term expires.

Ann Day nominates Robert Vasseur with deep appreciation for all the years he has served as a Selectman, 54 years to date.
No second needed.
By voice vote so moved.

Article 10. To elect a Lister for a three year term. Tony Egan's term expires.

Tom Jefferys nominates Tony Egan (Tony).
No second needed.
By voice vote so moved.

Tony addressed the assembly encouraging everyone to read the Lister report in the Town Report and stating he has been a Lister for eighteen years and Gussie has been one for twice that long. It is time to find some interested people to serve the Town in this capacity. Real Estate taxes are calculated from the grand list which is created by the Listers. There is a lot to it and there are educational opportunities that the Town will pay for to learn about this field. This is a paid position. He hopes that someone younger will be interested in serving.

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

Rick Rayfield drew attention to the 911 report in the Town Report.
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. Tom Bisbee's term expires.

Jane Hobart nominates Tom Bisbee.
No second needed.
By voice vote so moved.

Article 13. To elect a Trustee of Public Money for a three year term. Debbie Jones's term expires.

Ed Read nominates Deb Jones.
No seconded need.
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.

Ann Day nominates David Olenick.
No second needed.
By voice vote so moved.

Article 16. To elect a Harwood Union School District Representative for a three year term. Russell Beilke's term expires.

Susan Daley nominates Russell Beilke (Russell).
No second needed.

Kevin Wry questioned if there is a conflict of interest for Russell serving because he is also a coach at Harwood.
Russell explained that right now he has a waiver allowing him to do both.
He wanted to speak to the Harwood Report but David Jones asked him to wait until he was voted into office.

David Jones restated the question that was moved by voice vote.

Russell then spoke about Harwood's 95% graduation rate, NECAP scores, drawing attention to Page 41 and 42 of the Town Report showing where graduates were going on to school, and imploring everyone to attend the Harwood School Board Meetings.
David did not allow him to put a plug in for the Harwood Budget that was being voted on by ballot.

Article 17. Shall the Town authorize funds in the amount of $20,000.00 for the Fayston Conservation Reserve Fund? $10,000.00 of which will go towards conserving the Bragg Farm and $10,000.00 of which will help us preserve further projects of ecological, cultural, agricultural or recreational significance in Fayston?

Sue Jefferys made a motion to authorize the funds.
Liz Levey seconded.
Corey Stephenson (Corey) gave a presentation on the FNRC, its charge, and the process for expending the reserve funds (public meeting and SB approval).
Liza Walker (Liza), from the Vermont Land Trust (VLT) asked to address the assembly specifically to speak to the Bragg Farm project. David asked if there were any objections, hearing none Liza was allowed to speak. She explained that VLT is a statewide nonprofit organization that conserves land in Vermont.
VLT needs to raise an additional $175,000.00. With the Town support of $10,000.00 last year and the $10,000.00 this year that is 2% of the total price. They are fundraising and applying for grants for the rest. She talked about the farmer they intend to sell to and that it would be a butter making venture.
David Frank stated that he loved this group and their intentions but questions the understanding he had from last year's meeting that the money was going to be available to any citizen in Fayston. He noted that the SB sweats the budget each year and to whom to give money to (such as Home Health and others) and thought the money was to be used for all citizens of the Town, not the few.
Jared said that they did not know at Town Meeting last year that the money would go toward the Bragg Farm, that the money had been discussed as seed money, it was clear the SB would work directly with the FNRC on how the money was used. In this case, and within the guidelines of the fund, the SB felt this was a responsible investment of those monies.
Matt Howes said his family has been here for 150 years and that he has a son that wishes to become a farmer. He is conflicted with this decision because he was under the assumption that the fund was going to be used for more public land and the buildings for public access. He felt $20,000.00 was too much to ask and that it should be $10,000.00 and he was not suggesting all of that go toward the Bragg Farm.
Darlene McCormick asks what other Towns were being asked for. Liza answered typically $20,000.00
Ned Kelley, member of the FNRC said that reserve funds traditionally maintain and average of $50,000.00. Other projects he mentioned were Kingsbury Farm and Blueberry Lake. If you have a reserve fund it shows other funders that the Town is interested in supporting and saving the natural lands. Therefore, it is very important to build the reserve fund and not just support the farm.
Alan Solomon – stated one of the reasons he lives in Fayston is the uniqueness of the area. He has seen developers that have ruined a city in CT and believes that the Bragg Farm is ideally suited for development with small homes because of its views. He was in support of conservation of the farm.
Liz Levey asked what the State funds had in relationship to the commitment today. Liza answered that they submitted a grant yesterday for $330,000.00 and when she can say that it is supported by the Town that helps.
Tony Egan – Asked Liza if her math included the additional $10,000.00 this year. Answer, Yes.
Peter Forbes – said that if these three gentlemen (referring to the Selectmen) think $20,000.00 is appropriate for the Bragg Farm he backs that. He believes what VLT has done is amazing. The Knoll Farm was this situation and he believes it became a public benefit as well as a benefit for them.
Brian Lavery asked who appraised the 48 acres, view, barn and structure at $175,000.00. Liza answered that it was a company out of Wells River. They did not consider the view but did look at land that could not be subdivided or sold to others who were not farmers. They looked at comparable sales of farms around Vermont.
Jared said that what we have is the history and expertise of VLT and that they followed criteria of a deed restricted land value.

