MINUTES OF TOWN MEETING
MARCH 4, 2014

The legal voters of the Town of Fayston are hereby notified and warned to meet at the Fayston Elementary School on Tuesday, March 4, 2014 at 9:30 A.M. to transact the following business:-

David Jones (David) called the meeting to order at 9:30a.m.

Announcements were made as follows:
David Frank would address the PACE article.
The Historical Society has a table set up in the back for a membership drive.
If any article required a ballot vote, the BCA members would count the ballots.
Adam Greshin & Maxine Grad would be arriving at some point to speak to the body. If an article was on the floor, David will allow that article to continue until complete and then ask the body's permission to allow the Representatives to speak.
David welcomed Ann Day who is attending her 60th Town Meeting.
He turned everyone's attention to the green paper on the seats which explained Robert's Rules and how the meeting would be run.
He noted that nominations for re-elections of officers did not need a second.

David turned the meeting over to Jared Cadwell (Jared) who introduced himself, acknowledged Fayston citizens who have died over the past year and asked for a moment of silence.

Jared noted that Town Report Dedication to Arthur Williams. While not a native son he adopted Fayston as his home.

Turning then to Article 1, Jared read:

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

Mike Quenneville nominated David Jones.
No other nominations, all in favor, motion carried.
David Jones elected as Moderator for the year ensuing.

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

Ann Day nominated Patti Lewis.
No other nominations, all in favor, motion carried.
Patti Lewis elected at Town Clerk for a one-year term.

Article 3. To hear and act upon the reports of the Town Officers for the year 2013.

Dinsmore Fulton so moved.
Reed Henry seconded.

Jared, as Selectboard (SB) Chair spoke to some of the items outlined in the SB Report on Page 15 of the Town Report. In particular he thanked the many volunteers for the Town. Including Ann Day, the Listers, Tony, Fred & Gussie (noting the need for new recruits for the positions), Deb Jones, Russ Bowen, and Susan Hale.

Jared also spoke to the budget as it pertains to the roadways. He noted work that needs to be done, the 32 miles of gravel road, road equipment needs, in relationship to the budget. Question came up about how many more years of life the Fayston gravel pit may have. Robert Vasseur (Robert) said technically forty years but that would depend on how much is taken out at a time. He noted how lucky we are to have it right now vs. trucking from somewhere else.

All in favor, motion carried.

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.

Sue Jefferys so moved.
Gussie Graves seconded.

SB noted that it is not often that the Town has to borrow but allows the flexibility if need. Question was asked if this article left an open ended, unlimited cap for amount and time to pay back. The response is that it reads in anticipation of general revenue which therefore is the cap.

All in favor, motion carried.

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

Judi Dimario so moved.
Dinsmore Fulton seconded.

Question was asked how much it is and if it is enough. SB said it was enough at $750.00 per member.

All in favor, motion carried.

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

Robert so moved.
Reed Henry seconded.

Rick Rayfield made the motion to amend the article to state that property taxes are due 30 days after they are sent out.
Leo Cohen seconds the amendment.

Scott Rossborough made an amendment to the amendment that the due date for the bill is 30 days before the delinquent date.
Sue Jefferys seconded.

Wayne Foster – supports this particular position but wishes to amend the due date to September 1st rather than October 1st. Bills would be due September 1st or 30 days after mailing whichever is sooner. David ruled this amendment out of order as there can only be two amendments to the motion on the floor at one time. Scott Rossborough thought this was an interesting idea but had a problem with the 9/1 due date as more than 30 days until it becomes delinquent is too long. David ruled this discussion out of order as discussion needed to be focused on the amendment to the amendment.

