Town Meeting  
March 6, 2012 at 9:00 a.m.  
Jericho Elementary School, Vermont Route 15

Moderator: David Barrington  
Selectboard Members present: Kim Mercer (Chair), Tim Nulty, Catherine McMains  
Town Administrator: Todd Odit

Town Meeting began with a call to order at 9:09 a.m. by the moderator, followed by the Pledge of Allegiance led by the Boy Scouts. David Barrington made his opening comments, introductions, and invited the legislators to come forward to give everyone an update.

Bill Frank stated it is an honor to serve the residents. He said there are some big bills pending in the Legislature this year. He talked about the effects of Tropical Storm Irene. Mr. Frank discussed the recent redistricting, noting that Bolton is no longer in the same district as Jericho and Underhill. He discussed how the redistricting was done. Mr. Frank stated he is thinking about running for re-election.

George Till said he is honored to serve the residents also. He said the most surprising thing this year has been the bipartisan cooperation during the redistricting, with only four votes against it. Mr. Till stated it is a good example of people working together. He noted the Doyle Poll and legislative updates are available and he would be free to answer questions throughout the day.

David Barrington discussed some housekeeping matters, noting that only registered voters may speak. He explained the role of the moderator.

ARTICLE I: Shall the voters approve the proposed fiscal year ending 2013 budget of $3,189,017, including spending unanticipated funds such as State and Federal grants and gifts?

Motion made by Carl Newton; seconded by Gaye Symington.

Kim Mercer stated she will discuss revenues. She said that in general the budget is intended to provide the services people expect and not to defer annual maintenance. She stated there is an overview with the Town Report which shows a graph of the tax rate for the last several years. Ms. Mercer said the proposed FY2013 budget represents an $113,849 increase in total expenditures, of which $2,509,558 will be raised in taxes. She stated that is a 0.6% or $15,000 increase over the amount raised in last year’s budget. She said they do not anticipate the tax rate to be any higher than the previous year, due to an anticipated slight increase in the Grand List.

Kim Mercer discussed specific revenues, noting the following:
- Interest on Delinquent Taxes goes up by $3,000 to reflect the trends in actual interest received.
- Current Use increase is due to more land enrolled in the program.
- State Aid for Roads increase of $6,000 reflects previous actual.
- Planning and Zoning Fees decrease by $3,000.
- Law Enforcement Fines increase as a result of additional coverage.
- Restoration and Computerization increases $10,000 to reflect actual.
- Town Library decrease has to do with the way the Town pays the Library and is reimbursed.
Use of Reserve Funds, Heavy Vehicles and Equipment Fund use of $28,909 offsets a lease payment for another highway truck, which is part of the Capital Budget. She noted that all of the items in the reserve funds are tied to the Capital Budget, which Ms. McMains will explain a little later.

Leslie Nulty noted that several revenue items increased to reflect actual. She asked why the General Dynamics contribution is lower than actual. She noted they have made substantial capital improvements at the Range and would have expected this amount to increase also. Catherine McMains explained this amount has nothing to do with the holdings on the property. She said it is a plowing contract for the road maintenance. Ms. Nulty asked why there is a discrepancy between the budget and actual amounts. Ms. McMains explained that last year was a heavy winter. Ms. Mercer said the budget is for $18,000, while actual for FY2011 was $28,660 because there was a lot of plowing that year.

Elizabeth Bernstein asked for an explanation of how the Town Library is paid for. Todd Odit explained that prior to this budget; the Town has given the Library a quarterly payment which included salary. He said the Town paid the salaries and the Library would reimburse the Town, so they are eliminating that piece.

Tim Nulty discussed expenditures, noting the following:
- Salaries and Benefits are in the first section and in the other sections. He stated that total salaries are budgeted to increase by 1.3% to $602,600. Mr. Nulty stated that the cost of living went up by 3.2% while salaries have increased 2.1% per year over the past four years, a little below the Consumer Price Index (CPI). He stated that benefits have increased a great deal more at 24%. Mr. Nulty explained that most of the increase is attributed to one employee who has chosen to participate in insurance who previously had not. He stated that total wages and benefits increase 6.2%, while the average over the last couple of years was 2.4%. Mr. Nulty said the main reason the increases have been low the past couple of years was persistent cost savings in benefits. He stated that at $808,000, wages and benefits are approximately 25% of the entire budget.
- Administration and Town Clerk sections had relatively small increases, which were due to increases in salaries and benefits.
- Highways and Bridges had two major increases. Mr. Nulty said the first is an $87,000 increase for the improvement of two bridges on Browns Trace Road. He discussed the locations. He noted there was a rigorous Capital Budgeting process planning expenditures for the next few years, which appears on page 20 and will be discussed by Ms. McMains. Mr. Nulty said the second is the paving of dirt roads, which has been controversial. He gave some background on the issue and said the Selectboard is taking a close look at Town policies about dirt roads. He discussed the history of Skunk Hollow Road and studies that were conducted.