Brian Lavery asked if the FNRC had a budget. Answer – No.
Paul Marble – asked if we talked about where in the tax rolls this land comes in and the fact we are already contributing to this project by those reduced taxes.
Gussie Graves – stated that they had been paying taxes on a house and two acres; the rest will be in current use.
Liza – stated the Listers will have the opportunity to re-assess the property and the rest will be in current use.
Paul Marble wanted to know the numbers.
Liza said that the VLT is paying taxes on the current use value.
Tom Bisbee appreciates the concern about the aggressive gas tax and federal deficit. But speaking for future generations this is only .3% of the town budget.
Ann Day spoke about her conservation of the Knoll Farm in 1983 which was assessed at that time for four million dollars.
Patti Green-Swift asked about water quality issues when one pastures animals on a steep slope. Had the VLT gotten any standards for setbacks? Liza answered that the conservation easement would speak to this.
Ed Read (Ed) spoke as someone coming from a farming family and the legitimate nature of the Bragg Farm project and of VLT itself. He feels if one step has been made we might as well finish the job.
Ed noted that the SB has an underlying feeling of a bit of a disconnect with the FNRC.
Ed said his intent was to make a motion to amend the article to $10,000.00 to go completely to the Bragg Farm and for the coming year work more closely with the FNRC.
Corey said she heard the concerns but she wanted to bring up the point that the FNRC follows the guidelines and that everyone should read those. They had a public forum in January where everyone was invited to attend. She wants to re-establish the fund and to build it.
Kevin Wry agreed with Ed and said that there were two different things to vote on and that we should reject the vote and vote two separate things. He also questioned why the farmer had not shown up at this meeting.
Carey Wilson agreed it is a great project but does question the number. She thinks $20,000.00 is a lot of money and was surprised to learn that $10,000.00 had gone to one project in 2012. She wanted to know if there was any way to vote on an amendment under other business. That way we could amend and cut the money down.
David instructed that we had to vote on the article as written or amend the article itself. By the vote the townspeople are telling the SB what they want them to do.
Gussie Graves asked if David was saying that they could amend to $10,000.00. David answered yes; you can split it any way you like.
David cautioned the body that they could amend the main motion and amend the amendment but that no further amendments could then be made.
Sarah Stavraky asked how much money was VLT trying to raise to make it successful and what happens if enough money is not raised.
Liza replied that the purchase price was $792,000.00. $400,000.00 was raised from charitable organizations. They have $100,000.00 left to raise. If it is not raised VLT will own the farm for longer and it will drag out the sale to the farmer.
Kathy Cadwell – stated she was going to vote for the article. She said it was a considered proposal brought by the SB, who doesn't like to spend a lot of money. This process brought the Knoll Farm into being. This is an iconic piece of property and this is an opportunity for Fayston to step up and lead.
Mrs. Solomon noted that many people are attracted by the Knoll Farm and spend much money in the Valley.
Helen Wybrow stated that as property owners of a farm that has no tax benefit for having a conservation easement, and all our concerns about spending, that we owe it to ourselves to think long term. She does not feel $10,000.00 is a whole lot to ask.
Cynthia Seckler asked to call the question. David explained that she was asking to vote on Article 17.
Tom Jefferys seconded.
David explained that there were 88 voters present which meant 58 people needed to vote yes to call the question.
David asked those in favor of calling the question to stand. BCA announced that there was a 2/3 majority standing and the question was called.

David Jones reread Article 17.
Motion passed by voice vote.

Matt Howes stated that he wanted to make an amendment to Article 17. However, the vote had been taken and the motion passed, and David did not see any hands up in order to recognize a speaker, that it was too late to do so.

Article 18. Shall the Town authorize funds in the amount of $2000.00 for the Couples Club?

Jill Ellison - asked for an explanation of what this was.
Ed responded that the fields had been wiped out a couple of years ago by the floods. They had been repaired but this money was to cover operating cost for this coming year due to the depletion of funds for the repairs. He also believes they need to purchase some equipment.
Kim Laidlaw asked if they were asking for funds from the other Towns and Ed replied that he believed so.
Ann day made a motion to authorize the funds.
Karen Anderson seconded.
So moved by voice vote.

Article 19. 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, 2013?

