

Town of Pomfret

Agenda for April 1, 2015 Regular Select Board Meeting
 7:00pm at the Pomfret Town Offices
 5218 Pomfret Road
 North Pomfret, VT 05053

Agenda Item	Presiding Officer	Timeframe
1. Call to order	Select Board Chair	7:00-7:05pm
2. Agenda review	Select Board Chair	7:05-7:10pm
3. Public comment (2 min./person limit)	Select Board Chair	7:10-7:25pm
4. Recurring items, incl. those requiring a vote		
a. Review, discussion (if any), & approval of previous minutes	Select Board Clerk	7:25-7:30pm
i. March 16 th Minutes		
ii. March 18 th Minutes		
iii. March 25 th Minutes		
b. Review of Treasurer's report	Treasurer	7:30-7:40pm
i. Warrants to be paid		
1. 3/30/2015 Edit List, Accounts Payable warrant 264		
2. 3/30/2015 Edit List, Payroll warrant (expected warrant 265)		
c. Review of Road Foreman's report, including any public notices	Road Foreman	7:40-7:45pm
5. Business items requiring a vote	Select Board Chair	7:45-8:20pm
a. Appointments		
i. Trustee of Public Funds		
ii. Emergency Management Director term		
iii. Solid Waste District Alternate		
b. Adoption of DRAFT Meeting Resolution/Rules of Procedure		
6. Business items for discussion	Select Board Members responsible for each item	8:20-8:50pm
a. Norm Buchanan's 3/30/2015 memo re: Listers		
b. DRAFT Town Plan revision, dated 2/14/2015		
c. Employee review process, incl. overdue reviews		
d. Recent correspondence to the Board		
7. Closing public comments & adjournment	Select Board Chair	8:50-9:00pm

Attachments to April 1, 2015 Regular Select Board Meeting:

- March 16, 2015, Special Meeting Minutes
- March 18, 2015, Regular Meeting Minutes
- March 25, 2015, Special Meeting Minutes
- Accounts Payable Warrant 264
- Email Message from Mark Warner, re: Fire Department Invoice
- Trustee of Public Funds Description from VLCT
- Emergency Management Director Description from VLCT
- Solid Waste District Representative Description
- DRAFT Select Board Rules of Procedure
- Memorandum from Norm Buchanan Re: Listers

**Town of Pomfret
5218 Pomfret Road
North Pomfret, VT 05053**

Draft Minutes of the March 16, 2015 Special Select Board Meeting

Select Board members present: Phil Dechert, Michael Reese, Scott Woodward
Others present: Hazel Harrington, Neil Lamson, Brian Marsicovetere, Bruce Tuthill, Arthur Lewin, Bill Cole, Brendan Whittaker, Bill Emmons, Ellen DesMeules, Nancy Randall, JoAnn Webb, Melanie Williams, Betsy Siebeck, Joanna Long, Norwood Long, Frank Perron, Greg Tuthill, Katy Savage (The Vermont Standard)

An audio recording of the meeting is available on the Town website at the following url:
<http://pomfretvt.us/index.php/boar/sel/meetings/>

The meeting was called to order at 7pm by the Chair, Phil Dechert. Phil Dechert stated the reason for the meeting (reciting from notice) and then briefly reviewed the first few agenda items.

Each Select Board member then made opening comments stating their respective views on the reason for having called the meeting. Phil Dechert voiced his opposition to holding the meeting while Scott Woodward and Michael Reese voiced their support.

The public comment period started at approximately 7:15pm and ended at approximately 8:05pm. The Select Board heard a number of views. The following people provided public comment:

- Bruce Tuthill
- Betsy Siebeck
- Neil Lamson
- Brian Marsicovetere
- Frank Perron
- Melanie Williams
- Arthur Lewin
- Bill Emmons
- Greg Tuthill

The Board next considered a “Review of the facts presented & possible violations” which continued until approximately 8:40pm. Public comment was also heard during this period.

The Board next discussed possible motions starting at approximately 8:50pm. Two motions were offered and both motions carried:

Motion 1: Based upon the information available to us, we find that there is not a violation of Open Meeting Law. Phil Dechert proposed the motion, Scott Woodward seconded the motion. The motion carried unanimously.

