

From: Paganelli, David David.Paganelli@vermont.gov

Subject: RE: Tad - Bill W - continued questions

Date: February 11, 2022 at 1:18 PM

To: bill.weale [REDACTED], Washburn, Becca Becca.Washburn@vermont.gov

Cc: Veileux, Laurent townadministrator@fairleevt.org, Cathy McGrath cathy.mcgrath@fairleevt.org, Peter Berger peter.berger@fairleevt.org, Lance Mills Lance.Mills@fairleevt.org, Wilcox, David David.Wilcox@vermont.gov, Dyer, Rick Rick.Dyer@vermont.gov

DP

Hello All,

Just to clarify. I took part in an afternoon monitoring visit at the Forest with Becca and Tad, back in November 2021. We drove up the Knox Road, parked and walked a short distance up the road and then returned to the car. Then we drove over to Bald Top Road and took a short walk up into the woods. We had a productive and cordial discussion during that visit. We discussed several areas where things could have been done differently, or where improvements could yet be made. As County Forester, it is not my role to decide what is or is not in compliance with the Legacy grant, AMPs or wetlands rules or regulations. Becca makes those decisions about the Legacy program, Rick Dyer about AMPs and DEC about wetlands issues. I had the opportunity to review Becca's draft report to the town and offer comments, which I did. However, the final monitoring report was not a joint effort. It was prepared solely by Becca and I should not be attributed any credit for it.

Best,
David

David Paganelli, Orange County Forester
Department of Forests, Parks & Recreation
118 Prospect Street, Suite 102
White River Jct., VT 05001
(802) 461-5304

Vermont Licensed Forester: 148.0122164

From: bill.weale [REDACTED]

Sent: Thursday, February 10, 2022 5:29 PM

To: Washburn, Becca <Becca.Washburn@vermont.gov>

Cc: Veileux, Laurent <townadministrator@fairleevt.org>; Cathy McGrath <cathy.mcgrath@fairleevt.org>; Peter Berger <peter.berger@fairleevt.org>; Lance Mills <Lance.Mills@fairleevt.org>; Paganelli, David <David.Paganelli@vermont.gov>; Wilcox, David <David.Wilcox@vermont.gov>; Dyer, Rick <Rick.Dyer@vermont.gov>

Subject: Fwd: Tad - Bill W - continued questions

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Becca—

At the SB meeting of Monday, Jan 31, T-A Nunez stated that he had a report from you and David Paganelli stating that with 2 minor exceptions, we (the town) were in "complete" compliance with all rules and regulations, including water quality and amps requirements. I'm cc'ing T-A Nunez here so that, if he disagrees with my understanding, he can have the opportunity to say so. On second thought, Mr. Nunez, I would prefer you send Becca the complete transcript of your

second thought, Mr. Nunez, I would prefer you send Becca the complete transcript of your statement and a URL to the Zoom video record, with, for Becca's convenience, the exact time video time you began your representation of that report. I would say this is a typical way you have used selected snippets of reports from FPR and DEC through the past couple of years to imply to the town that all is well in the forest.

As explained by Mr. Nunez, the 2 minor omissions were access signs to the forest and an accessible trail. I heartily agree with both. It is a bit humorous, though, that buried in the Lange contract docs, there's a clear statement from the state that access signs would not be needed since all 3 were via a Class 4 road.

I requested a copy of your report at that meeting. It's notable 1) that I requested it from you last December—no response—and 2) that as far as I know, not one single report from FPR has been offered to the public. There is a website set up for the TF, but there is not a word about the management and financial fiasco we are trying to deal with.

Becca, my comments about your report are below. There is one error that I'm aware of: there are 46, not 480, acquisition type grants in Vermont as of FPR's online listing in 2015. (Maybe, as some have suggested, I am going nuts.) Please let me and the Town know if you have any disagreement with anything I've stated to Tad. He forwarded those comments to the SB and informed me to direct all "questions/inquiries" to them in the future. FWIW, the last 2 highlighted (by Tad) questions remain unanswered.

I think the lack of support and respect shown to FPR's field foresters by its administrators is shameful. Ignoring their many reports, thoughtful recommendations and warnings to our town's FB, beginning a decade ago, is inexcusable. Worse yet it is an enabler to the likes of the SB Chair and a T-A we have now to continue covering up a reality that gets worse every day until it is effectively addressed.