There followed much discussion about how the tax bills are generated, what information is on the tax bill, how to make the due date vs. delinquent date more noticeable, the 8% penalty, responsibility of tax payers to keep track of when the bill is due and the body asked for the Town Clerk opinion. Patti Lewis (Patti) explained what the tax bills look like, the fact that taxpayers are given at least 30 days to pay depending on when the bills can be generated and taking into account weekends/holidays. She had no problem if the body wanted to set a due date certain but October 1st was too late. When asked she thought that perhaps 50% of taxpayers pay by the first due date vs. waiting until 11/1.

Dinsmore Fulton called the question.

Patti re-read the amendment to the amendment that the due date for the bill is 30 days before the delinquent date. David called for a division of the house by show of hands. BCA counted 44 opposed, 14 in favor. The Amendment to the Amendment is defeated.

Patti re-read the amendment that property taxes are due 30 days after they are sent out.

Wayne Foster made an amendment to the amendment that property taxes are due 9/1 or 30 days after mailed by Town Clerk, whichever is later and delinquent 11/1.
Sue Jefferys seconds.

Many people spoke to issues such as it behooving the town to get the funds into its account as soon as possible, selective amnesia when it comes to paying attention to due dates, the 8% penalty being a motivator to pay on time, how escrow accounts with mortgage companies might be affected by moving due dates, what the bill does and does not have on it currently, possible ways to make the due date/delinquent date stand out more, and the fact that the system has been working for many years as is.

Bob Lockett called the question.

David explained that with 83 voters present that over 2/3 (or 55) must agree to call the question. BCA determined by a show of hands that this was the will of the people to call the question.

Patti re-read the amendment to the amendment that property taxes are due 9/1 or 30 days after mailed by the Town Clerk, whichever is later and delinquent 11/1.

David asked for all those in favor, all those opposed. By voice vote the amendment to the amendment was defeated.

Patti re-read the amendment that property taxes are due 30 days after they are sent out, delinquent 11/1.

David asked for all those in favor, all those opposed. By voice vote the amendment was defeated.

David re-read the main motion - To assess a time of payment of education and municipal taxes (PROPERTY TAXES ARE DELINQUENT ON NOVEMBER 1).

David asked for all those in favor, all those opposed. By voice vote motion carried.

There followed discussion about if the body had really addressed assessing a time of payment as the article was written and vote. Some questioned why it was an article at all if the procedure is in place. Why the discussion if dates are already on the tax bills.

As a point of procedure David pointed out that as he had not brought the next article to the floor yet that Rick Rayfield (as originator of the first amendment to the article) could ask for reconsideration of the article if he so chose.

It was suggested that wording of the article might be considered next year and no reconsideration was forthcoming.

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

Carolyn Bauer nominates Patti Lewis.
No other nominations, all in favor, motion carried.
Patti Lewis elected Treasurer for a one-year term.

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

Ann Day nominates Patti Lewis.
No other nominations, all in favor, motion carried.
Patti Lewis elected as Delinquent Tax Collector for a one-year term.

Article 9. To elect a Selectman for a three-year term. Edward Read's term expires.

Jared Cadwell nominates Ed Read.
No further nominations, all in favor, motion carried.
Ed Read elected as Selectman for a three-year term.

Article 10. To elect a Lister for a three-year term. Augusta Graves's term expires.

Tony Egan nominates Gussie Graves.
No further nominations, all in favor, motion carried.
Gussie Graves elected for a three-year term.

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

Rick Rayfield nominates Allen Tinker.
No further nominations, all in favor, motion carried.
Allen Tinker elected as Second Constable for a one-year term.

Article 12. To elect a Cemetery Commissioner for a three-year term. Zelda LaVanway's term expires.

Ann Day nominates Zelda LaVanway.
No further nominations, all in favor, motion carried.
Zelda LaVanway elected Cemetery Commissioner for a three-year term.

Article 13. Shall the Town vote to eliminate the office of Trustees of Public Money as this pertains to towns that retain possession of a portion of the surplus funds of the United States, received under the Act of 1836, of which Fayston has none?

Ann Day so moved.
Dinsmore Fulton seconded.