Motion 2: Based on the information available to us, we agree that the Select Board should meet and determine policy and guidelines embodied in a Code of Ethics, including on how individual Select Board members act on behalf of the Town and report back to the Select Board on activities. Phil Dechert proposed the motion, Michael Reese seconded the motion. The motion carried unanimously.

The meeting adjourned at 9:11pm.

Scott Woodward
Clerk, Pomfret Select Board

**Town of Pomfret
5218 Pomfret Road
North Pomfret, VT 05053**

Draft Minutes of the March 18, 2015 Regular Select Board Meeting

Select Board members present: Phil Dechert, Michael Reese, Scott Woodward
Others present: Bill Emmons, Ellen DesMeules, Emily Grube, Neil Lamson, Melanie Williams, Betsy Siebeck, Laura Kent, Sherman Kent, Nancy Matthews, Ted Matthews

The meeting was called to order by the Chair, Phil Dechert, at 7:01pm.

The Chair reviewed the published agenda at 7:04pm and added the following items:

- Additions
 - A review of a price quote from Pike Industries for hard-pack
 - A discussion and approval of exception from Town policy to hire Arthur Lewin's son as a temporary part-time employee during mud season
 - Ellen DesMeules added a change in the appointment of the E911 Coordinator
 - Though not an addition to the meeting agenda, Laura Kent urged the Board put a discussion of the future of the Listers on the next meeting agenda

The Board next heard a few minutes of public comment.

The Board next considered and approved past meeting minutes at 7:09pm.

- Minutes of the Regular Select Board meeting held on February 18, 2015: The Chair moved to approve the minutes, Michael Reese seconded and Scott Woodward abstained. The motion carried with two votes.
- Minutes of the Regular Select Board meeting held on February 24, 2015: The Chair moved to approve the minutes, Michael Reese seconded and the motion carried unanimously.
- Minutes of the Regular Select Board meeting held on March 4, 2015 (with edits): Michael Reese motioned to approve, Phil Dechert seconded and the motion carried unanimously.

Ellen DesMeules next provided the Treasurer's Report:

- Warrants 261 (Payroll) & 262 (Accounts Payable) were authorized and signed by the Board
- Paperwork related to the Labounty Trust was briefly discussed and signed. The signatures appointed two Select Board members to be the trustees – Phil Dechert and Michael Reese.
- The Board approved a change in appointment of the E911 Coordinator from Ellen DesMeules (Treasurer) to Becky Fielder (Town Clerk). Phil Dechert motioned to

approve the change in appointment and Michael Reese seconded the motion. The motioned carried unanimously.

Arthur Lewin next provided the Road Foreman's Report:

- The Board discussed and approved an exception to Town Conflicts of Interest policy against nepotism. Art requested that the Town hire his son as a part-time, temporary employee during mud season.
 - The Board imposed the following conditions on the hire:
 - A specific end date of May 15th, 2015
 - Should any kind of employment conflict arise, the Board will resolve the conflict rather than the Road Foreman.
 - Phil Dechert motioned to approve the exception to policy and Michael Reese seconded the motion. The motioned carried unanimously.
 - The Board next discussed and approved the pay rate for the hire. It was decided to set a rate of \$19.50/hr. Phil Dechert made the motion and Michael Reese seconded it. The motion carried unanimously.
- A lengthy discussion was had about the price quote from Pike Industries. The main concern raised was that the Town does not regularly seek competitive bids, informally or during a sealed bid process. It was acknowledged that the Pike Industries quote is favorable. The decision whether to accept the Pike Industries quote was deferred for two days while Michael Reese obtains additional quotes. One important issue is that the Town needs to go back to vendors to find out how much aggregate/hard-pack the Town has purchased in the past so we can have a better sense of usage.
- The Foreman next discussed an email from the State about developing a schedule for repair and retreatment so that VTRANS can come immediately thereafter to paint center line. Phil Dechert noted that we can't really respond to VTRANS yet until we have a better sense of the overall near-term paving plan.

