

Town of Pomfret
5218 Pomfret Road
North Pomfret, VT 05053

Draft Minutes of the February 5, 2014 Regular Selectboard Meeting

Present: Mark Warner (Selectboard Member), Michael Reese (Selectboard Member), Neil Lamson (Selectboard Member), Hazel Harrington (Treasurer), Art Lewin (Road Foreman), Katy Savage, Orson St. John, William Cole, Bob Merrill, Melanie Williams, Carlene Hewitt, Miller Hewitt, Sherman Kent, Laura Kent (Auditor), Joanna Long, Betsy Rhodes and Peter Vollers.

The meeting was called to order by Chair Michael Reese at 7:03pm.

1. Following motion and discussion, the following draft minutes were approved unanimously: January 6, 2014 and January 26, 2014.
2. The Board accepted Phyllis Harrington's resignation from the Zoning Board of Adjustment with regret. The Board noted the town needs to identify a replacement. A notice will be placed on the website.
3. Following discussion, the Board (Neil Lamson and Mark Warner voting yes, and Michael Reese voting no) approved the motion that the town close the following highways to prevent damage during the 2014 mud season: 1. Class 4 section of Wild Apple Road; 2. Unplowed section of Johnson Road; 3. Unplowed section of King's Highway and that the Road Foreman is authorized to implement said closure at his discretion concerning timing and means.
4. Michael Reese asked Neil Lamson why he informed the Board at the 1/15/2014 meeting that he had not individually authorized a pay increase for one of the road crew workers for the pay period of 12/23/13 to 1/3/14 even though he had done so. Neil Lamson explained that he gets confused easily.
5. Following motion and discussion, the Board (Neil Lamson and Mark Warner voting yes, and Michael Reese voting no) agreed to accept the offer from Holden Engineering to perform a free preliminary costs assessment for Bridge 21 on Barber Hill Road, and that the Road Foreman be appointed as sole town representative on this project with full authority to contact and assist Holden Engineering. Michael Reese wanted to accept additional services being offered by the company at no cost.
6. Following motion and discussion, the Board unanimously approved the application for CDBG-Disaster Recovery projects with the following priorities: First, Barber Hill Road; Second, Bunker Hill Road; and Third, Teago Bridge. The Board authorized Neil Lamson to convey this decision to Rita Seto at Two Rivers Ottauquechee Regional Commission.
7. Following motion and discussion, the Board unanimously approved Vermont Overland Grand Prix (bike race) request (8/24/14) conditioned upon the provision of appropriate traffic support, receipt of an insurance binder and hold harmless agreement. Race organizer Peter Vollers presented the request.

8. Following motion and discussion, the Board unanimously approved Dartmouth Cycling Team request (4/13/14) conditioned upon the provision of appropriate traffic support, receipt of an insurance binder and hold harmless agreement. The Board requested that Michael Reese convey this decision to the applicant.
9. Following motion and discussion, the Board unanimously approved Covered Bridges Half Marathon request (6/1/14) conditioned upon the provision of appropriate traffic support, receipt of an insurance binder and hold harmless agreement. The Board requested that Michael Reese convey this decision to the applicant.
10. Following motion and discussion, the Board unanimously approved warrants for payment numbered 143, 145, 147, 148, 149 and 150.
11. Treasurer Hazel Harrington reported 2013 final numbers and projections of fund balances. She noted that it would not be wise to credit any additional funds against taxes to be raised beyond the amounts included in the proposed budget. She also explained that most of the budget surplus came from the highway department and that the Teago Bridge and Sessions Meadow Road projected were not completed.
12. Town Auditor Laura Kent presented the Auditors' 2013 narrative report. She noted areas for improvement include improvements to our Personnel Policy, Funds and Trusts, Financial Reporting, Investment Policy and NEMRC Accounting System. The Board discussed preliminary steps to implement these suggestions. The Auditors will check with VLCT to identify consultants familiar with NEMRC. Hazel will check with the software company that developed NEMRC. Melanie Williams read a letter prepared by Betsy Seibeck addressed to Neil Lamson and Mark Warner, which letter is available as a part of the file for this meeting.
13. The Board discussed the town's website, noting that Michael Reese will be responsible for content while Bob Merrill will be responsible for structure.
14. Under other business, the Board signed a Certificate of Highway Mileage as required by the State.
15. Following motion, the Board adjourned the meeting.

