

From: bill.weale@builderman.com
Subject: If history matters to you, here's your chance.
Date: March 6, 2023 at 11:05 AM
To: honestbob@mytopsmail.com
Cc: Inc. Reg Cramer - Cramer Electric Co. reginaldcramer@gmail.com, Lauren.m.dubuque@gmail.com, Mitch Phelps.mvp82@mytopsmail.com, Cathy McGrath cathy.mcgrath@fairleevt.gov, Peter Berger peter.berger@fairleevt.gov, Lance Mills Lance.Mills@fairleevt.gov, Fairlee Police police@fairleevt.gov, Paul Gillies paul@tarrantgillies.com, info@fogeypower.com



Hello Dan—

I just saw that you are having a Forest Board meeting this Wednesday (3/8/2023). It's winter and, because you've stated there is no reason for meeting more often than every 3 months, maybe you could take a little meeting time to grab an opportunity which has been ignored by former Forest Board Chair, David Matthews, current Select Board Chair, Peter Berger, and a few others since the days of Select Board Chair, Paul Sargent. (Just in case you are wondering, I think it's perfectly legal to amend your agenda at the very start of a meeting.)

The opportunity you have at your upcoming meeting would simply be your legal duty as a town official—the Forest Board Chair, no less—to help your town's *residents and voters* take back their legal authority and responsibility to manage *their* town forest. From official town documents [which I've posted online](#), and from my own personal observations and experience, you, along with former Select Board Chair Paul Sargent, former Forest Board Chair David Matthews, Town T–A Tad Nunez and current Select Board Chair Peter Berger, and likely a few others acting over more than 4 decades, appear to have acted with others and have intentionally stolen and retained rights that legally belong to your voters and deliberately have tried to hide that effort and hide the resulting environmental and financial consequences now facing your voters.

As a refresher, please recall the [note I sent to Peter Berger and other town officials, including you](#). If that's too much to read, at least look at [the legal issues the town now faces](#). I asked Chairman Berger to make sure that all town officials had a chance to read that email, as some may not be aware that their positions as town officials place important legal burdens on them personally. The fallout from all of this touches *all* of our Forest Board members, our Select Board Members, our Treasurer, our Budget Committee members, our Audit Committee members, our Town Attorney(s) and our independent CPA firm(s). Through the years you have served on many town boards, often more than one at a time. There is no one in town that I know who should have been more knowledgeable—and more careful—about following

the requirements regarding open meetings, right-to-know, accounting and financial reporting.

I am cc'ing or forwarding this email to some past and current forest board members, just in case Chairman Berger has not done them the courtesy. Holding the position of a town official requires one not to make "baseless claims and false accusations." Doing so puts one in great legal jeopardy as many of the apparent violations are criminal in nature.

Beyond the violations of selling off town property without authorization, the "forestry" practices themselves are appalling. Please read the section describing the results of the [9/11/2018 Timber Sales](#) contract on pp. 5-7 of the [Legal jeopardies review](#).

We've done everything we can—we've spent three years trying—to find something in our town's archives or some legally defensible opinion or any other action that allows a 3-person select board, or any other town board, commission or individual for that matter, to legally override—to steal and retain—the inherent rights of their voters to control their own property. We have been cheated out of our rights to manage, in all aspects, the most valuable asset owned *by our town's residents and voters*.

The only folks who have responded to my request have made statements which contradict the documents and they have been, to a person, the folks who've kept this fraud going for so long and who have the most to lose and who have the biggest motive to hide the results.

Moreover, Chairman Berger has gone so far as to claim our town's commitment to the Lange family is something "in the past", not applicable anymore. Essentially he has stated that the memorial forest to Billy Lange was no more; somehow it had vanished via some concept of statute of limitations.

Fairlee would be best served if this whole matter goes to law enforcement, prompted by a town official. With enforcement come accountability and several opportunities for significant financial restitution. I don't see a better person to do that than our Forest Board Chair.

History—both the bad and the good parts—is especially important to a

small town. Recognizing and understanding what it is and then learning from it is the best guidance for our going forward. What history looks like to future generations depends upon how history is created. How you wish to be remembered depends upon you. That's true for us all. Attempting to avoid embarrassment now by denying or deflecting blame to others seems to me an unacceptable risk to take, if you care how others will view history, remembering you.

If you can't credibly defend the position our town officials have left us with, don't you think it's worth being a person who helps us out of it? At your request or that of anyone else, I would attend your meeting to answer questions about the documents and, perhaps, offer suggestions about how to proceed.

As I asked Select Board Chair Peter Berger, please do the right thing. Please show you care. Chairman Berger has chosen not to.

Bill Weale

PS

[Next time you invoke the Trojan Horse](#), you might want to recall that: 1) the only "hiding" has been done by town officials themselves; there has been nothing hidden about the effort of those who have tried to correct our town forest mess and 2) if I remember correctly, the Trojans won that war.

To lean on the Greeks, I would choose Homer. To a forest board who considers a chainsaw and a 4-wheeler its chosen tools for forest management, I see our forest's best trees as Homer's silent Sirens of silviculture, having lured our town forest board to the point of self-destruction. 😎