The Board next considered the following business items requiring a vote:

- The appointment of a new Auditor was moved to the top of the appointments list.
 - Laura Kent spoke briefly Nancy Matthews' outstanding qualifications
 - Michael Reese motioned to make the appointment, with a term until the next Town Meeting. Phil Dechert seconded the motion and the motion carried unanimously.
- The Board next considered and approved an Energy Siting Resolution (Charlotte version of the Rutland Town version submitted)
 - Scott Woodward motioned to approve the Charlotte version of the resolution after a quick review by the Chair of the Planning Commission, Bill Emmons. Phil Dechert seconded the motion and the motion carried unanimously.
- Town Meeting Minutes

- Michael Reese moved to approve Town Meeting minutes with changes. Phil Dechert seconded the motion and the motion carried unanimously. Michael will contact the Town Clerk to see if the changes can be made without difficulty.
- Phil Dechert next moved to approve the School Meeting minutes. Michael Reese seconded the motion and the motion carried unanimously.
- A discussion of Meeting Rules of Procedure was deferred.
- Other Town Appointments:
 - Solid Waste District Representatives
 - Vern Clifford is the current primary representative and will stay on for another term, but would like to find a replacement next year.
 - Phil Dechert motioned to appoint Vern Clifford. Scott Woodward seconded the motion and the motion carried unanimously.
 - Doug Tuthill is the current alternate, but the Board does not know if he's interested in serving another term. The appointment was deferred until the Board contacts Doug. Michael Reese agreed to do so.
 - Emergency Management Director
 - Kevin Rice is the current appointee and is willing to stay on in the role. The Board needs to clarify the term of the appointment and whether Kevin Rice will need to be appointed again if the term is indefinite.

The following business items were discussed:

- Phil Dechert will contact Tom Havill to find out if he wants to make a formal claim for damages to his fence that was destroyed when the snow banks were recently "winged" back.
- Phil Dechert next provided an update on Radio Repeater project
 - Phil recalled the expenditures: \$12,000 spent so far; another \$2,600 remains for an electrician; there are a few other charges from Wells Communication, but not substantial; there is \$16,000 in the Radio Reserve fund.
 - The easement with the property owners will come to Select Board for discussion and approval.
- The Board next considered a Plan of action on the Town Budget revision
 - Phil Dechert presented a timeline he developed with the Town Clerk
 - The next action item: set weekly budget meetings.
 - Melanie Williams raised an issue about a budget line item of \$1,500 for a reporting service for Emergency Services that we may not need. The Board will look into whether that line item is necessary.
 - Emily Grube made a number of points that the Board should consider in its redrafting of the budget.
- The Board briefly discussed use of Pomfret listserv for distributing public information
 - The Board agreed that it is a good way to distribute information, but is not a substitute for disseminating information through the required means.

- Select Board correspondence
 - Phil Dechert acknowledged a few email messages received by the Board about the March 16, 2015 Special Meeting expressing positive feelings about having held the meeting.
- The Board next hear final public comment
 - Melanie Williams raised the issue of South Pomfret P.O. box where Town bills are received. Phil Dechert noted that the box has been closed out and a process to deal with the bills has been established, including notifying vendors to send bills straight to the Treasurer at the Town Offices.

The meeting adjourned at 9:56pm.

Date drafted: March 19, 2015

Date approved: TBD

Respectfully submitted,

Scott Woodward
Clerk

**Town of Pomfret
5218 Pomfret Road
North Pomfret, VT 05053**

Draft Minutes of the March 25, 2015 Special Select Board Meeting

Select Board members present: Phil Dechert, Michael Reese, Scott Woodward

Others present: Emily Grube, Laura Kent, Sherman Kent, Art Lewin

The meeting was called to order by the Chair, Phil Dechert, at 7:08pm.

The Chair reviewed the published agenda.

The Board next considered various quotes for crushed stone for this year's road maintenance. Michael Reese moved to accept the Pike Industries quote dated March 10, 2015. Phil Dechert seconded the motion. The motion carried unanimously.

