

**From:** Peter Berger peter.berger@fairleevt.org 

**Subject:** Re: Bill W. - Town records

**Date:** March 11, 2021 at 12:53 PM

**To:** Bill Weale (Bill.Weale@builderman.com) Bill.Weale@builderman.com

**Cc:** Cathy McGrath cathy.mcgrath@fairleevt.org, honestbob honestbob@mytopsmail.com, Fairlee Town Administrator townadministrator@fairleevt.org, Town Treasurer treasurer@fairleevt.org, Jim O'Donnell kmo144@myfairpoint.net, Mitch Phelps.mvp82@mytopsmail.com, Terry Lewis T.JLewis13@myfairpoint.net, Reg Cramer reginaldcramer@gmail.com

PB

Bill,

We continue to get certain types of comments and questions from you regarding the position and status of the Fairlee forest. I am sure the level of vitriol is unnecessary but to follow up with you on what I believe is the Town's current the understanding of the Fairlee forest situation and how the Town and Forest Board have gone about addressing them.

I continue to state currently as I am sure over the years there has been transition and change by and with the many Boards who have served previously. I would also note the lapse of time along with some purging of records that was done by a previous Administrative Assistant with or without approval of a then SB member Grover Boutin, who I am sorry to say passed away on Monday. There was no record of what was disposed in the Administrative office but was categorized at the time as two to three full trash bags of 'recyclable material'.

Currently the Town, in working with an appointed Forest Board has an approved and accepted Forest Plan that expires in 2023. We continue to work with a contracted Forester. The Town has been in contact and received agreement from all respective State parties on our management plan. We are currently working with and have agreement from all State agencies to meet expectations and resolve deficiencies that might exist in the Fairlee forest. This is inclusive of Rick Dyer, AMP Forester; Patrick Ross, ANR/DEC and Dave Paganelli County forester. We expect that the Town has one agent in Tad Nunez who has extensive background in working with Town forests and also with the State Agencies on these matters. At this time, we have good relations with and have received no direct letters from any State Agency that we are in violation of any AMP practices in the Fairlee forest at this time.

At the direction of the Selectboard last Summer we gathered all involved parties to meet at a session to sort through a number of inconsistencies that were taking place. We agreed and modified certain situations that established clear lines of communications on policies with respect to the Forest that we expected to be followed. At a later date we met with Town residents and taxpayers for an informational session in the forest and provided an update of the expectations as we continued to utilize the modified Forest Plan for the work and additional needs in 2020.

The Boards discussed and at that time made a number of significant changes that were needed in both methods and communication with the Forester and the contracted logging company. The Forest Board was reformed and agreed to changes in the methods of how the financial aspects of the forest contracts were handled all at the direction of the Town through our Treasurer and Town Administrator.

Regarding the Grant, during the Selectboard meeting on Monday the Board decided that due non-support of the Forest Board moving ahead with a grant that had been submitted but not given a respectful review period by the Forest Board, the Selectboard, the Fire Department and the Fairlee Fast squad but established a number of situations, both physical and financial that the Town would have difficulty in meeting. It was felt prudent to pause the submission and to continue to have the document on file with the State.

As to your comment of my 'fealty' to the Forest Board, I would say from my perspective it is important to have a understanding between and address them as a Board of appointed volunteers who I feel, deserve the level of respect for the work and commitment they have to their duties.

Respectfully,  
Peter Berger  
Chair, Fairlee Selectboard.

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**From:** Fairlee Town Administrator <townadministrator@fairleevt.org>  
**Sent:** Wednesday, March 10, 2021 11:10 AM  
**To:** Bill Weale (Bill.Weale@builderman.com) <Bill.Weale@builderman.com>  
**Cc:** Cathy McGrath <cathy.mcgrath@fairleevt.org>; Josh Hickman <Josh.Hickman@fairleevt.org>; Peter Berger <peter.berger@fairleevt.org>; honestbob <honestbob@mytopsmail.com>; Jim O'Donnell (kmo144@myfairpoint.net) <kmo144@myfairpoint.net>; 'Mitch Phelps' <mvp82@mytopsmail.com>; Reg Cramer - Cramer Electric Co., Inc. (reginaldcramer@gmail.com) <reginaldcramer@gmail.com>; Terry Lewis (TJLewis13@myfairpoint.net) <TJLewis13@myfairpoint.net>  
**Subject:** FW: Bill W. - Town records

Hello Bill,  
Thank you for sharing the attachment and your comments.  
Per this email, I have shared your information with the Selectboard and Forest Board.

Best for the day,

Tad Nunez, Town Administrator  
Town of Fairlee, VT  
PO Box 95  
Fairlee, VT 05045  
(802) 333-4363 ext 102  
(603) 359-1000 cell  
[townadministrator@fairleevt.org](mailto:townadministrator@fairleevt.org)



**From:** bill.weale@builderman.com <bill.weale@builderman.com>  
**Sent:** Wednesday, March 10, 2021 10:03 AM  
**To:** Fairlee Town Administrator <townadministrator@fairleevt.org>  
**Cc:** David Paganelli <david.paganelli@vermont.gov>  
**Subject:** Re: Bill W. - Town records

Thanks again, Tad.