Dated: 2/5/14

Respectfully Submitted by Michael S. Reese

To Neil Lamson and Mark Warner,

I have heard with dismay that a generous offer from a person whose expertise is much needed has been blocked once again by you with excuses and transparent efforts to delay his appointment.

This is exactly what happened when you refused to appoint Andy Mann as auditor in 2012. Had Andy been involved in the process from the beginning we would not be in the situation we're in today, nor would we have spent taxpayers' money for numerous unnecessary things.

Hazel has been treated unfairly. She was put in charge of a process she didn't have the experience to oversee without knowledgeable help. Then the people who could have and would have helped her were pushed out of the process. The result has been two unnecessarily painful year-end processes, an excruciating budgetary process, and a new accounting system that now needs to be revamped because it wasn't set up correctly. And the person who has the expertise to fix this and who is willing to volunteer his time to do so is being pushed out again, even though his help was solicited by you at a budget meeting.

There was no reason not to accept Andy's offer. You have said that volunteerism is the backbone of the town. No effort was made to explore Andy's offer before rejecting it. You have no reason to distrust Andy save for the accusations of two people who have yet to produce hard proof of any misconduct and the irrational demands made by one of them, whose involvement in Selectboard decisions is completely inappropriate in the first place. In fact, Andy's version of events is far more credible. Yet that has not stopped the making of poor decisions based on those accusations.

You have said you want to move forward and work together. Instead you continue to act based on personal prejudices and irrational demands. This shows a complete disregard for what are the best interests of the town and, in my opinion, has been destructive to the town. Public office is not a personal platform, but requires being able to take good action that benefits the town but might not be your personal choice.

I would like this statement to be attached to the minutes. Filing such public input in the clerk's office puts another layer between the public and information they have a right to.

Betsy Siebeck

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2014

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2014 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of POMFRET in WINDSOR County on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor.

* Mileage for Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. [X]

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures of selectmen and trustees.

T/C/V Clerk Signature: Lynne A. Leavitt

Date Filed: 2/15/14

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED: Representative, Agency of Transportation

DATE:

Vermont Statutes Annotated

19 V.S.A. § 305. Measurement and inspection

§ 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at – <http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

1/2/2014



VERMONT

State of Vermont
Division of Policy, Planning and Intermodal Development - Mapping Unit
1 National Life Drive
Montpelier, VT 05633-5001
<http://vtrans.vermont.gov>

Agency of Transportation

Telephone: 802-828-2109
Fax: 802-828-2334
Email: sara.moulton@state.vt.us

January 2014

Chair, Selectboard
Pomfret
c/o Town Clerk
5218 Pomfret Rd
North Pomfret, VT 05053

TO: TOWN / CITY / VILLAGE CLERK AND SELECTBOARD / ALDERMEN / TRUSTEES

Enclosed is your 2014 **Certificate of Highway Mileage**. This Certificate must be completed in order to determine your town's share of state aid for town highways for Fiscal Year 2015.

Changes in mileage or highway classification, including any additions, alterations, or discontinuances made by your selectboard this past year, should be entered on this certificate. If there are changes that occurred before this past year that we have not shown on the Town Highway Map, please let us know so we can update our maps.

Also enclosed is a reduced size copy of your current Town Highway Map and a Certificate of Completion and Opening should you need it to document new town roads. An Adobe form version of the Certificate of Completion and Opening is also available online at ftp://vtransmaps.vermont.gov/Maps/Publications/MileageCertificates/Certificate_of_Completion_and_Opening_pdf_form.pdf.

In filling out the Mileage Certificate, it is important to:

- >> Enter mileage and classification changes.
- >> If you have no changes, you may simply check the box in PART II of Certificate.
- >> Always sign Part III - Town Clerk, Selectmen, etc.

To effectively process all the mileage certificates in a timely manner and to assure the completion of the mileage summaries, it is important that towns submit the certificates on time. **Certificates must be postmarked on or before February 20, 2014. Certificates that are postmarked after February 20, 2014 may not be processed.**

After the Agency has approved and signed the certificate, we will send you a copy.

I am the Mileage Certificate Specialist for your municipality. Please contact me if you have any questions.

Sincerely,

Sara Moulton

Sara Moulton
Mapping & GIS Specialist

Enclosures



Rec 1/13/14