The Board next discussed what agenda items should be put on the agenda for the next regular meeting. The following items were considered for the next meeting:

- Appointment of Trustee of Public Funds; a candidate has been identified and will be considered;
- Laura Kent reminded the Board that Norm Buchanan would like to discuss the future of the Listers;
- Phil Dechert pointed out that the Select Board needs to discuss a plan on how to address the revised Town Plan;
- Phil Dechert will come prepared to Tom Havill's property damage claim, if any;
- The Board needs to discuss and approve a Meeting Resolution/Rules of Procedure;
- Michael Reese needs to contact Doug Tuthill about being the alternate for the Solid Waste District Representative;
- Scott Woodward suggested the Board needs to discuss establishing a records retention policy and understanding how email is archived;
- Michael Reese suggested that the Board discuss and adopt an employment review process (Art's review was due last September);
- Michael Reese pointed out that the Board needs to decide whether to act on Administrative Assistant & job description;
- Michael Reese pointed out that the Board needs figure out how to assist Ellen DesMeules in appointing an Asst. Treasurer;
- Michael Reese reminded the Board that it needs to discuss the purchase of new generator for highway garage (for later meeting);
- Michael Reese suggested that the Board needs to discuss potential highway grants (Michael will organize and bring to an upcoming meeting).

The Board next addressed agenda items related to revising the Town budget.

- Budget area work assignments:
 - Emergency Services – Scott Woodward will work with Kevin Rice on the Emergency Services Budget

- Highway – fixed vs. variable costs, ordinary vs. extra ordinary expenditures – Group effort between Michael Reese, Scott Woodward and Art Lewin
 - Step 1: revisit budget areas where numbers are not confident
 - Step 2: ground paving plan
- Other Town Departments – Phil Dechert will lead the effort to revise the budget for other departments.

The meeting adjourned at 9:18pm.

Date drafted: March 28, 2015

Date approved: TBD

Respectfully submitted,

Scott Woodward
Clerk

03/30/15
07:44 am

TOWN OF POMFRET Accounts Payable
Check Warrant Report # 264 Current Prior Next FY Invoices
For checks For Check Acct 01 (General Fund) 04/01/15 To 04/01/15

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Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
1180	BRITTON'S	92612 cold patch	166.90	0.00	166.90	9553	04/01/15
1250	CARGILL, INCORPORATED	2902221478 97.53 tons salt	7365.46	0.00	7365.46	9554	04/01/15
1305	CITIZENS BANK MASTERCARD	APRIL1-2015 various bills	776.02	0.00	776.02	9555	04/01/15
1370	D & D EXCAVATING, INC.	2664 644 yards sand	8694.00	0.00	8694.00	9556	04/01/15
1397	DANA ELECTRICAL AND MAINTENANC	2078 repeater electric work	2172.00	0.00	2172.00	9557	04/01/15
1430	DEAD RIVER COMPANY	46167 Town Hall propane 31 gal	56.70	0.00	56.70	9558	04/01/15
1651	FIRE TECH & SAFETY OF NEW ENGL	145023 Pro-bar	464.66	0.00	464.66	9559	04/01/15
1810	HARTFORD PROBATE COURT	FEE FOR 2014 Labouny filing fees	35.00	0.00	35.00	9560	04/01/15
1910	IRVING OIL CORPORATION	447344 89.6 gal diesel	226.85	0.00	226.85	9561	04/01/15
1910	IRVING OIL CORPORATION	743385 135. gal diesel	364.67	0.00	364.67	9561	04/01/15
2686	STEVE CURTIS	03-23-15 3 months, TOffice clean	300.00	0.00	300.00	9562	04/01/15
2795	THOMAS LEBLANC	JAN26-2015 Teago FD training	275.00	0.00	275.00	9563	04/01/15
Report Total			20,897.26	0.00	20,897.26		

Board of Selectmen

 3-30-15

Phil Dechert, Chair

To the Treasurer of TOWN OF POMFRET, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ****20,897.26

Let this be your order for the payments of these amounts.

