

Town of Panton
Town Meeting Minutes
Tuesday, March 6, 2018

At 10:00am, Douglas Dows called the meeting to order.

ARTICLE 1: To elect a Moderator for the year ensuing.

Barb Fleming moved to nominate Doug Dows. Joy Jackson seconded. Paula Moore moved to nominate Eric Carter. Greg Baringer seconded. Eric Carter spoke briefly about why he would like to be considered for the moderator and shared that he had recently participated in Town Moderator training through the Vermont League of Cities and Towns. Doug Dows also stated his interest in continuing on as the Town Moderator. Doug Dows asked for a hand count with 9 in favor of Eric Carter and 13 in favor of Doug Dows. After determining that the hand count was too close, Doug Dows then asked for a standing vote of which there were 10 in favor of Eric Carter and 13 in favor of Doug Dows. Doug Dows closed the nominations and asked the clerk to cast one vote for Doug Dows as Moderator.

ARTICLE 2: To hear the reports of the Town Officers.

Selectboard Presentation - Teresa Smith spoke about the newly combined Clerk/Treasurer position, the ADA compliant upgrades to include the recently updated stairs at the front of Town Hall and the handicap accessible ramp that will be completed during this fiscal year. Teresa Smith stated that the Board is continuing to enforce the junk ordinance citing 22 violations last year and is now down to about three this year. She also stated that the Board has adopted ELOP, revised the Town Plan, and has obtained a Better Roads Stabilization Grant. Phil Angier asked the Board why the work on Town Hall had been subbed out to The McKernon Group. He stated that he, as a taxpayer, had bid on the work three years ago and was sure he was lower than The McKernon Group. The Board, as well as David Raphael, explained the bid process. Howard Hall confirmed that the bid did include the cupola. Phil Angier stated that he never knew the bid was put out again and was never notified that he did not get the bid the first time. He stated that the Town should have had the courtesy to notify him that bids were being put out again. Eric Carter thanked the Town for the improvements made to the Town beach. Doug Dows asked if there were any other comments on the Selectboard presentation and, also, if any other Town Officers would like to speak.

State Representative Diane Lanpher was invited to speak and advised that she works on the State budget and reviews the governor's budget. Representative Lanpher spoke about Bill H911 and education financing. She also spoke about the work the State is doing to shift education financing from property taxes to the income tax. John Viskup voiced his concern for a four lane highway on Route 7 from Middlebury to Shelburne.

State Representative Warren Van Wyck also spoke. Representative Van Wyck stated that he has been in the House for six years. He stated that for the first time last year, property taxes and fees were not raised and the Governor is again proposing this. He stated that there may be some shifting of funds, tax relief for Federal changes, and some changes to social security moderating taxes in Vermont. He spoke about the 1.6 million in school funding and that Vermont is the third

highest state in spending with the lowest student to staff ratio. He stated that the price of doing business in Vermont is very high and he is working with the Legislature to control taxes and fees. David Raphael asked if the Legislature is looking long-term at renewable energy and expressed concern that Green Mountain Power is asking for a five percent rate increase. The discussion ensued regarding the trade-off for a green energy source or a solar array. Representative Van Wyck stated that Vermont is the greenest state in the country and this could be driving businesses out.

ARTICLE 3: To elect the following officers:

Selectboard Member 3 year: Paula Moore nominated Teresa Smith. Katie Werthmann seconded. Wendy Knight nominated Doug Dows. Doug Dows declined the nomination. Doug Dows closed the nominations and asked the Clerk to cast one vote for Teresa Smith.

Lister 3-year, to fill remaining 1-year and 2-year of 3-year terms: Teresa Smith asked to share a brief description of what the Lister does. Howard Hall gave a brief description of what a Lister does. There were no nominations.

Lister 3-year: There were no nominations.

Auditor: Bob Groff explained that the auditors are the ones that go over the numbers and look to see that the Town's accounts are in balance. Paula Moore nominated Gretchen Bailey. Diana Raphael seconded. Doug Dows asked the Clerk to cast one ballot for Gretchen Bailey.

Constable: Paula Moore nominated David Palmatier. John Viskup seconded. With no other nominations, Doug Dows asked the Clerk to cast one ballot for David Palmatier.

Dog Warden: There were no nominations.

Town Grand Juror: Paula Moore nominated Louise Giovanella. Laurel Jackson seconded. Doug Dows asked the Clerk to cast one ballot for Louise Giovanella.

Town Agent: Diana Raphael nominates Ted Bolens. Gretchen Bailey seconded. After seeing no other nominations, Doug Dows asked the Clerk to cast one ballot for Ted Bolens.

Water Commissioner: Sean Willerford asked the Board for a description of what a Water Commissioner does. Howard Hall explained that the Water Commissioner works with the Vergennes-Panton Water District to maintain and replace all water mains at the Town beach and in Vergennes, Ferrisburgh, and Panton. Paula Moore nominated Sean Willerford. Annie Hopper seconded. After seeing no other nominations, Doug Dows asked the Clerk to cast one ballot for Sean Willerford.

ARTICLE 4: Shall the Town vote to appropriate the following sums which shall be raised by taxes, to be placed in the Town Reserve Fund accounts as noted:

Reserve Fund

Amount

Highway Capital Equipment Fund	\$20,000
Highway Capital Project Fund	\$20,000
Tire Fund	\$2,000
Town Hall Restoration Fund	\$15,000
Reappraisal Fund	\$2,000
Technology Fund	<u>\$2,000</u>
Total	\$61,000

David Raphael moved to open the Article. Kirsten De La Cruz seconded. David Raphael moved to amend Article 4 Town Hall Restoration Fund exactly in the same manner as last year by adding the anticipated \$23,775 to be generated from tax revenue from the large solar site on Panton Road. John Viskup seconded. Discussion ensued regarding the Green Mountain Power revenues from the solar field with the continued goal to do improvements in Town Hall without raising taxes. Laurel Jackson stated that in regards to the handicap access ramp, the Town should be very careful where the money comes from to repair it. John Viskup stated his understanding to be that the 40-acre solar field would be permitted and that the money was to go toward the restoration of Town Hall and to be put in the Restoration Fund so no additional taxpayer dollars would have to be raised. Gerard Vorsteveld asked what would happen if the solar field goes away unexpectedly. David Raphael advised that it would go year by year. Katie Werthmann wondered about what happens to the money when it goes back in to the Town Hall Restoration Fund. Howard Hall advised that the Selectboard determines how the money is spent and the Selectboard has sole authorization as it deems fit on how the improvements are made. Doug Dows asked for a vote in favor of the amendment to Article 4 to include an additional \$23,775. The Ayes have it so the amendment is approved. Howard Hall advised that once the money is moved, the taxes will go up. Further discussion ensued. Wendy Knight asked why the money from Green Mountain Power was put into the General Fund if it was supposed to be dedicated to the Town Hall Restoration Fund. The Board advised that there was no written agreement and that the Town received \$15,000 from Green Mountain Power as a gift when the solar field came in last year to purchase whatever the Town determined. Doug Dows now asked for a vote of all in favor of the amended Article 4. The Ayes have it and the Article passes.

ARTICLE 5: Shall the voters authorize the transfer of \$40,000 from the June 30, 2017 undesignated fund balance of the General Fund to the Highway Capital Equipment Fund for the purpose of purchasing a 2018 Mack truck with Tenco plow, wing, and body?

Kirsten De La Cruz moved the Article. Paula Moore seconded. Eric Carter asked the Board why the Town needs to buy a truck. Rick Cloutier advised that \$55,000 in expenses have been put into repairs for the 2010 freightliner and the dump body is rotted. Rick stated that now the freightliner needs another \$5,000 worth of work plus a new dump body and it has no warranty. Howard Hall clarified the time period when vehicles are replaced and stated that is why the Town is looking to do it now. Rick advised that the total cost of the truck is approximately \$245,000. There was no objection to vote. Doug Dows asked for a vote of all in favor of Article 5. The Ayes have it and the Article passes.

ARTICLE 6: Shall the Town vote to adopt the proposed 2018-2019 fiscal year General Fund Operating Budget in the amount of \$686,103 of which \$520,170 shall be raised by taxes and \$165,933 by non-tax revenue?

Jeanne Jackson moved the Article. Sean Willerford seconded. Joy Jackson asked where the non-taxable revenues of \$165,933 are coming from. Eric Carter asked about the health insurance increase of over \$26,000 in the highway benefits. Howard Hall explained that the Town offers health insurance benefits to all full-time employees and currently there are three employees on the policy. Howard also stated that the increase is partly due to one of the highway department employees being recently added unexpectedly. David Raphael also asked for confirmation that the Clerk/Treasurer is not carried under the Highway budget line. Eric Carter asked about the GMP Evolve Project. The Board advised that the project is added to the electric bill and a percentage is paid. Doug Dows asked for a vote of all in favor of Article 6. The Ayes have it and the article passes.

ARTICLE 7: Shall the voters authorize the Panton Selectboard to borrow, through debt instruments other than bonds, not to exceed \$25,000 to be financed over a period not to exceed five years, for the purpose of purchasing a 2018 Mack truck with Tenco plow, wing, and body pursuant 24 V.S.A. §1786a?

Paula Moore moved the Article. Barb Fleming seconded. There was a brief discussion with no objection. David Raphael thanked Rick Cloutier for the tireless work done on behalf of the townspeople and believes the Highway Department should be given the best tools to work with. David expressed his support of the vote. Doug Dows asked for a vote of all in favor of Article 7. The Ayes have it and the Article passes.

ARTICLE 8: Shall the voters authorize from the June 30, 2017 undesignated fund balance of the General Fund a transfer of \$100,000 to the Town Hall Restoration Fund for the purpose of replacing the existing Americans with Disabilities handicapped-accessible ramp and to renovate the two bathrooms in Town Hall to be handicapped accessible with any unexpended project funds transferred to the Town Hall?

Doug Dows proposed to strike the rest of Article 8 after “handicapped accessible”. Howard Hall stated that he will accept the amendment. David Raphael moved the Article. John Viskup seconded. John Viskup moved to amend Article 8 to add the wording “to remove the stage and add a service kitchen and gray water storage tank”. Wendy Knight seconded. John spoke about his hopes of getting Town Hall restored to include a kitchen where the Town can come together as a community.

Doug Dows called for a short break at 11:36am and reconvened the meeting at 11:39am.

Katie Werthmann asked about the State approval for the grey water and the State regulations and advised that she is not clear as to how the State approval was obtained for the septic when it was not able to be obtained two years ago. John Viskup advised that he had talked to State engineers and obtained a cost breakdown. Teresa Smith stated that the Board is still waiting for documentation showing that all of the costs would fall within the budget imposed and, also, has not received any reports from the State identifying what the State regulations are in terms of the dishwasher and sink. John Viskup stated that he has an estimate of \$6,500 to add septic approval

of which is not in writing for the holding tank. Howard Hall stated that the Selectboard is charged with following State laws and ordinances and is responsible for the Town. He stated his concern that taxes will be increased without a warning. Howard Hall wondered if the proposed article is in the scope of the Article and is this germane. Doug Dows agrees that this is not new to the Town and not a surprise but believes it is within the scope of the Article because it has been discussed. Eric Carter stated that he does not agree with how the article is written and the amendment is out of order meaning that the residents have not been properly warned. Doug Dows stated reasons why it should be allowed. Discussion followed. There was an appeal made to Doug Dows decision as Moderator. Paula Moore seconded. Eric Carter stated that he has been trained by the State and if something is not warned, it is not voted on at Town Meeting. He stated that the amendment has not been warned, is out of order, and he could not support this amendment. He does not believe this is in the scope of the Article. Doug Dows declared that if it isn't added in then there is no debate on the kitchen and the Town deserves the opportunity to debate the kitchen. Doug Dows opened up the floor to anyone wishing to speak. Diana Raphael stated that the amendment does not include raising the amount from \$100,000. Teresa Smith advised that if the dollar amount does not change, we cannot do all the work for the \$100,000. Nancy Morgan wondered if people in Town want a kitchen, could the Board figure out a way to do the kitchen next year. David Raphael advised that the Town Hall Committee is not asking to authorize any additional money so there will be no additional cost to taxpayers, but if the cost is above the \$100,000, it may not be enough. David Raphael spoke about a grant that was applied for last year to defray the cost. He stated that if approved, they could come back to the Town with a special town meeting. Phil Angier moved to appeal the amendment. Doug Dows asked for a vote all in favor of the Moderator's decision. The Moderator's decision is sustained. Diana Raphael stated that because the Town doesn't have a school and no longer has a store, she would support the amendment. Wendy Knight stated that she is in favor of the amendment. She stated that Panton is a very rural community and there is a need to grow the community. She also stated that she sees the kitchen as more of an investment rather than an expenditure and as an opportunity to attract people in to grow the tax base. Howard Hall stated that he is not for or against the kitchen as it will not affect his household at all. Howard Hall stated that it should be brought to a vote so the townspeople can decide, but he is concerned whether there is enough money for the kitchen as well as the ADA ramp and bathrooms. Howard Hall stated that he is in favor of the ADA ramp and bathrooms. He advised that the financing will have to be done this way or it will need to be put into the budget next year. Sean Willerford stated that if the Town needs more money, it can come back to the voters. Jeanne Jackson expressed that the Town should take care of the ADA ramp and bathrooms first and put the remaining money into the fund to complete the kitchen project. Sean Willerford stated that he is in favor of adding the kitchen and trusts the Selectboard will comply with the ADA and will come back to voters for more money.