Sonja Skyler asked for an update on the pedestrian bridge near the Old Mill. Ms. McMains stated it is not in the budget because it is a State project. She discussed a meeting held with the Town Administrator, Town Engineer, and State engineers, noting they were pleased with the progress that is happening. She said that money is included in the FY2013 budget for the State and they hope it will continue through the legislative process and perhaps there will be progress made.

Bert Lindholm asked about Gas, Oil and Diesel decreasing in the budget while costs of fuel continue to rise. He asked if the current year’s costs are contained. Todd Odit stated this year is on track compared to last year. He said they may need to adjust near the end of year because it is difficult to predict those costs 18 months out. Mr. Odit stated any overruns will be offset somewhere else in the budget.

Dave Schuler asked about paving on Route 15, whether it is a State or Town problem. He noted the worst section is the area where the sidewalks were added. Mr. Nulty said it is a State problem, but it is not in the paving schedule for this year. Mr. Schuler encouraged the Selectboard to discuss the matter with the State
because people are swerving to avoid damaging their vehicles. Ms. Mercer noted the State usually will patch roads in the spring and that they may be running behind due to other problems relating to Irene’s damage.

Jesse Pelton asked for an update on the $50,000 project to improve energy efficiency of the Town Garage. Mr. Odit stated the grant is almost complete. He said lights were retrofitted last summer, new doors were installed last month, and new roof panels will be installed next week completing the project.

Bob Thickpen asked about the paving of Skunk Hollow Road. Ms. McMains stated she would address it during the Capital Budget discussion.

Tom Baribault asked about salt alternatives, noting this has been level funded for several years. He asked if any of these other compounds have decreased in price, or if there have been changes at the State level relating to recommendations between the use of salt and salt alternatives. Mr. Baribault discussed the impact of the materials on equipment. Mr. Nulty asked permission to suspend the rules so that the Road Commissioner could speak to this issue and there was no objection.

Kenny Barkyoub, Road Commissioner, said that salt alternatives have been on the table for quite a few years, but it is too expensive to get into the stuff the Town should be using. He said the State is using salt brine, which cuts down on the amount of salt used. He explained the differences between the materials. Mr. Barkyoub discussed using salt brine. He said the budget and equipment restrict the use of some of the salt alternatives. Mr. Baribault suggested discussing during the next Capital Budget process. Mr. Barkyoub said that would give them time to look at cost estimates.

Bert Lindholm commented on how salt brine corrodes equipment at a faster rate. He discussed an example involving the Chittenden Solid Waste District (CSWD) trailers. He said using brine will transfer costs to car owners for future repairs. Jean Marie Milliken discussed an example involving equipment corroding due to the use of salt brine.

Catherine McMains discussed the remaining expenditures, noting the following:

- Summer Recreation budget has not changed.
- Insurances increased slightly due to Worker’s Compensation.
- Police Services increased $19,040. Ms. McMains stated that, based on last year’s discussion, the Town entered into a contract with the Sheriff’s Department. She said there is now 20 hours of coverage with the Vermont State Police and with the Sheriffs’ Department. She stated the FY2013 budgeted amount reflects the actual costs of both services.
- Street Lights increased slightly. Ms. McMains noted that the Energy Task Force reported on replacing all the non-Town owned lights with LED lighting, reducing some of the lights, and moving some for safety reasons. She stated the utility companies and Efficiency Vermont should cover most of the costs.
- Building and Property, Jericho Greens has increased due to the increase in the cost of mowing.
- Sidewalks, Maintenance increased because there are more sidewalks. Ms. McMains noted the maintenance costs were underestimated by the contractor last year.
- Sidewalks, Construction increased in anticipation of building some new sidewalks this year. She discussed where the new sidewalks would be located and the grants available to offset the construction costs.
- Open Space/Public Use, Land Improvements increase is due to the costs involved with opening the parking lot for Mobbs Farm. She said an agreement has been reached and screening will be installed in the spring.
- Landfill costs have decreased, reflecting actual.
- Mandated Appropriations, Chittenden County Tax decreased. Chittenden County Metropolitan Planning Organization (MPO) went down since it merged with the Chittenden County Regional Planning Commission (RPC), so the combined expense is under the RPC line. Ms. McMains noted that as part of the merger, both entities pledged to stay level funded for the next three years. She explained what the MPO and the RPC are.
• Non-Mandated Appropriations, the organizations vote on their budgets and send them to the Town. Ms. McMains said there is a significant increase in Chittenden Unit for Special Investigations (CUSI) because the Town has never fully funded their request. She explained who they are and the discussions they have had with Selectboard. Ms. McMains noted the decrease in Jericho Center Preservation since last year was a one-time capital campaign. She stated the increase in contribution to the Underhill Jericho Fire Department is due to the increase in the volunteer stipends, utilities costs, and vehicle maintenance.

• Debt Service, Interest decreases a little each year.

• Town Library contribution is decreasing due to the salary expense not being paid and reimbursed, but the Town is not decreasing the actual funding to the Library.

Dave Schuler asked about the calculation for the dollar and percent changes to Line 167. Ms. McMains said it is an error, but the subtotal numbers are correct. Mr. Schuler discussed police service, noting there is no information provided in the reports about crime rates in the area. Ms. McMains said the contracts are for traffic enforcement and that all crime is handled by the Vermont State Police at no cost. She said she did not have information regarding changes in the crime rates, but they could add it to the Town Report next year.

Jean Marie Millikin asked if the Park District is only responsible for the park behind the Old Red Mill. Ms. McMains stated that is maintained by the Winooski Valley Park District and the one shown is for Mills Riverside Park. Ms. Millikin stated the Jericho Park District does a great job.

Scott Shumski asked whether there were competitive bids between the Vermont State Police and the Sherriff’s Department for traffic enforcement. He asked if the sidewalk maintenance was competitively bid. Mr. Shumski noted there is a lot of money spent on sidewalk work and suggested analyzing where sidewalks are needed and being used in order to spend the money more wisely.

Catherine McMains stated the sidewalk maintenance was competitively bid and they did not go with the lowest or highest bids. She stated they are trying to balance the rural setting with the needs of people in town when spending money on sidewalks. Ms. McMains said the Town is trying to become more pedestrian friendly. She discussed the dangers for pedestrians on the road and discussed increased use.

Kim Mercer clarified that with the sidewalk plowing contract the Town did not retroactively pay for the year that was underbid. She said the contractor did a great job and it was a competitive bidding process. Ms. Mercer said the sidewalk issue is big and agreed the Town needs to look at strategic placement. She asked those interested to participate in further discussions at the Selectboard meetings and to become involved with the newly formed Trails Task Force Committee.

Heidi Klein stated the Trails Task Force Committee was recently formed and they are looking for volunteers. She explained that trails include any paths, trails, and sidewalks. Ms. Klein stated that one of the first tasks will be to map trails in Town and recommend where they should be in the future. She said the committee welcomes help from those who are interested.

Ms. McMains stated that speed enforcement was also competitively bid. She said that Vermont State Police charge $66 an hour and the Sherriff’s Department charges $45 an hour.

Jean Sausville asked who is responsible for maintenance of the sidewalks. She discussed issues, including broken windows and large snow banks. Ms. Mercer stated that the Town has a contract with someone to maintain the sidewalks, including plowing and sweeping. Ms. Sausville asked about maintenance of the cracks. Ms. Mercer stated maintenance is the Town’s responsibility and the Highway Department will work on it in the spring. Ms. Sausville said it is dangerous from the school down to where the sidewalk ends on the corner.
Todd Odit discussed the Transfers to Reserve Funds. He said the proposed transfers are required by law. Mr. Odit stated that the Reappraisal Fund and Record Preservation Fund are based on per page costs. He stated the other fund balances are decreasing because the money is being used to do some work and we will begin building the reserves again next year.

Frank Popeleski commented on sidewalk construction increasing 37% when some seniors cannot pay their taxes. Ms. McMains noted that most of the cost is funded by grant money and that the Town has a small match. She discussed grant funding, noting the funding is further explained on page 21 of the Town Report.

Elizabeth Bernstein stated that Article II deals with a specific item in the budget and asked why it is separate. Ms. McMains stated it is a separate item and the additional money is not in the regular budget.

Chris Sims asked whether the Town gets some of the traffic fine money back. Ms. McMains said yes. Ms. Mercer noted the revenue is shown on Line 20. Ms. McMains said this amount should increase. Mr. Sims asked if there is a way to make drivers more aware that they need to give pedestrians and cyclists more room in areas where there are no sidewalks. Ms. McMains said the State has a policy of Complete Streets and the Town is starting to think about that for the future.

Catherine McMains stated the Capital Budget is relevant because the numbers are represented in the overall budget. She said they had a full process for the first time this year to plan for the future. Ms. McMains discussed the process, which included: training program from the Vermont League of Cities and Towns; developing a checklist for projects; drafting a Capital Budget that was presented and discussed during meetings; and holding a public hearing to discuss and vote on it. She stated the Selectboard adopted the Capital Budget and the numbers are fixed. She said they will continue to improve this process and public input is important.

Jesse Pelton asked about the funding for the Mobbs Farm parking lot. Ms. McMains said the fees come from recreation impact fees that are paid when new subdivisions are built. She said the remaining funding is from the reserve funds.

Mary Neighbours asked about the amount noted for the Jericho Center Boardwalk. She said she was on the committee and the estimate they received was $250,000, so why was the amount reduced to $150,000. Mr. Odit said that the previous Town Planner obtained other bids which he thought were more reasonable estimates.

Peter Booth asked for clarification on the Capital Budget amounts being fixed numbers. He asked if all of the money has been committed to be spent. Ms. McMains said the money has not legally been committed. She said that the line items in the budget came from the Capital Budget. David Barrington assisted with the clarification, noting that the current fiscal year part is fixed, while the future amounts are in flux.

Grant Clarke asked about the Jericho Center Boardwalk. Mr. Nulty explained that there was an old Class IV road across the beaver pond, Varney Road. He said the idea was studied to use the right of way for a boardwalk that would allow residents to cross by bicycle or on foot. He said it is a nice idea, but is very expensive. Mr. Nulty said the project has been postponed in hopes of getting a grant. He said the Trails Committee could look into it further.

Dorothy Naylor asked for clarification regarding the difference between Road Improvement and Road Upgrade in the Capital Budget. She asked what is involved in Asphalt Highway Improvement. Ms. McMains stated that Asphalt Highway Improvement is maintaining the paved roads in Town. She said that is also where Skunk Hollow Road would fall for the unpaved section. She said there are alternatives to use the money and the decision will be made during upcoming Selectboard meetings. Ms. McMains noted that Nashville Road is a multi-year project and discussed the work completed and work that is anticipated. She said there was a study of Dickenson Street done to see what it would take to upgrade it to a two-way road with room for pedestrians. She said that project is out in the future due to the cost.
Tim Nulty summarized that asphalt improvement is the general, constant upgrade. He said that Dickinson Street will require a complete change in the nature and the configuration of the gravel road, which is expensive. Ms. Naylor asked whether Skunk Hollow Road was specifically going to be addressed this year. Mr. Nulty said that Skunk Hollow Road and Nashville Road are two of the most heavily traveled gravel roads in the State. He said he doesn’t think just paving is the right answer. Mr. Nulty said they are trying to determine what needs to be done and to minimize the negative side of paving, noting that Skunk Hollow Road may not be paved this year.

Josh Benes said he is a bike commuter and asked if the Town considers widening the margins when highways are being improved. Mr. Nulty said they do to the extent they can, but there are limitations. Ms. McMains noted that traffic can also be slowed by minimizing travel lanes when it is not possible to widen the road. Jesse Pelton asked if the Town has considered using sharrows to indicate bikes. Mr. Nulty said they have.

Allison Watt asked the Selectboard to elaborate on the discussion about the Town’s policy to not pave previously gravel roads. She asked what other roads might be on the table and how residents have the opportunity to comment. Mr. Nulty said the two most heavily traveled are controversial. He discussed other roads that are not beyond the threshold to be considered. He discussed the reasoning for the old policy. Mr. Nulty noted the disagreement among citizens, the cost of maintaining asphalt roads, and the cost advantages to keeping roads gravel as long as possible.

Kim Mercer noted the policy being discussed is not an official Town policy. She stated that the current Selectboard members are not bound to consider historical methods of previous boards. Ms. Mercer said they are also looking at the way things have changed and they expect more input from the residents about concerns. She noted they have to look at safety issues and multi-use options also.

Bob Thigpen asked whether a decision has been made regarding Skunk Hollow Road. Mr. Nulty said the costs could run from $200,000 to three times as much, depending on what is done to the road. He discussed the possibility of obtaining grant funding. Mr. Nulty also discussed possibilities for calming traffic and reducing speeds when the gravel portion is paved. He said the options and cost/benefits will be discussed further in the coming year and welcomed participation. Ms. McMains discussed the gravel portion of Skunk Hollow Road, noting the volume of accidents on that section. She said they continue to learn what is the most effective and safe way to upgrade that section of road.

Allison Watt thanked the Selectboard for discussing the speed issue. She said she has not seen a road paved where speed did not increase. She asked where citizens have an opportunity to comment on roads being considered for paving. Ms. McMains said the process starts in late August and she should look for a Selectboard agenda warning the discussion. She noted that no other roads are being considered for paving at this time. Ms. Watt asked where the notice is posted. Ms. Mercer said the agendas are on the Town’s website and explained how people can sign up to receive notices from the Town. She directed everyone to www.JerichoVt.gov to register. Ms. McMains noted that if speed is an issue on Governor Peck, police coverage can be increased.

Kelly King said she lives on Skunk Hollow Road. She discussed speed, suggesting that one simple way to help solve the problems would be to reduce the speed limit to 20-25 mph on the gravel section. She said the road would break down less and people in a hurry would go somewhere else, which would reduce traffic. Ms. King stated the dust is a horrible issue. She suggested changing the speed limit temporarily to solve many of the issues, noting people might tend to go slower on the rest of the road. Ms. Mercer noted there are statutes about speed limits. She said when a change is made it has to be based on an engineering study about the actual speeds on the road. Ms. Mercer stated that if most people are traveling faster than the posted speed limit, the Town may have to raise the limit.
Brian Stevens complimented the Selectboard and the Town Administrator for including the Capital Budget in the report. He said it would help gathering input during the year.

David Barrington asked for objections to ending the budget debate. He called a vote on Article I, as presented. **Vote: Motion approved unanimously.**

**ARTICLE II:** Shall the voters approve the expenditure of not more than $33,000 for the purpose of increasing Essex Rescue coverage out of the UJFD Underhill Fire House, which sum shall only be appropriated and expended if the voters of the Town of Underhill approve funding for the same purpose and the legislative bodies of the towns of Jericho and Underhill approve an implementation plan for the additional coverage?

**Motion** made by Kelly King; **seconded** by Jesse Pelton.

Tim Nulty stated the Article has a mistake in the wording. He explained the $33,000 in question is intended to be split 50/50 between Essex Rescue and Underhill Jericho Fire Department (UJFD). Mr. Nulty gave some background on the matter, noting both groups came to the Selectboard requesting additional money to hire an additional employee. He said Essex Rescue has made progress on the joint policy to get 24/7 coverage out of the fire department location. Mr. Nulty said the organizations worked out an arrangement to share an employee with the required qualifications. He stated that of that combined position, Jericho would agree to pay 60% and Underhill would pay 40%. He clarified that Jericho’s 60% of the combined position would cost up to $33,000 for an additional 50% position with both Essex Rescue and UJFD.

Tim Nulty suggested an amendment from the floor clarifying the wording as follows:

**Shall the voters approve the expenditure of not more than $33,000, half of which would be to increase Essex Rescue coverage out of the UJFD fire house and half to increase human power for the UJFD, which sum shall only be appropriated and expended if the voters of the Town of Underhill approve funding for the same purpose and the legislative bodies of the towns of Jericho and Underhill approve an implementation plan for the additional coverage?**

Mr. Nulty said the Selectboard would like authorization to enter into negotiations with Essex Rescue and UJFD to ensure the arrangement would be worth the expense and increase coverage.

**Motion** made by Jesse Pelton; **seconded** by Norma Wascoe to amend Article II. The amendment was **approved** with no objection.

Jean Marie Milliken asked whether the Selectboard would come back to the residents before signing the agreement, or if they would have to live with the agreement that is reached. Ms. Mercer said there is not a forum to come back to the voters, so the vote would authorize the Selectboard to negotiate up to, but not more than, $33,000.

Jesse Pelton clarified that people who want to give feedback could attend Selectboard meetings, or they could contact the members. The Selectboard agreed. Mr. Pelton asked if this would be a recurring expense and how it would look in future years. Mr. Nulty said the presumption is that it could go up or down based on how it works out. He said the item would be warned for the Selectboard meeting it would be discussed at, so people are welcome to participate.

Peter Booth asked why this is a special motion and is not included in the budget. Mr. Nulty explained the reasoning: the agreement was not reached in time to be included in the budget; and it is a sufficient change in the way the two organizations do business that it should be a separate item. He discussed how the hiring of a full time employee of UJFD was handled previously.
Richard Bernstein said that as a citizen he is concerned about where his money is going, in terms of what we can purchase with our health care money. He stated he is also concerned about the allocation of resources, as an EMT on Richmond Rescue, but he would like his comments taken impartially. He said residents of Jericho are blessed for many reasons, including an excellent fire department and two excellent rescue services. Mr. Bernstein said the current budget for rescue services is $12,500 which is apportioned equitably by the number of residences served. He stated that the amended proposal adds approximately $15,000 which is completely allocated to the rescue servicing us from the north and the west. Mr. Bernstein noted that is double what we are presently spending. He voiced concerns about not knowing what will be provided in return and that the Selectboard may not be fully aware of what is available from both rescue services. Mr. Bernstein stated it is possible that this amount of money does not have to be spent if an adjustment is made to the territory covered.

Mr. Bernstein proposed forming a committee, suggesting the composition of the committee, and a timeline. Mr. Barrington discussed how the motion could be made with Mr. Bernstein. Mr. Nulty noted a point of order that a motion is on the floor. Mr. Barrington discussed with Mr. Nulty, deciding that although refer to committee is a standard motion; there is no committee to refer the matter to.

Mr. Bernstein said his proposal is to ask the citizens to help establish an architecture for this issue to be reviewed before voted on: what service provided, by whom, and at what cost. He asked the residents to not vote yes on the article at this time. Mr. Bernstein proposed a committee to advise the Selectboard. He said the data is available and discussed what information should be gathered. He stressed the importance that the decision makers make a fair and informed decision.

David Villeneuve said he served on the fire department for 20 years and is in favor of the motion. He said he does not think it should be postponed because we have a rescue serving out of the UJFD main station and this will increase the service to full time. Mr. Villeneuve said increasing service from Richmond Rescue could be looked at in the future. He said the fact is that Richmond doesn’t have their equipment in Town. He encouraged everyone support this with a yes vote.

Elizabeth Bernstein stated that both rescues do an excellent job. She noted concerns with response time and coverage. She said she does not think it has been examined enough by a large enough body of people from all over Jericho. Ms. Bernstein noted that Richmond Rescue Squad has 24/7 coverage right now and impressive response times. She said she wants to make sure she is getting the best coverage for her money. Ms. Bernstein said we need to defeat this motion and make a motion to establish a committee to investigate all the questions involved. She thanked Richmond and Essex Rescues.

Michael Weinburg stated he is a member of Essex Rescue, he is an EMT, and he lives in Jericho. He said this matter has been studied. Mr. Weinburg said Essex Rescue spoke at Town Meeting four years ago about having a presence at UJFD and they are continuing along that path. He said they are making good progress and spending this money will continue ambulance service from this area. Mr. Weinburg suggested passing this as presented, without delay.

Louise Rissalas voiced concern about the extra expenditure of funds serving a significant amount of the population that is closer to the Underhill side of town. She noted that she is served by Richmond Rescue. She said their end of town would not have ambulance coverage due to response time. Ms. Rissalas said she understands the need, but the extra money needs to be looked at because of those who are not served.

Heidi Klein said this topic is always on the agenda. She said the question is not about this relationship; it is whether we agree the Selectboard is the right entity to make decisions. She said as citizens we can weigh in on it. Ms. Klein asked the Selectboard to explain the decision making process.

Tim Nulty said this topic is on the agenda regularly. He discussed the history. Mr. Nulty asked everyone to understand that just because one or the other is servicing as primary does not mean that it is the only one
serving the area. He said that secondary service is also important. Mr. Nulty pointed out that during the discussions held with the dispatcher; they were unequivocal that having a presence would improve response times to the whole of Jericho and to Underhill.

Tim Nulty said Richmond Rescue did not dispute that fact. He discussed the sentiment he heard repeatedly over the past six years that citizens are more concerned about coverage and response time than the cost. Mr. Nulty stated it was that basis that they moved forward with efforts to get 24/7 coverage with an ambulance based at the UJFD. He said progress has been made, but we are not all the way there.

Tim Nulty said it is becoming harder to get volunteers, particularly for daytime shifts, so they need an additional paid employee, particularly a driver. He discussed considerations made before deciding to base an ambulance out of the UJFD. Mr. Nulty noted the Town never received a proposal from Richmond Rescue. He suggested moving forward with this motion and reevaluating coverage again next year. Mr. Nulty stated that if Richmond Rescue has a proposal, they will listen. He said the Selectboard represents the interests of the citizens of Jericho, not either rescue service.

Kim Mercer said she agrees with Mr. Nulty. She added that they reviewed a lot of data and most of the calls in Jericho are during the day, when it is difficult to find qualified volunteers that are available. Ms. Mercer said they need to be better staffed, so the ambulance can be used as it is intended.

Catherine McMains noted that when the process started they looked at cost effectiveness and it was clear that Essex was providing greater coverage for less money. She said their job is to be fiscally responsible. Ms. McMains pointed out that the fire department is also asking for a part time employee.

Motion made by Robert Naylor; seconded by Chris West to vote on the article as amended. David Barrington read the amended article. Vote: Motion approved.

**ARTICLE III:** Shall the Town collect its taxes by its Treasurer in accordance with 32 VSA Section 4791?

**ARTICLE IV:** Shall the Town collect its taxes in equal installments due in the Town Offices on August 15, 2012, November 15, 2012, and March 15, 2013, with postmarks acceptable?

**ARTICLE V:** Shall the Town authorize the Selectboard to borrow money for temporary needs of the Town?

David Barrington asked to combine Articles II, III, and IV. Motion made by Dave Schuler; seconded by Elizabeth King to combine the articles. Vote: Motion approved without descent.

**ARTICLE VI:** Shall the voters of the Town of Jericho designate the American Elm (Ulmus Americana) in Jericho near the Jericho/Essex town line along Vermont Route 15 as the Jericho Town Tree (in name only)?

Motion made by Robert Naylor; seconded by Sarah King.

Robert Naylor spoke on behalf of Brooks Buxton who aptly points out the stately beauty of the tree. He stated it should be maintained for all to enjoy.

Elizabeth Bernstein stated the tree is beautiful and asked what the “in name only” means. She asked whether we can use Town funds to protect the tree. Mary Neighbours also asked what “in name only” means. Jessica
Alexander, speaking as a resident, said she helped with the petition. She stated it is a symbolic gesture because the tree is on privately owned land.

Mary Neighbours said the tree has a finite life and asked if the Town could have another Town tree in the future. Mr. Barrington said that is his interpretation.

**Vote: Motion approved.**

**ARTICLE VII:** In the light of the United States Supreme Court’s Citizens United decision that equates money with speech and gives corporations rights constitutionally intended for natural persons, shall the Town of Jericho urge the Vermont Congressional Delegation and the U.S. Congress to propose a U.S. Constitutional amendment for the States’ consideration which provides that money is not speech, and that corporations are not persons under the U.S. Constitution, that the General Assembly of the State of Vermont pass a similar resolution, and that the town send its resolution to the Vermont State and Federal representatives within thirty days of passage of this measure?

**Motion** made by Susan Harin; **seconded** by Louise Miglianno.

Susan Harin stated she has been following the Citizens United case. She said it is wrong and has a detrimental effect on the citizenry. Ms. Harin encouraged everyone to support the motion.

Eileen Haupt opposed this article, which is in reaction to a court case. She said it didn’t change as much as it restored. Ms. Haupt stated that traditional corporations have free speech and the First Amendment doesn’t take it away. She said campaign finance laws affect non-profits and explained the limitations on advertising during elections. Ms. Haupt said this article is vague and so are the ramifications. She said it doesn’t propose language for the amendment, and it doesn’t refer to Senator Sanders’ language. Ms. Haupt noted there are twelve different resolutions before Congress. She stated that amending the Constitution is an important responsibility, so we need to know what it did and didn’t do. Mr. Haupt said it doesn’t give a corporation the ability to fund campaigns, rather to use their funds to express their opinion. She said it is complex. Ms. Haupt asked everyone to vote no and to take a year to become informed. She said we shouldn’t amend it because we don’t like corporations.

Leslie Nulty stated she is in favor of the motion. She noted that the prior speaker didn’t paint an accurate picture of the context for an amendment being called. Ms. Nulty stated the democratic system is awash in an extraordinary amount of money being spent on political campaigns, under the pretext of being independent. She said this is the direct result of a case and evidence. She those supporting this are doing so to clarify how we want our political process to be run, not by conglomerations of money and disenfranchising us economically and politically. Ms. Nulty said some people think it is inappropriate for Town Meeting, but forces corrupting the process can easily seep down into our Town Meeting process. She relayed an analogy relating to the Town government in Jericho. Ms. Nulty said if a statement is made over and over in public people begin to accept it.

Dave Schuler stated he is against this. He said there are unintended consequences, noting that when you talk about corporations, it includes nonprofits. Mr. Schuler gave examples of non-profits impacted. He said they should not be stifled.

Doug Archer said he spent over three decades as a Foreign Service Officer with the State Department. He said he worked in or with dysfunctional governments in third world countries. He said he saw the effects of money in politics. Mr. Archer said that nowhere was there honesty in government and nowhere did the people have a chance to make their will known; only the rich and powerful did. He stated that on a daily basis the United States sees millions of dollars spent by people not affiliated with candidates, distorting our political system. Mr.
Archer said people talk about our descent down toward a third world country and this decision has done more in that direction than he has seen in his lifetime. He urged support of the motion.

Scott Shumski stated that money is speech and America is a Capitalist country. He said people who put up signs, spent money. He stated that people with more money put their message out there more than those who cannot afford to. Mr. Shumski said that internet makes speech cheaper. He said he enjoys defending those people who aren’t being defended and the freedom of speech protects our rights. Mr. Shumski said the media and internet help us. He said the Supreme Court stood up and said have their speech. He said we have a duty to make our voices heard when we disagree with corporations. He said to speak up and make a difference.

Bill Butler said he wants to differentiate between what’s before our Town and what’s going on elsewhere. He said this language is for the Towns and is not an amendment; rather it is calling a question. Mr. Butler said we must come together to discuss this issue. He stated that Congress is dysfunctional due to the money influence in lawmaking. He said this is saying money is not speech, not just corporations, but special interests also. Mr. Butler said they are not proposing language, just proposing parameters of a discussion.

Sonja Skylar said she is for and against. She said the Supreme Court decisions do not reflect her personal opinion. She said she works as an Environmental Consultant, obtaining permits. Ms. Skylar said the regulations reference “no person shall” or “a person shall”. She said we should be careful not to exclude corporations from the rules or regulations. Ms. Skylar noted it takes a long time to get a Constitutional amendment and discussed some that are pending now.

Arthur Schelmonde said that part of the problem is the Constitutional changes that would be necessary. He said he researched and found there were a lot of issues with corporations and power after the Constitution was drafted. He discussed the differences in politics today from politics during the 1970s. Mr. Schelmonde noted that the Iowa caucus was overwhelmed with over $12 million worth of advertisements.

John Neill said he sympathizes with people who are outraged. He said as member of the military who served, he wants to know where that outrage was about flag burning. Mr. Neill said this doesn’t rise to that level. He suggested limiting representatives to two consecutive terms, to avoid people building campaign war chests where no one else can compete.

Jean Kennedy stated she supports the amendment. She said she understands the concern about non-profits, but said this would open discussion for a level playing field. Ms. Kennedy compared non-profits to corporations. She stated the two cases of flag burning do not reach the level of destruction of the republic. Ms. Kennedy said this is an appropriate discussion for Town Meeting. She stated this is a crucial moment where Vermont has a voice. She said it is about values and about money destroying our republic.

Vote: Motion carried - For: 113; Against: 28; Abstained: 8.

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

David Barrington presented the written reports in the Town Report and stated this is the time to make comments regarding any of the reports. There were no comments. The reports of the Town Officers stand, as is, without comment.

ARTICLE IX: Other Town business thought proper when met.

George Till gave an update on the pedestrian bridge on Route 15 near the Old Mill. He said there is $450,000 of State money in the FY13 budget to replace the bridge. He stated work should begin this spring or summer.
Jesse Pelton asked for an update on the Noise Ordinance. Catherine McMains stated that the Selectboard held several meetings and reviewed several draft Noise Ordinances. She said it was brought to their attention that a decibel level can only be measured by an expert, of which there are a limited number within the state, so an ordinance would not be enforceable. Ms. McMains discussed a survey done where 96 responses were received and the majority of the respondents did not think an ordinance was needed; however, those impacted did. She said the Selectboard asked the Planning Commission to examine the possibility of addressing the issue with zoning. Ms. McMains stated the Planning Commission decided not to draft regulation specifically aimed at motocross or ATVs, but rather to review performance standards that could be reacted to more quickly. She said a draft of the changes will be reviewed at the Selectboard and Planning Commission level before anything is adopted and the public can continue to participate in the process.

Gaye Symington stated that Mt. Mansfield Union High School Project Graduation is holding a fundraiser dinner and silent auction on March 15th in the cafeteria. She directed people to: www.mmunprojectgrad.com. Ms. Symington stated the Cougars will be playing at the Patrick Gym on Thursday.

Elizabeth Bernstein presented the following announcements from the Jericho Community Center:
- Saturday, March 10th at 5 p.m. there will be a potluck supper and a moonlight hike up an adjacent trail. She said people can come to either, or both, and there is no charge.
- Saturday, March 24th at 1 p.m. there will be a marionette show. She said tickets are on sale at Jericho Center Store, who she thanked for their continued support.
- Barn tours will be held in the fall.
- Ms. Bernstein mad a request for volunteers and/or input on activities or events to engage families with children.
- She noted that open mike nights are free and family friendly, with pot luck desserts.

Barbara Adams stated the Jericho Town Library is sponsoring a book and bake sale in the hall.

Kim Mercer called attention to the vacancies on page 12 of the Town Report. She urged anyone interested to contact Todd Odit to apply. She noted that the new Trails Committee needs members.

**Motion** to adjourn Town Meeting made by Kelly King; **seconded** by David Villeneuve. David Barrington adjourned the meeting at approximately 12:24 p.m.

Respectfully Submitted,
Amy Richardson

Approved and Attested: **MAY 3 2012**

[Signatures]

Catherine McMains

Tim Nulty

Kim Mercer