Michael Reese

Scott Woodward

03/30/15
07:38 am

TOWN OF POMFRET Accounts Payable
Invoice Edit List-Current-Last-Next FY
Invoices Up To 04/01/15

Vendor	Invoice Number	Purchase Order	Invoice Date	Due Date	Ck Acct	Invoice Description	Invoice Amount	Discenc. Amount	Discount Amount
1180	BRITTON'S	92612	03/27/15	04/01/15	01	cold patch			
		150-7-20-75-650.020	Cold Patch & Hot Mix				166.90	0.00	0.00
1250	CARGILL, INCORPORATED	2902221478	03/27/15	04/01/15	01	97.53 tons salt			
		150-7-20-75-650.000	Salt				7,365.46	0.00	0.00
1305	CITIZENS BANK MASTERCARD	APRIL1-2015	03/27/15	04/01/15	01	various bills			
		100-7-30-40-810.011	FAST squad supplies				519.95	0.00	0.00
		100-7-10-15-610.000	Treas Gen Ex				43.99	0.00	0.00
		100-7-10-30-641.038	Office 365 software				6.00	0.00	0.00
		100-7-10-30-531.000	Postage & Envelopes				206.08	0.00	0.00
Invoice APRIL1-2015 Total							776.02	0.00	0.00
1370	D & D EXCAVATING, INC.	2664	03/27/15	04/01/15	01	644 yards sand			
		150-7-20-75-650.005	Sand				8,694.00	0.00	0.00
1397	DANA ELECTRICAL AND MAINT	2078	03/27/15	04/01/15	01	repeater electric work			
		100-7-30-40-530.015	Repeater expenses				2,172.00	0.00	0.00
1430	DEAD RIVER COMPANY	46167	03/27/15	04/01/15	01	Town Hall propane 31 gal			
		100-7-10-65-623.000	Propane, Town Hall				56.70	0.00	0.00
1651	FIRE TECH & SAFETY OF NEW	145023	03/27/15	04/01/15	01	Pro-bar			
		100-7-30-40-610.000	Supplies				464.66	0.00	0.00
1810	HARTFORD PROBATE COURT	FEE FOR 2014	03/27/15	04/01/15	01	Labounty filing fees			
		100-7-20-35-451.000	LaBounty Funds				35.00	0.00	0.00
1910	IRVING OIL CORPORATION	447344	03/30/15	04/01/15	01	89.6 gal diesel			
		150-7-30-80-330.000	Diesel				226.85	0.00	0.00
		743385	03/27/15	04/01/15	01	135. gal diesel			
		150-7-30-80-330.000	Diesel				364.67	0.00	0.00
Total For IRVING OIL CORPORATION							591.52	0.00	0.00
2686	STEVE CURTIS	03-23-15	03/27/15	04/01/15	01	3 months, TOffice clean			
		100-7-10-30-330.000	Cleaning				300.00	0.00	0.00
2795	THOMAS LEBLANC	JAN26-2015	03/27/15	04/01/15	01	Teago FD training			
		100-7-30-40-565.000	Emerg MgtTraining				275.00	0.00	0.00
2865	U S TREASURY	61376819	03/27/15	04/01/15	01	payroll tax for 3-20			
		100-2-00-00-100.000	FWT Payable				11.12	0.00	0.00
		100-2-00-00-100.010	FICA/MEDI Payable				86.40	0.00	0.00
Invoice 61376819 Total							97.52	0.00	0.00

03/30/15
07:38 am

TOWN OF POMFRET Accounts Payable
Invoice Edit List-Current-Last-Next FY
Invoices Up To 04/01/15

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Vendor	Invoice Number	Purchase Order	Invoice Date	Due Date	Ck Acct	Invoice Amount	Discenc. Amount	Discount Amount
-----						-----	-----	-----
Report Grand Total						20,994.78	0.00	0.00
						=====	=====	=====

Fund Totals	Expenditures	Dis-Encumbrance
-----	-----	-----
150	16,817.88	0.00
100	4,176.90	0.00
-----		-----
	20,994.78	0.00

Treasurer@PomfretVT.us

From: Mark Warner <mcw05053@gmail.com>
Sent: Wednesday, March 25, 2015 9:33 AM
To: Treasurer@PomfretVT.us
Subject: invoice for payment
Attachments: 20141211 Fire Tech & Safety 145023 30 inch Fire Hooks PRO Bar.pdf

Ellen good morning; here's an invoice for you for the FD. I assume you are getting phone, and DeadRiver invoices via email as my logins have been disabled and the PO Box was closed. Anything like phone and fuel bills that are mailed will be forwarded from PO box 184 to 5218 Pomfret Road, North Pomfret, VT 05053 automatically..

Regards,

Mark Warner
1911 Webster Hill Road
North Pomfret, VT 05053

mcw05053@gmail.com

Home: (802) 763-2036
Cell: (802) 233-4534

*This documents approval of
Emerg Svcs bills*

CHAPTER 34. TRUSTEE OF PUBLIC FUNDS

Roles and Responsibilities

Trustees of public funds shall be elected from among the legal voters at the annual meeting if the town so directs. 17 V.S.A. § 2646(12); 24 V.S.A. § 2431. The terms of the trustees will be for three years each. When the trustees are first elected, one will serve for one year, one for two years, and one for three years so as to stagger the terms of office. The duty of the three trustees is to manage real or personal property held by the town in trust for any purpose. 24 V.S.A. § 2431. This excludes “United States public money,” for which a separate trustee of public money must be elected. (This requirement only applies to towns that “retain possession of a portion of the surplus funds of the United States received under the Act of 1836.”) 17 V.S.A. § 2646(13). Practically speaking, it is questionable whether any town still has any of this federal surplus “public money” and, thus, requires a trustee of public money.)

Twenty-four V.S.A. § 2431 specifically grants the trustees of public funds responsibility for cemetery trust funds, unless the donor directs otherwise. This creates some overlap of responsibility for cemetery funds among trustees, cemetery commissioners, and town treasurers. 18 V.S.A. Chapter 121, subchapter 2. It appears that if trustees of public funds are elected, they are primarily responsible for the investment of the cemetery funds and for the annual reporting on them. How this is practically worked out amongst the cemetery trustees, treasurer, and trustees of public funds is probably the result of each town’s unique arrangements.

The trustees have the duty and authority to manage public funds, including the authority to:

- Apply the income to its designated purpose.
- Create deeds and contracts.
- Lease, sell, or convey real estate and invest the proceeds.
- Lend money and hold deeds and mortgages.
- Invest in certain securities, bonds and shares.
- Hold, purchase, sell, assign, transfer, and dispose of securities and investments and the proceeds of investments.

18 V.S.A. § 5384(b); 24 V.S.A. § 2432.

Each year, the trustees shall report to the town or, in the case of school money, to the state Board of Education, the amount of funds in their hands, the results of their handling of investments, and the use of the income from public funds. 24 V.S.A. § 2434. Trustees must be bonded to the satisfaction of the selectboard, and in some investments they are subject to certain federal and state banking and insurance guidelines. Finally, they may prosecute and defend in legal actions involving public funds. 24 V.S.A. § 2433.

CHAPTER 13. EMERGENCY MANAGEMENT DIRECTOR

Roles and Responsibilities

The emergency management director is an essential part of the state's emergency management effort and is responsible for the organization, administration, and operation of the local emergency management in the town or city. The emergency management director is under the direct control of the selectboard.

- The emergency management director should coordinate his or her efforts with the Vermont Department of Public Safety's Division of Emergency Management and Homeland Security (DEMHS) and the district emergency management coordinators, and will work with local emergency personnel including police, fire, EMTs, and the selectboard. 20 V.S.A. §§ 5, 6.

History. Civil defense was originally conceived as an emergency management policy employing volunteers in municipal defense programs during wartime. In 1989 the statutes were updated to recognize that what was once civil defense is now, primarily, emergency management. Thus, the position of civil defense chairperson is now filled by individuals who assist Vermont communities in their response to "all hazards" that include natural disasters, health or disease related emergencies, accidents, civil insurrection, use of weapons of mass destruction, terrorist, criminal or radiological incident, or events that pose a threat to property or public safety in Vermont.

