Minutes of the Selectboard Meeting
Town of Fayston, Vermont
Tuesday, April 22th, 2025, 6:00 pm
At Robert Vasseur Town Hall

Attendees:
Select Board Members: Chuck Martel (Chuck), Ron Graves (Ron), Michael Jordan (Mike)
Town Clerk /Selectboard Assistant: Madi Vasseur
Minutes Taker: Eve Silverman (by Zoom recording)
Guests: Sarah Stavraky (Treasurer); Josh Livingston (Road Foreman); from Tucker Hill Road: Jed Kalkstein, Scott Bennett, Carrie Bennett, Amy Dalton, Brian Litmans, Michael Miskulin, Bob Fletcher (SP&F Attorneys in Burlington), and MRVTV.

Chuck called the meeting to order at 6:00 pm.

1. Approve Selectboard Meeting Minutes – April 8th, 2025

Mike moved to approve the minutes. Ron seconded; all in favor, motion carried, minutes approved.

2. Additions/Deletions to Agenda

None

3. Public Comments

Jed Cockstein: Yet again this spring Tucker Hill has become all but impassable to almost all vehicles. The worst area was the bottom-most section of the hill due to the grade and the depth of the mud. Last summer the road crew did drainage work; it is an improvement from the previous year but didn't solve the problem. In addition, a few years ago a section near Quarry Road was rebuilt, which helped for a while, but it is getting worse over time. I'm concerned most about accessibility to emergency vehicles. There may be other solutions, but I'd like to propose that we pave the first part of the hill (such as what was done on Number Nine Hill Road).

Carrie Bennett: It has been a challenge; we've missed appointments, work, etc. And it's dangerous.

Another resident complimented the crew for doing the best they can with what they have. But in the forty years he's lived here it's the worst he's ever seen. He said he'd like to come away from this meeting with some idea of what a plan might be to address this problem.

Another resident shared photo with members of the Board. He stated that even with his F150 pickup truck with 8.5" clearance he was still bottoming out. He and Josh discussed that some of the areas where work was recently done have developed potholes and despite grading, these areas are degrading. He stated a concern about the logging trucks that were permitted by the town to go up the road. Josh said those trucks in summer don't really contribute to the problem as they pack down the roads (while the grader breaks the gravel up into fines). Josh stated that there was a culvert on the road that failed but that wasn't caused by the trucks. He also explained that the Town has started bringing in a granite-based product which holds up to maintenance better.

Josh explained that the road probably needs work on the base, even if it were to be paved. The road has a base of large rock to hold up the bank and the stone definitely helps to hold the bank, but it's on a gravel

road, so it gets a lot of fines in it from the winter, and then it pulls water, too. He stated that the most important thing to do is to get the water out of the road, because if it's trapped in the road, then there is "nonstop mud".

Mike: We did look into an injectable product and the rep said it wouldn't work there due to the steepness of the road.

Brian Litmans asked if there has been a systematic assessment that would result in an overall plan to attack the worst roads, in order of need, with an approach that is not just a "Band-Aid", nor responding just to the squeakiest wheel.

Chuck: Howard Wynne was here last week as well, and we explained to him at the time that the chances of anything getting done this year are little to none. We're still recovering from the flood. We're subcontracting work in the flood-related areas because we can't get to them with our road crew. However, Josh will be starting to formulate a plan for Tucker Hill, looking at the different sections and how the ledge and clay impacts it. Brian: It would be helpful to understand if there is a phased approach -- is there a game plan that takes into account all the other roads with comparable challenges? Chuck: I think that is a reasonable request; we don't currently have that plan.

Brian: Might it be helpful to create a reserve fund to cover materials to purchase to rebuild some of these roads? Mike: That has already been added into the budget.

Amy: In the event that there is an emergency, how can you reassure the Tucker Hill Road residents that the necessary vehicles can get in? Chuck: We have been reassured that the emergency vehicles will be able to get in somehow. Josh: I have driven all of the vehicles used by the emergency services teams, and they will be able to make it up.

One resident offered to assist if any community involvement is needed in the development of the plan. The guests thanked Josh and the Road Crew for all the work they do.

4. Robert Fletcher – VT Bond Bank

Bob Fletcher: Just to correct the record, I am not with the Vermont Bond Bank, I'm actually an attorney at SP&F Attorneys in Burlington. I work for the Town.

The town made an application for a municipal climate Recovery Fund loan from the Bond Bank and was awarded a loan of $376,000. It's a 1-year short-term loan and at the end of that term the town will have to make arrangements to refund it or take a loan out for a longer period of time.

The documents provided to the Board set out the resolution itself and the resolution certificate, which authorizes Select Board members and other town officials and requests that they execute the various documents for signature – we deliver them to the bank in time for May 7th closing. The resolution certificate also includes provisions providing findings about the necessity for the borrowing; that you are certifying that you are the elected officials of the town, that no one is challenging you by petition or litigation; that the documents, when signed and delivered, will be valid and binding obligations of the town. The town is pledging its credit, which means that it is committing to raising sufficient taxes to pay debt service on this loan when it comes due. It's not a revenue debt; it's a general obligation debt. It also represents that everything you've done has been done in accordance with the Open Meeting Law, Public Records Act, etc.

