



Town of Bolton  
3045 Theodore Roosevelt Highway  
Bolton VT 05676  
802-434-5075

**TOWN MEETING 2014 MINUTES**

March 3, 2014

7:00 p.m.

Smilie Memorial School

- Ron Lafreniere presented the Good Citizen of the Year award to Deb Lariviere at her home in Nevada via Facetime.
- Moderator Joss Besse reviewed Robert's Rules of Order, and recognized Casey Fuller for his Eagle Scout Project (Bolton's Honor Roll – the new war memorial), and thanked Casey, Hayden Fuller, and Andrew Gervia for being the microphone runners.
- Moderator Joss Besse and asked the assembly if there were no objections to let representatives Tom Stevens, Rebecca Ellis, CESU Superintendent John Alberghini, Joanne Russell, and Principal Barbara Tomasi-Gay speak as necessary; no objections.
- Representatives Tom Stevens and Rebecca Ellis both spoke briefly, thanked the town for having them, and noted that it was an enlightening experience for them to have a small school in their district struggling with financing. It was noted that they:
  1. Had brought an amendment to the house floor last year to waive Bolton's threshold penalty, given the fact that Bolton had voted yes for consolidation, and was impacted by census decline.
  2. Were working with the Ways and Means Committee to reduce the projected additional 7 cents by 40% - 50%, and that school financing was a hot and difficult topic.
  3. Were involved with the Natural Resource and Energy Committee addressing climate change.
  4. Were proud and honored to be Bolton's representatives and were accessible anytime.

Moderator Besse called the meeting to order at 7:20 p.m., and asked non registered voters to identify themselves by raising their hands, they were not eligible to vote unless the rules were suspended.

**Article 1 ~ To hear and act upon the reports of the School Directors.**

**Motion: Gerry Mullen**

**Second: Tom Longstreth**

**Andrew Pond:** Thank you for coming out. Let me introduce all our board members, Amy Turner, Alain Cohen, Paula Gervia, Mary Ellen Seaver Reid, and MMU representative Ken

Remsen. I have a brief presentation with a few slides to review. With respect to enrollment the good news is that projection shows additional preschool students coming through, and with the tax formula, as enrollment increases, the cost per student decreases. This slide shows the distribution of students; preschool, kindergarten, a grade 1 & 2, a grade 2 & 3, and grade 3 & 4. Here is a chart showing all Smilie staff, contracted employees and their associated hours. A brief summary of the budget; we refinanced the bond which made a significant difference, reduced staffing costs, but insurance is up. In comparing the two budgets; the costs associated with Smilie School and costs with MMU Union #17 show that one third of the taxes are associated with Smilie School and two thirds of the taxes are associated with MMU, similar to the student breakdown between Smilie School and the MMU Union #17. Two thirds of our taxpayers pay based on income not homestead value, so if you earn less than 90K, taxes will impact you less. There is a 5.3 % increase if you pay your taxes based on income, about an 11% increase if you pay based on your homestead value. This is just a brief presentation this year, and we would appreciate your support. Cuts last year eliminated a contingency fund, and created a teaching principal, cuts that won't negatively impact our students. A projected upward trend in enrollment will help the funding formula. We are working on merger similar to one voted down two years ago, but this would allow towns to remain separate. Legislation in Montpelier may change the way districts are organized; a preschool – 12 combined district. It is clear that in the next few years the education structure will change, and we anticipate that future increases will not be as dramatic.

No discussion. The question was called. All were in favor. Article 1 passed.

Moderator Besse reminded the assembly that the school budget was an Australian ballot vote on Tuesday March 4, 2014.

**Article 2 ~ Shall the voters of the Bolton Town School District authorize the school board under 16 V.S.A. 562 (9) to borrow money by issuance of bonds or noted not in excess of anticipated revenue for the school year?**

**Motion: Ken Remsen**

**Second: Gerry Mullen**

No discussion. The question was called. All were in favor. Article 2 passed.

**Article 3 ~ Shall the voters of the Bolton Town School District approve the payment of a \$10.00 stipend per board meeting to School board directors?**

**Motion: Steve Peery**

**Second: Josh Arneson**

No discussion. The question was called. All were in favor. Article 3 passed.

**Article 4 ~ To transact other school business thought proper when met.**

**Motion: Gerry Mullen**

**Second: Tom Haviland**

No discussion. The question was called. All were in favor. Article 4 passed.

Moderator Joss Besse noted that Articles 5 – 8 would be voted by Australian ballot Tuesday March 4, 2014, and if there was no other business, a motion to adjourn was in order.

**Motion: Gerry Mullen**

**Second: Tom Haviland**

10 minute break.

At 7:45 p.m. moderator Joss Besse called the meeting to order, and noted that Articles 1 and 2 would be voted by Australian ballot on Tuesday March 4, 2014.

**Article 3 ~ To see if the voters will accept the town report.**

**Motion: Jen Andrews**

**Second: Leslie Pelch**

No discussion. The question was called. All were in favor. Article 3 passed.

**Article 4 ~ To vote a budget of \$849,900 to meet the expenses and liabilities of the town and authorize the Select Board to set a tax rate sufficient to provide the same.**

**Motion: Ken Remsen**

**Second: Gerry Mullen**

**Ron Lafreniere:** The Select board reviewed the proposed budget very carefully, and reviewed the expenditures from previous years and made necessary adjustments. The overall proposed budget increased very little.

No discussion. The question was called. All were in favor. Article 4 passed.

**Article 5 ~ To see if the town will vote to pay real and personal property taxes to the Town Treasurer in four (4) installments with due dates of September 14, 2014, November 15, 2014, February 15, 2016, and May 15, 2016.**

**Joss Besse:** There is a typographical error in the warning in the dates of the last two installments. It should read February 15, 2015, and May 15, 2015, not 2016, or that would be a really long time to go between tax payments (laughter).

**Motion: Steve Peery:** I make a motion to amend the dates to February 15, 2015 and May 15, 2015.

**Second: Gerry Mullen**

No discussion. The question was called. All were in favor. Article 5 passed.

**Article 6 ~ To see if the town will authorize interest charges on all delinquent taxes of real and personal property of one (1) percent per month. Interest accrues as soon as a payment is late.**

**Motion: Steve Peery**

**Second: Gerry Mullen**

No discussion. The question was called. All were in favor. Article 6 passed.

**Article 7 ~ To authorize the Select Board to borrow money for the necessary needs of the Town as they arise.**

**Motion: Gerry Mullen**

**Second: Steve McLeod**

No discussion. The question was called. All were in favor. Article 7 passed.

**Article 8 ~ To establish the expenses for the members of the Select Board.**

**Joss Besse:** The background here is that historically the Select Board has been paid ten dollars per member, per meeting.

**Motion: Gerry Mullen:** I make a motion to pay the Select Board ten dollars per member, per meeting.

**Second: Tom Haviland**

No discussion. The question was called. All were in favor. Article 8 passed.

**Article 9 ~ To see if the town will authorize the Select board to acquire, by gift or purchase, land, in collaboration with the Town's Conservation Commission to promote reforestation, water conservation and good forest practices or for open land for animal habitats, recreational uses and to preserve important ecological areas.**

**Motion: Gerry Mullen**

**Second: Ken Remsen**

No discussion. The question was called. All were in favor. Article 9 passed.

**Article 10 ~ To transact any other business thought proper when met.**

**Tom Benoit:** At one of the special school meetings last spring I circulated a petition and acquired 86 signatures. The petition requested that it be warned for town meeting, it wasn't.

This is the petition: “The undersigned registered voters of the Town of Bolton hereby request that the following resolution be considered at the next regularly scheduled Town Meeting. Proposed: that the Town of Bolton enact the following ordinance: Every law-abiding American possesses an inalienable right to bear arms for self-defense, against enemies foreign and domestic, for the protection and preservation of our freedoms against tyranny. No law which reduces this Constitutional guarantee to a mere hunting right, or in which in any other manner infringes on this fundamental freedom, will be enacted.” I am making a motion that the registered voters in attendance at the meeting tonight request that the Select Board consider the ordinance.

**Gerry Mullen:** I encourage the people that are present to vote yes to present this petition to the Select Board and for them to tell town how they stand on it.