Organization. The Division of Emergency Management and Homeland Security (DEMHS) of the Department of Public Safety provides aid and support to Vermont's Local Emergency Management Directors (LEMDs), Local Emergency Planning Committees (LEPCs), Regional Planning Commissions (RPCs), Community Emergency Response Teams (CERTs), state agencies, and emergency response providers. Through its programs, both before, during, and after times of crisis, DEMHS empowers local communities through disaster preparedness programs, guidance and technical assistance. The state commissioner of Public Safety with the approval of the governor appoints the director of DEMHS. 20 V.S.A. § 3. The director of Emergency Management is charged with coordinating all emergency management efforts within the state. An emergency board is also created by statute. 32 V.S.A. § 131; 20 V.S.A. § 45. This board is made up of the governor, the chairs of the Senate Finance and Appropriations committees, and the chairs of the House Ways and Means and Appropriations committees. This board authorizes the secretary of the Agency of Administration to expend money from the emergency relief and assistance fund (ERAF) to avert emergencies and provide low interest loans and grants to individuals and municipalities that sustain damage as a result of a federally declared natural disaster.

Local Authority. In accordance with the Vermont State Emergency Operations Plan (SEOP), each local government is directed to establish a local organization for emergency management. The selectboard (or the mayor) may appoint an emergency management director who is responsible for the organization, administration, and coordination of the local organization for emergency management, subject to the direction and control of the selectboard (or mayor). If no director is appointed, the selectboard (mayor) is the director and may appoint an emergency management coordinator. In towns that have a town manager form of government, the town manager is the emergency management director. 20 V.S.A. § 6(a). Each local emergency management organization is charged with performing the emergency management functions within the territorial limits of the town or city, and in neighboring communities under certain circumstances defined by the statute. 20 V.S.A. § 6(b).

The local emergency management organization must participate in the development of an all-hazards Local Emergency Operations Plan (LEOP), with the local emergency planning committee and the public

CHAPTER 13. EMERGENCY MANAGEMENT DIRECTOR

safety district. 20 V.S.A. § 6(c). It must respond to all-hazards incidents only to the extent that it is qualified to do so. 20 V.S.A. § 6(d).

According to state statute, “emergency functions” include “services provided by the Department of Public Safety, fire fighting services, police services, sheriff’s department services, medical and health services, rescue, engineering, emergency warning services, communications, evacuation of persons, emergency welfare services, protection of critical infrastructure, emergency transportation, temporary restoration of public utility services, other functions related to civilian protection, and all other activities necessary or incidental to the preparation for and carrying out of these functions.” 20 V.S.A. § 2(4). “Emergency management” means the “preparation for and implementation of all emergency functions, other than the functions for which military forces or other federal agencies are primarily responsible, to prevent, plan for, mitigate, and support response and recovery efforts from all hazards. Emergency management includes the equipping, exercising, and training designed to insure that this state and its communities are prepared to deal with all hazards.” 20 V.S.A. § 2(6). The term “homeland security” refers to “the preparation for and carrying out of all emergency functions, other than the functions for which military forces or other federal agencies are primarily responsible, to prevent, minimize, or repair injury and damage resulting from or caused by enemy attack, sabotage, or other hostile action.”

Note that the selectboard may adopt, amend, and rescind orders, rules, and regulations as necessary to carry out emergency management functions within the community, so long as they are consistent with those established by the governor or any state agency exercising a power delegated by the governor. 20 V.S.A. § 16.

State Emergency Response Commission. In 1994, a state emergency response commission was created. This body consists of 15 members, including nine public members with representation from local government, a local emergency planning committee, a regional planning commission, the fire service, and law enforcement, among others. 20 V.S.A. § 30(a). The commission’s duties include designating and appointing local emergency planning committees, reviewing and commenting on the development and implementation of local emergency response plans by local emergency planning committees, assisting those committees in executing their duties, and reviewing and commenting on the comprehensive state emergency operations plan and local emergency planning committee response plans, among other things. 20 V.S.A. § 31.