Perhaps Peter refers to the doc I've attached. Hopefully, to pre-empt some controversy, I've discussed this in detail with David. Here's what I've learned:

- David was not informed by the town that the Lange Forest was under LWCF rules. I'm quite sure that is the case with Markus as well. This means among other things, that he was not aware of the restrictions on logging. 16 years earlier, Russ Barrett, then the county forester, contributed an assessment to the grant application, including the quote,

"However, taking in consideration the intent and future use of these parcels the amount which should be harvested would be considerably less."

—February 19, 1980 Russell Barrett, Orange County Forester

I've attached a copy of Russ' letter.

- David was not aware that the Lange Grant specified a FB elected by the voters
- Nothing David could suggest removes the rights of the voters.

In addition, the Fairlee SB was explicitly cautioned about the limits on logging during the grant application process. I've attached a couple of letters below as well.

Perhaps this will lead to some peace?

Thank you,

Bill

On Mar 9, 2021, at 4:56 PM, Fairlee Town Administrator <[townadministrator@fairleevt.org](mailto:townadministrator@fairleevt.org)> wrote:

Hello Bill,

Per this email, I have shared your concerns with the Selectboard and Forest Board for their review.

I am feeling better, thank you.

Best for the evening,

Tad Nunez, Town Administrator

Fairlee, VT

-----Original Message-----

From: [bill.weale@builderman.com](mailto:bill.weale@builderman.com) <[bill.weale@builderman.com](mailto:bill.weale@builderman.com)>

Sent: Tuesday, March 9, 2021 3:06 PM

To: Fairlee Town Administrator <[townadministrator@fairleevt.org](mailto:townadministrator@fairleevt.org)>

Subject: Re: Town records

Hi Tad—

I hope you are feeling better.

At the end of last night's meeting I asked Peter B again why the voters are shut out of any input surrounding the FB's activities. Since I first dug into this issue last Spring, I have observed a palpable sense of fear on the part of the SB, Peter in particular, about interfering with the FB in anything regarding both operational and financial decisions. It looks to me like fealty to a tyrant. I have well documented, by way of long and detailed communications with you and a supporting (at that time) SB, an effort to find how and why this relationship with the FB developed, because it had been established before any of the current 3 members were on the SB.

We as voters and taxpayers are being held hostage by the relationship between these 2 boards. In pulling the grant application last night, we have been prevented from mitigating even a small part of the damages caused by others—people who should be working for us. We can't prevent or even mitigate the costs, yet we are responsible for paying them. I can tell you we are losing the funding opportunities we've traditionally relied on. They don't trust how their money will be spent or how well what it is spent for will be protected.

So, we voters deserve to see what authorizes the FB to sell off town assets for sale and then, with neither budgetary approval nor SB oversight, to spend the proceeds as they see fit. The Town Forest is owned by the town residents, not the SB.

As a response to my question last night I think Peter mentioned some type of document from the 1990's. He shut down the questioning by saying the only topic on the table for discussion was the grant application. That was fine with me. Please consider this a new table.

I'm referring to anything that legally subordinates the SB to the FB in anyway. We know there have been no bylaws; there have been no budgets to spend money; and there has been no legal agency executed which permits the FB, or the SB for that matter, to sell town assets.

matter, to sell town assets.

If such an authority really does exist, the SB absolutely has a duty to inform us. You know as well as I do that any such authority had to have come from the voters. The voters have the right to undo that, if they so choose.

At this point, I'm not cc'ing anyone else, so if you'd like to discuss, give me a call; or I'm willing to meet anywhere anytime. You are not the person I knew in Hartford. I expect you may be surprised with me as well. This issue has tainted everyone who has come near it, deservedly or not.

I really do hope you feel better, in spite of all of this.

Bill

On Mar 9, 2021, at 1:22 PM, Fairlee Town Administrator  
<[townadministrator@fairleevt.org](mailto:townadministrator@fairleevt.org)> wrote:

Peter,  
What is Bill referring to?  
Tad

-----Original Message-----

From: [bill.weale@builderman.com](mailto:bill.weale@builderman.com) <[bill.weale@builderman.com](mailto:bill.weale@builderman.com)>  
Sent: Monday, March 8, 2021 7:54 PM  
To: Peter Berger <[peter.berger@fairleevt.org](mailto:peter.berger@fairleevt.org)>  
Cc: Fairlee Town Administrator <[townadministrator@fairleevt.org](mailto:townadministrator@fairleevt.org)>  
Subject: Town records

Hi Peter—

Will you please have Tad send me a copy of any and all docs which you feel give the FB superiority over the decisions of of the SB?

Thanks,

Bill