Question about the article language and if it puts us at any sort of disadvantage should these monies become available. The consensus was no disadvantage and no further discussion about the language.

By voice vote motion carried.

Article 14. To elect a Trustee of Public Money for a three-year term. Judy Dimario's term expires.

Passed over this article as it became unnecessary due to the passing of Article 13.

Article 15. To elect a Grand Juror for a one-year term. David Jones' term expires.

Gussie Graves nominates David Jones.
No further nominations, all in favor, motion carried.
David Jones elected as Grand Juror for a one-year term.

Article 16. To elect a Town Agent for a one-year term. David Olenick's term expires.

Ann Day nominates David Olenick.
No further nomination, all in favor, motion carried.
David Olenick elected at Town Agent for a one-year term.

Article 17. To elect a Harwood Union School District Representative for the balance of Russ Beilke's term to 2016. Susan Daley appointed by School Board to 3/4/14.

Gussie Graves nominates Susan Daley.
No further nominations, all in favor, motion carried.
Susan Daley elected as Harwood Union School District Representative until March 2016.

Article 18. Shall the voters authorize a sum of money ($1,112,942.30) to pay debts and expenses of the Town of Fayston for the year ending December 31, 2014?

Tom Jefferys makes the motion.
Jared Cadwell seconds.

Ed Read (Ed) went over budget line items that reflect the 8.9% increase in the Town Budget for 2014. These factors include health insurance, fund balance prior year, highway equipment, audit vs. compilation costs, calcium usage, crushing, reserve funds increases and why, FNRC contribution, and donations. The body discussed the MRVPD (which towns/entities contribute to this), paved roads vs. gravel, Fayston's budget increase compared to other towns, the minus in the liquor license line item (a function of a 2012 ¼ payment to the state of Vermont that was generated in 2013) and employee health insurance contributions (15% of premiums).

David re-stated the question the article.
No further discussion, all in favor, motion carried.

Article 19. 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?

Sue Jefferys so moved.
Ann Day seconded.
No further discussion, all in favor, motion carried.

Article 20. Shall the voters designate the Town of Fayston as a Property Assessed Clean Energy (PACE) District to enable participating property owners to access funding for eligible energy efficiency and renewable energy and then pay back the cost as a regular municipal assessment on that property owner's property tax or other municipal bill as provided by 24 V.S.A. Chapter 87 (Section 3261 et seq.) and authorize the Fayston Selectboard to enter into an agreement with Vermont Energy Investment Corporation d/b/a/ Efficiency Vermont to operate the PACE program.

Jared Cadwell so moves.
Leo Cohen seconds.

David Frank explained the PACE program and body discussed the ins and outs, including, but not limited to: liability of the Town, 2% of each loan goes into reserve funds in case of default, experience, (or lack of) from those towns that have adopted this, who does the math for the cash flow savings, the fact the loan can be transferred with the home, program only for residential properties, potential tax sale processes, potential energy use reduction, does the property owner have to use one contract over another (this all goes through Efficiency Vt.) and the SB's future opportunity to review further before signing the contract.

The body asked the SB to comment on their position on the matter. Jared felt the town liability was minimal and that the SB reserves the right to another review of the program but in general supports the idea. Ed was initially skeptical but now feels that the chance of the town getting stuck in the process in minimal, that financing might be easier to get than a traditional loan, but does not think the program will be used that much. Robert feels the same as the other two.

David stated a condensed version of the article and asked for the vote.
No further discussion, so moved by voice vote.

At 11:47 David asked the body of Adam Greshin and Maxine Grad could speak and were granted the right to do so. Adam spoke on education tax, health care, green up Vermont. Maxine spoke on hands free cell phone, driving while impaired, victims' rights, opiate use and veterans' issues.

Article 21. Shall the Town vote to authorize the sale of Town owned lands under 24 V.S.A § 1061? The two parcels are one off Henry's Way (Parcel I.D 08-057, 7.5 +/- Acres) and one off Bassett Hill (Parcel I.D 02-038, 12.4 +/- Acres).