**Ron Lafreniere:** As background, this petition did come around at one of school budget meetings last spring. In the transition of the town clerks it got set aside, and Amy came across it in folder for town meeting. Amy tried to find information about the PEACH Power.org website, but there was no information, and there was no name associated with the petition. Then it became too late in process of finalizing the town warning. The Select board reached out to Steve McLeod to see if he knew about the petition, and he didn't. We checked with town attorney on the wording and law, and they were of the opinion that because of those issues, the petition was correctly not on the ballot. That's where we stood. The board feels we tried to handle the petition properly, and did not try to hide it, nor keep it out of a proper place on the ballot. Tom met with Select Board after talking with Amy.

**Tom Benoit:** I didn't hear about attorney's opinion until a week ago. The petition had twice as many signatures as needed. The town didn't act on it, and I'm pretty disappointed. My motion is to direct the town to consider an ordinance that would prohibit restrictions on the right to own and to bear arms.

**Amy Ludwin:** I just want to add that I brought forward a petition in the past, it was also a declined petition. It was not a personal issue. I'd be interested to hear what moved you to ask for this petition to be put it on the ballot: what are you trying to accomplish, and would this petition go forward to the legislature?

**Tom Benoit:** I've lived in Vermont all my life and thought Vermont was insulated from the crazy people that want to pass gun laws, that's the direction that Burlington Vermont and New York are headed. Gun laws are unconstitutional. I want to be sure that we maintain the rights we already have.

**Richard Cordero:** The lawyers said it was correct to not be placed on the ballot. What needs to be done so that it is worded properly?

**Ron Lafreniere:** Tom and I talked about wording on the petition.

**Tom Benoit:** The lawyers said it wasn't clear, and there was a substantial risk of voters not being clear on a yes or no vote. To me that's hogwash, it's clear what is being asked for here. Voters know what we are asking.

**Joss Besse:** What happened with the petition happened. This would be a sentiment of resolution to take action to prohibit limitations on firearms. We can continue to discuss this, and take comments on the merits of the proposal of you feel it is productive.

**Micah Cassara:** I think that the proposal is really unnecessary. The US Constitution gives us the right to bear arms, I don't see that being taken away; that is not going to happen in our country. Any ordinances that we make could be overruled in Montpelier or Washington anyway, and for the record, I own three guns.

**Jason Roberts:** I think the language confusing, if I understand it correctly a yes vote orders the Select board to enact an ordinance.

**Joss Besse:** Under Article 10 the voters can ask, they cannot order.

**Jason Roberts:** That's why it was not on the official warning?

**Joss Besse:** Yes, only the Select Board can pass an ordinance, an ordinance cannot be presented on a warning.

**Gerry Mullen:** I would like to contradict statements that this proposal is unnecessary. Tom Stevens co-sponsored a restrictive bill on gun control; he was called to account, and the bill was withdrawn.

**Tom Benoit:** The petition was proposed, it's not directing the Select Board.

**Steve McLeod:** I hope everyone here supports this petition, it's an important statement of sentiment of the citizens of Bolton. It asks the Select Board to reaffirm that sentiment through action or informal resolution approved by the town attorney. We need to reaffirm this fundamental constitutional right; this right is under assault by well-funded lobbyists, and this threat is real. Current Vermont laws reaffirm the right to bear arms. Vermont has lowest gun violence in the nation. New York's restrictive guns laws will be overturned if challenged. But if

they are successful, that means you couldn't go to deer camp without breaking a law. This is an important resolution and statement.

**Travis Benoit:** Four out of the five Select men signed this petition.

**Tom Benoit:** Restating my motion, I ask that the registered voters in attendance vote to ask the Select Board to consider and act upon this petition as written.

**Joss Besse:** The motion is before you, all those in favor say aye. All those against nay. The results were unclear, a hand vote called. (Hands counted for aye and nay.)

**Joss Besse:** Fifty one (51) in favor, twenty nine (29) opposed, the motion carries. Thank you Tom. Is there any other business under Article 10? Hearing none, is there a motion to close the meeting?

**Motion: Steve McLeod**

**Second: Cindy Raymond**

The meeting was adjourned at 8:15p.m.

Attest: Amy Grover 3/10/14  
Town Clerk & Treasurer

Ron Lafreniere 3/10/14  
Select Board Chair

Josh Arneson 3/10/14  
Select Board Member