Paul Marble – made a motion that this article be put off until after lunch.
David Jones ruled this out of order because it had already been decided at the beginning of the meeting to continue with all articles until they were complete.

Jared made a motion to authorize the funds.
Liz Levey seconded.
Motion carried by voice vote.

Article 20. 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 Jefferys moves the article.
Jane Hobart seconds.

Ed went over the budget. The $1,021,614.00 is a 4% increase in the municipal budget from 2012. He noted the $172,000.00 in back taxes that had been collected. He explained how the SB puts together a budget in that they meet 4-5 times over the winter with rough drafts and then hone in on the numbers as they quibble and angst over the smallest $100.00 donations. They try to balance the needs of the entire Town, the roads being primary. Jared noted that the capitol funds are being used to replace worn out equipment for either the Town or the Fire Department. Ed noted too that the State does not give us much money any more to help with the roads. This year we would be purchasing a new truck, dual axle, more heavy duty.
Reed Henry asked why the Town needs a ten wheeler. Ed answered that there were two main reasons. One is moving gravel from the gravel pit. It will be less wear and tear on the town trucks and will not be overloaded. Also, when we have to travel for material it will be fewer loads.
Reed Henry did not agree.
Jared noted that his understanding was from District 6 that Route 100 is scheduled for improvement later this spring.
Jane Hobart asked what PILOT meant. It is Payment In Lieu of Taxes.

Robert clarified that the actual amount of taxes we are asking to be raised is $688,969.00 but now we must add $22,000.00 just voted with previous articles.
Ed said that to be clear the budget, with approved articles, is now $1,043.614.00.
Holiday Rayfield asked for clarification of the donation numbers which was explained by Ed.
Fred Gilbert said his understanding was that Route 100 will be paved from Waitsfield to Warren this spring but not Waitsfield Village until the water project is complete. The bridge by the Lareau farm is slated to be replaced in 2014 or 2016.

No further discussion.
David Jones re-read Article 20.
By voice vote so moved.

Article 21. Shall the voters enact the following resolution?

1. That the Town express its opposition to the transport of tar sands oil through Vermont, and its deep concern about the risks of such transport for public health and safety, property values and our natural resources; and
2. That the Town encourage the State of Vermont and other northeast states to support policies phasing out fuel purchases as quickly as possible from vendors whose refinery sources of origin use any form of tar sands; and
3. That the Town call upon the Vermont State Legislature and the U.S. congress to ensure thorough environmental impact reviews of any tar sands related pipeline proposals, including the health and safety impacts of potential tar sands oil spills; and
4. That the Town transmit a copy of this resolution to all relevant state, federal and Canadian officials, and the CEOs of Portland Pipe Line Corporation, Montreal Pipe Line Limited, Imperial Oil, ExxonMobil and Enbridge Inc.

Darlene moves to enact Article 21 as written.
Susan Jefferys seconds.
Darlene McCormick – spoke to the article reading information regarding each of the numbers.
Judi Dimario – thanked everyone who signed the petition and spoke about the sands, pipes and that the oil was for export and not for our use.

No further discussion.
So moved by voice vote.

Article 22. Shall the Town vote to start next year's Town Meeting at 9:30 o'clock in the forenoon at the Fayston Elementary School?

Sue Jefferys so moves.
Judi Dimario seconds.
No further discussion.
So moved by voice vote.

Article 23. To transact any other business which may properly come before the meeting?

Jared spoke about Page 30-32 in the Town Report. This is a Highway Access Permit Ordinance that the SB is considering adopting. Not an action item for this meeting but he did want to use this forum to remind property owners that it is their responsibility to maintain culverts and ditches on their properties. As more flood events

happen we need to be able to distribute the flow of water and unfortunately it is seems to be in more legal ways than necessary.

Nicole Migneault would like the heat in the room turned up next year. She also encouraged everyone to become a member of the Fayston Historical Society and pay the dues. She also thanked the ski areas for allowing the kids to ski for free on Town Meeting Day.

Helen Wybrow wanted to make everyone aware of the community wide visioning process that had taken place regarding what the school can be in the future, i.e. a community resource.

David Jones thanked Taylor for volunteering to run the microphone and thanked the PTO for their wonderful lunch.

He then asked if everyone agreed to start the School Board meeting at 1:30. All agreed by voice vote.

12:24 p.m. – Jared made a motion to adjourn the meeting.
Robert seconded.
So moved by voice vote.

Respectfully Submitted:
Patti Lewis

Selectboard;

Jared Cadwell, Chair

Robert Vasseur

Edward Read

David Jones, Moderator

Dated this 26 day of March, 2013, at Fayston, Vermont

Patti Lewis

Patti Lewis, Fayston Town Clerk

Received and recorded this 26th day of March 2013.
@ 2:16pm & ASST CLERK.