Ann Day so moves.
Fred Gilbert seconds.

Robert gave a brief summary stating that 11 years ago the Town had authorized sale but that nothing had ever come of it. He said there had been some inquiries and it was time to address it again. Questions were asked about continuity with the Phen Basin parcel, if they these parcels

contained critical habitat areas, possible restrictions to the property, does the town own other land beside these two parcels (yes), and accessibility to either,

David re-read the article.
No further discussion, so moved by voice vote.

Article 22. **Whereas** the establishment of a Public Bank in Vermont will help towns reduce the local tax burden by offering low cost bonds for public works and depository for their accounts with competitive interest,
Whereas a Public Bank that makes loans and investments in Vermont's people and our economy will help create jobs, income, and economic security for all Vermonters,

We call on the State Legislature to create a Public Bank for Vermont that enhances the work of the Vermont Economic Development Authority, the Vermont Student Assistance corporation, the Vermont Housing Finance Agency, the Municipal Bank, and Vermont chartered community banks and credit unions by accepting deposits from the state and municipal governments and making loan programs available for students, homeowners, municipalities and enterprises to make Vermont economically stable, self-reliant and successful.

Darlene McCormick so moves.
Judi Dimario seconds.

Discussion followed about what this article meant and several ideas were debated back and forth including but not limited to: adding income to the balance sheet, local control, borrow local money vs. out of country, earn interest on own money, the fact this is a non-binding resolution, promoted as a job generator, the fact there are already Vermont banks and credit unions in the state, comparison to the N. Dakota bank established in the 1930, created for the dust bowl farmers, and the State Treasurer's office not in support the idea.

David stated a condensed version of the article and asked for a voice vote and determined that the nays had it.
Darlene requested a division of the house. BCA counted 17 in favor of the article, 41 opposed.
Article defeated by count.

Article 23. Shall the Town vote to start next year's Town Meeting at 9:30 o'clock in the forenoon at the Fayston Elementary School?

Ann Day so moves.
Mike Quenneville seconds.

Discussion was had about moving town and/or school meetings to earlier on town meeting day or the evening before.
A request was made to publish a more detailed explanation of what the articles were about.
Jared responded that each article is discussed at the public SB meetings and invited all to attend.

Question was asked if there was a way to get through Article's 1-10 in a timelier manner.
Answered that election of officers must be done as printed.

Rick Rayfield made a motion to start next year's annual meeting at 9:30a.m. and the school board meeting the night before at 7:30p.m. No second.

Scott Rossborough made a motion to amend the motion to hold town meeting at 6:30p.m, no second, and subsequently withdrew the amendment.

David explained that school business had to be brought up in the school portion of the meeting and in order to do that they had to have correctly warned an article to take any action. Or the School Board could ask the SB to call for a special meeting before next town meeting to address the issue.

Carol Chamberlin called the question.
David re-stated the article and asked for voice vote.
By voice vote, motion carried.

Article 25. To transact any other business which may properly come before the meeting?

Fred Gilbert noted that the planning commission meets at 5p.m. on Monday now, not the 7p.m. as published in the Town Report.

Ken Amann informed the body that the cemetery turned 12% profit this year, preventing them from having to ask the town for a subsidy. He thanked David Babic from Edward Jones for his help and advice.

Rick Rayfield thanked the road crew for their hard work.

David thanked Patti for her help with the day and for the body attending the meeting.

12:52 p.m. Carol Chamberlin made a motion to adjourn.
Jared seconded, all in favor, motion carried.

Selectboard:

Jared Cadwell, Chair

Robert Vasseur

Edward Read

David Jones
Moderator

Dated this 10th day of March, 2014, at Fayston, Vermont

Patti Lewis, Fayston Town Clerk

Received and recorded this 11th day of March 2014.