Regarding the loan agreement, all those things are not much different than you would find in a bank borrowing agreement. You agree that you'll pay back the loan when it's due, that you won't do anything untoward with the proceeds. That you are going to use them for the purposes described in the loan documents. The State treasurer's office, this State Administration and the Bond Bank have reached an agreement **p**ursuant to which the Bond Bank can intercept payments to the town if the town were to be delinquent on this loan. So, if you were in line for some kind of compensation from the State, or a grant from the State, and you defaulted on this loan, the money wouldn't come to you from the State. It would go to the bond bank to repay the loan.

Chuck: At the end of the term, can the loan be extended? Bob: it will have to be refunded, so you may take another loan and repay this loan with that one. The second loan will have a longer term – 5 to 7 years.

Chuck: But the ideal situation would be to just pay off the loan in that one-year period? Bob: Yes, and you've committed in these documents to use 50% of any FEMA reimbursement to the bond bank. You may also prepay the loan in advance.

Sarah: When I spoke to the bond bank, they said that we would need to pay 50% of the proceeds to the bank, but it wouldn't have to be until we were almost made whole by FEMA. They made it clear that we don't have to disperse 50% of every payment we get from FEMA. Bob: That is correct.

Sarah: When do we receive the funds (by ACH) after closing on May 7th? Bob: You'll requisition the full amount, and you'll receive the cash that day.

Bob: At this point I think all you need to do is move to adopt the resolution and certificate, and that will provide all the authorization you need to execute the rest of the documents. And then Sarah can send me a wet ink signature of all those documents to the office.

Chuck: Thank you, Bob, for coming in.

Chuck moved to accept the resolution and certificate for a municipal Climate Recovery Fund loan. Mike seconded. All in favor, motion was passed.

5. Internal Financial Controls – Treasurer

Chuck: This is a document provided by VLCT; we've all reviewed it, Sarah filled it out, we've voted to accept what goes into the document. I think it's meant to flag things that might be of concern in what Sarah is doing, but I didn't see anything of concern. There's no need to sign it.

Ron moved to accept the internal controls report. Mike seconded. All in favor, Motion passed.

6. Paving on German Flats

Chuck: We've received bids from McDonald and Pike Industries.

Ron: There is some pricing variability built into Pike's estimate; McDonalds didn't provide a bottom-line price.

Chuck to Josh: Do you have a recommendation of performance based on experience? Josh: We have never hired them, but Pike is working on a job for Waitsfield so they could come to us when they're done there. There's at least one culvert that will need to be changed before they begin. Mike: Would you be able to get this done on time if we go with them? Josh: Yes.

Josh: McDonald's price per ton is less and they don't have variability in the price per ton, but there is a concern they may not have measured the tonnage accurately. Chuck (to Josh): is being able to coordinate with the Waitsfield job meaningful to us? Josh: It shouldn't be. Ron: Are both proposals based on the same specs for the job? Josh: Yes.

Chuck: The McDonald bid spells everything out in more detail. Chuck: Are all those details included in Pike's price? Ron: I can't imagine that they would do a shoddy job. Chuck: They are both reputable companies.

Ron moved to accept the Pike Industries repaving proposal for $88,338.88. Mike seconded. No further discussion, all in favor, motion passes.

7. E911 – Road Name

Chuck: A zoning permit for a new single-family residence has been approved on German Flats Road. This residence will be sharing a driveway with Finetish and Bose, and as this will be the 3rd address on this driveway, so it will trigger naming the driveway private road, according to the E911 standard. The residents are proposing Ruby Lane (Ruby Way as a second choice).

Chuck moved to accept Ruby Lane as the name for this road, Ron seconded. All in favor, none opposed, motion passes.

Josh will order and install the sign.

8. Mad River Ambulance – MOU

Chuck: After the last meeting, Chuck passed along the wording proposals provided by the Town attorney to Sheila Ware. The ambulance service is incorporating these and other towns' changes and will come back to the Boards with the revised MOU. There is nothing further to do on this tonight.

9. Approval of Excess Weight Permits

Bacon Trucking LLC
Goin' Owen's Little Digger Service
Stone's Trucking
Stephen Wilder – Wilder Trucking

Chuck signed the permits.

10. Liquor License and Catering Permits

Sugarbush Mountain Resort, Inc

Chuck moved to give Sugarbush Mountain Resort their liquor license for this year and provide Madi permission to execute that permit. Mike seconded. All in favor, motion passed.

11. Other Business

12. Read Mail and Sign Warrant

13. Adjourn

At 7:22 pm, Mike moved to adjourn the meeting. Ron seconded, all in favor, meeting adjourned.

Submitted by,

Eve Silverman

Approved: Chuck Martel Date: