

Water the big issue in East Montpelier

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By *Daphne Larkin Times Argus Staff*

EAST MONTPELIER – The topic with the most splash at town meeting was whether East Montpelier should play a role in a proposed commercial spring water venture.

Residents spent a long time discussing the virtues of an article prohibiting commercial extraction of town water for three years – a move designed to give the town time to research the effect of a proposed spring water bottling company on the town water supply.

Eventually an amended article passed by a wide margin after about an hour of discussion.

Discussion included concerns about the impact the extraction could have on the environment, economy and infrastructure, but kept returning to the worry that the state is not equipped to deal with the long-term impact of a commercial groundwater extraction project.

The article was petitioned in response to a proposal for a water bottling plant in town by Montpelier Spring Water Company. It does not apply to agricultural use and comes at a time when state lawmakers are considering a measure that would define who owns the state's groundwater and how it should be protected.

Proponents of the article said Tuesday that if the moratorium passed, it could be repealed in the future. In addition, some noted, the moratorium would probably not get in the way of the applicant's permit process, which is likely to take about three years to complete.

"We should give the state a chance to put some of this in place," said Carolyn Shapiro, one of the crafters of the petition.

Deane Hedges, the town water manager who was opposed to the moratorium, argued that permitting through the state Agency of Natural Resources, Act 250 and oversight by the Environmental Protection Agency would be enough to protect the town's water.

And some people characterized the prohibition as undemocratic for infringing on the rights of an individual.



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Tim Jennings makes a point Tuesday on a water issue during town meeting at the East Montpelier Elementary School.

Photo: Stefan Hard/Times Argus

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However, others expressed a lack of faith in the established system and advocated for the town to do its own research.

The first action taken on Article 15 was an amendment proposed by Paul Earlbaum that addresses the enforceability of the article.

The amendment states that regardless of the enforceability, the selectboard and planning commission should "take all steps necessary to realize the intent of ... a three-year and three-week prohibition on withdrawing water ... for the purpose of allowing citizens adequate time to gather information," according to a handout of the amendment.

Shapiro said she and others became aware of the proposed water bottling venture last year from a newspaper article that covered a request from the fledgling water company for Montpelier City Council's approval to work in the city's right-of-way.

She chastised the selectboard for not informing the public of the company's application to the town and for not granting an information meeting after she presented the board with a petition signed by 60 East Montpelier residents.

The selectboard said they discussed calling an informational meeting but decided it was premature because they did not have enough information.

Burr Morse said that care for the environment was only part of the equation. The other part, he said, was the economy. Some had said the spring water venture would create jobs, but others worried the money would go out of state — and even that someday the company would be sold to Coke or Pepsi.

"We need a better understanding of our watershed before we get started and it needs to be done by people who do not have a conflict of interest," Charen Fegard said.

One resident said he did not agree with Daniel Antonovic, who lives in New Jersey but owns the land with the spring, capitalizing on an East Montpelier resource.

"The water, if it was tapped, would not hurt East Montpelier but it would affect the North Branch, the St. Lawrence and Lake Champlain," said Kim Watson, who was against the prohibition.

Ultimately the article passed seemingly based on the uncertain nature of regulations pertaining to state ground water.

"One of the big things we're dealing with here is the rules are not in place," Nathan Phillips said. "The rules that cover ground water are very much lacking. We need to fill in the gaps of these rules and that's what I feel this moratorium is."

The controversy regarding the selectboard's move to limit the town clerk and treasurer's access to town financial information was raised.

The selectboard began the discussion by giving a synopsis of the situation: The board received a written complaint alleging issues with the town treasurer; the board consulted the town attorney, the League of Cities and Towns and Teresa Conti, the town clerk and treasurer; and the board and Conti agreed an outside audit was the best course of action to take.

"We have tried to be professional in protecting everybody's rights," said selectman Stephen Jerome.

Conti's attorney was present at the meeting and encouraged the community to access the public documents on file with the Superior Court outlining Conti's complaints against the selectboard.

In an interview Conti said neither she nor her lawyer have seen the allegations. She said the person who sent the selectboard the complaint is a former town employee, and Richardson said Conti is not specifically named.

At the school board meeting, which occurred prior to the town meeting, the school budget passed, as did the separate article for \$38,000 to replace the school's telephone system and mobile computer lab.

John Audy, the East Montpelier Fire Department chief, addressed the community and passed out a survey in an attempt to learn why the article asking for funding for a new fire station did not pass last year.