Doug Dows restated the amendment to the Article to read as "Shall the voters authorize from the June 30, 2017 undesignated fund balance of the General Fund a transfer of \$100,000 to the Town Hall Restoration Fund for the purpose of replacing the existing Americans with Disabilities handicapped-accessible ramp, to remove the stage and add a service kitchen and gray water storage tank, and to renovate the two bathrooms in Town Hall to be handicapped accessible with any unexpended project funds transferred to the Town Hall?"

A vote was taken on the Article as amended and the Ayes have it. The amendment to the Article is approved. Eric Carter asked if there is an estimate broken down for the ramp and bathrooms.

David Raphael gave a presentation with a rundown of the estimated costs. Diana Raphael called the question. There was no objection. Doug Dows asked for a voice vote and the Ayes have it. Doug Dows then asked for a hand count with 13 in favor and 7 opposed. The amended Article passes.

Phil Angier moved to table Article 9. There was no second.

ARTICLE 9: Shall the voters authorize the Panton Selectboard to borrow, through debt instruments other than bonds, an amount not to exceed \$100,000 for the purpose of replacing the cupola on the town hall with a new one, pursuant 24 V.S.A. §1786a?

David Raphael moved the Article. Jeanne Jackson seconded. David Raphael spoke about why he is compassionate about the cupola. David Raphael advised that the Town will have to return \$25,000 to the Cerf Fund if the cupola is not done. He advised that the cupola will cost much less than \$100,000 without creating new taxes and there will be no additional costs. David also stated his belief that the cupola attracts to the Town. Wendy Knight wondered if the townspeople vote yes to Article 9 to borrow or spend, if it will preclude the Town from finding other funds or grants to repair the cupola. Howard Hall advised that it does not and the Town is more than happy to accept other funds. Eric Carter stated that he is on the Board of the Panton Church and the building was built in 1857 as a church. He advised that the building was sold to the Town to become the Town Hall in 1931. Eric Carter stated that the function of the cupola was supposed to be a steeple and a steeple is a maintenance nightmare such as leaking problems. Eric Carter wondered if the new design will take into account the maintenance. David Raphael stated that he has taken into account the maintenance and advised that is why the Committee has chosen not to refurbish the cupola, but rebuild it instead. David Rheaume conveyed that the excess weight on the roof will become a maintenance issue. David Raphael advised that they will beef up the structure so it will not need any maintenance. Doug Dows asked for a hand count in favor of Article 9 with 13 in favor and 8 opposed. The Article passed.

ARTICLE 10-24: These articles are voted on by Australian ballot.

ARTICLE 25: To transact any other non-binding business.

ARTICLE 25A: Shall the Town vote to restore the carriage house or remove it?

David Raphael stated that there needs to be more information. David Raphael moves to table Article 25A. Wendy Knight seconds. David Raphael pledged to come back to the townspeople with a feasibility study to either remove or restore the carriage house. Doug Dows asked for a vote in favor of a pass over. The Ayes have it and the Article was passed over.

ARTICLE 25B: Shall the Town vote to restore the school house or remove it?

Howard Hall advised that the school house has a leaking roof, no electricity, and is not secure. Howard stated that the Board would like to know what the voters want to do with the school house and the carriage house. He believes it would cost \$10,000 to \$15,000 to fix the school house. Wendy Knight stated that there needs to be more information. Wendy Knight moved to pass over Article 25B. David Raphael seconded. David Raphael stated that it was right for the Selectboard to bring the matter to the voters and thought the intent was there. There was a brief discussion about the costs associated with the removal of the building. Doug Dows asked for a vote in favor of a pass over. The Ayes have it and the Article was passed over.

Diana Raphael, Panton Representative for the Addison Northwest School District, spoke briefly about the ANWSD bond issue.

Doug Dows asked for a motion to adjourn. David Raphael moved to adjourn. Paula Moore seconded. Doug Dows asked that all in favor of adjourning say Aye, those opposed say Nay. The Ayes have it and the meeting was adjourned at 12:36pm.

Respectfully submitted,

Pam Correia

Town Treasurer/Clerk