At this point to try to get something meaningful done, we are faced with the option of taking our own forest trails survey directly to DEC, advising them that FPR has been ineffective in convincing our town to comply with the law."

Nonetheless, respectfully,

Bill Weale

PS

T-A Nunez, last June 4th on Howdy's Trail at the wrap-up, stated in front of 6 FPR Foresters, including Jessica Savage, our SB Chair and others that he was well aware of and had "dealt with many LWCF Acquisition grants." I heard that very clearly. Mr. Nunez left his position as Recreation Director in Hartford after approximately 30 years of employment there. The first LWCF Acquisition grants in Vermont occurred during the late 1970's. As of that 2015 listing, there have been none in Hartford. There have been 2 in the entire of Windsor County, in Bethel and in Norwich, where the State of Vermont was not the grantee. Until now, I have not had the chance to ask him where his experiences came from?

www

Begin forwarded message:

From: Fairlee Town Administrator <townadministrator@fairleevt.org>
Subject: Tad - Bill W - continued questions
Date: February 1, 2022 at 11:16:27 AM EST
To: Bill Weale <bill.weale@builderman.com>
Cc: Peter Berger <peter.berger@fairleevt.org>, Lance Mills <Lance.Mills@fairleevt.org>, Cathy McGrath <cathy.mcgrath@fairleevt.org>

Bill,
Thank you for your follow-up.
Please direct all questions/inquiries to the Fairlee Selectboard.

Thank you,

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



From: Bill Weale <bill.weale@builderman.com>
Sent: Tuesday, February 1, 2022 11:07 AM
To: Fairlee Town Administrator <townadministrator@fairleevt.org>
Subject: Re: Docs requested

~~Subject: RE: DCS Request~~

Thanks Tad—

The form Becca used here is one intended for a Development type LWCF grant. There is no “completion” event for an Acquisition type LWCF grant. The culmination event for an Acquisition is simply the recording of good title to the land and also the recording of the required maps. It’s explained in a letter from the state to our SB at that time. You will also see from the minutes of a town meeting a week before the deed recording that the SB was asked why they had not obtained deed as the project had been fully approved for nearly 7 months. I have made copies of those recordings by Shirley Godfrey, our Town Clerk. And via a FOIA request to VT FPR, I have copies of those same recordings from the State archives. I think I’ve posted them online as well.

I fully understand the position VT FPR is in. They are in a real pickle. It’s a type of conflict of interest for them to be in—responsible for oversight for both the State and the Feds. But that’s the nature of all LWCF grants. There were around 480 Acquisition grants in the state as of its own list posted in 2015. There has never been an Acquisition Grant in the Town of Hartford by the way. I wonder how many others amongst that list of acquisition Grants has been neglected by FPR?

This chasm caused by a former SB to nullify the will and directions of their voters makes it much harder for us as a Town to use real leverage against VT FPR that 40 years of their negligence offers us.

FPR, administratively, is acting counter to the observations and judgment of their field foresters, to the Town’s detriment. The money spent just this Fall on trail repairs likely represents little more than the annual (and accelerating) increase in trail damage as they just sit there through storms and Spring runoff and steeply rising costs.

Please let Lance know the permanent site for our Forest-related archives, for now, is Fogeypower.com. I used other sites for testing and just began populating this one a few days ago. Just so we are on the same page, so to speak.

I have a few more days to finish—mostly covering the Matthews FB and it’s relationship with our SBs. I’ll then let everyone know the url. There will be changes and additions in the meantime but I encourage anyone with questions to contact me. I’m all ears in an effort to get our residents and taxpayers engaged as was originally intended.

Do you at least agree with me that there is a difference in LWCF grant types and that I explained that difference reasonably well last night?

And that Fairlee’s LWCF grant for the Lange Forest is an Acquisition grant?

Thanks,

Bill

On Feb 1, 2022, at 10:13 AM, Fairlee Town Administrator
<townadministrator@fairleevt.org> wrote:

Bill,
Attached docs you requested.
Best,

Tad Nunez, Town Administrator
Town of Fairlee, VT
PO Box 95
Fairlee, VT 05045
(802) 333-4363 ext 102
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townadministrator@fairleevt.org