Local Emergency Planning Committee. The local emergency planning committee is appointed by the state emergency response commission and should be comprised of representatives from the fire department; local and regional emergency medical services; local, county, and state law enforcement; media; transportation; regional planning commissioners; hospitals; industry; the national guard; the Department of Health district office; an animal rescue organization; and other interested public or private organizations. This committee is responsible for preparing a local emergency response plan, (LEOP) in coordination with the SEOP. At a minimum, the plan must identify facilities and transportation routes for extremely hazardous substances; describe emergency response procedures; designate a local emergency planning committee coordinator and facility coordinators to assist in implementing the plan; outline emergency notification procedures and evacuation plans; explain how to determine the probable affected area and population by releases of hazardous substances; describe local emergency equipment and facilities and the persons responsible for them; and provide training that is coordinated with the SEOP. Other responsibilities include coordinating with other local, regional, and state entities all emergency management activities, and reviewing and evaluating requests for funding. 20 V.S.A. § 32.

Inter-local Assistance. If an emergency requires a response beyond what the local emergency management team can provide, emergency management coordinators and/or volunteers from neighboring communities may render assistance, along with “mobile support units” created by the commissioner of

CHAPTER 13. EMERGENCY MANAGEMENT DIRECTOR

the Division of Emergency Management. 20 V.S.A. § 7. Note that a person who renders aid outside the community to which he or she is appointed to serve will have all of the powers, duties, rights, privileges, and immunities as though the duties were being performed in his or her own community. 20 V.S.A. § 19.

Allegiance. No individual who advocates a change by force or violence in the constitutional form of the United States government, or who has been convicted of or is under indictment or information charging any subversive act against the United States may be associated in any capacity with the state or local emergency management organization. 20 V.S.A. § 18.

Immunity. According to statute, “except in the case of willful misconduct or gross negligence, the ... local emergency planning committees ... involved in ... emergency management activities shall not be liable for the death of or any injury to persons or loss or damage to property resulting from an emergency management service or response activity, including the development of local emergency plans and the response to those plans.” 20 V.S.A. § 20(a).

It is the responsibility of the director to coordinate all emergency actions within the community. As a practical matter, this means that in an emergency the director helps to ensure that all of the town services are coordinated. For example, the police and fire departments may need to coordinate with the utility departments. To assist in this coordination, a town’s local emergency planning committee should include representatives from all of the essential service providers of the town. Upon request of the selectboard, the emergency management director should schedule exercises and drills to test the local service’s responses to the various types of problems that can develop in an emergency.

For more information, contact Vermont Division of Emergency Management and Homeland Security, 103 South Main Street, Waterbury, VT, 05671-2101 at vem.vermont.gov/, 802-244-8721 or 800-347-0488. For the Hazardous Materials Hotline, call 800-641-5005.



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March 1, 2015

TO: TOWN OF POMFRET SELECTBOARD
P.O. Box 64
South Pomfret, VT 05067

RE: Appointment of Representative and an Alternate to GUVSWMD Board of Supervisors

Dear Selectboard:

According to our District Charter: "On or before the last Monday of March... the Board of Selectmen of each municipality shall appoint its representative and an alternate representative to the Board of Supervisors for a term of two years. Appointments shall be in writing, signed by the chair of the board of selectmen, and presented to the Clerk of the District..."

Your Board needs to appoint (or re-appoint) a representative and an alternate to the Board of Supervisors this year. Please advise the District Clerk prior to March 31st who your appointees are using the enclosed letter of appointment, and mail to GUVSWMD at the above address.

(Current Board members from Pomfret are: Vernon Clifford – Rep.; Doug Tuttle – Alt.)

The Board meeting of March 5th will be our annual organizational meeting. We meet at the District office in North Hartland at 4:30 PM.

The District towns listed, as they fall equally in the first half of the alphabet, have two-year terms that begin on odd years ('13, '15, '17).

Bridgewater Norwich Pomfret

The District towns listed in the second half of the alphabet have two-year terms beginning on even years ('14, '16, '18).

Sharon Thetford Woodstock Hartland
Strafford Vershire West Fairlee

Sincerely,

Tom Kennedy
District Manager

Town of Pomfret

5218 Pomfret Road
North Pomfret, VT 05053

DRAFT POMFRET SELECT BOARD RULES OF PROCEDURE

A. PURPOSE. The Select Board of the Town of Pomfret is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Select Board of the Town of Pomfret must be open to the public at all times, except as provided in 1 V.S.A. § 313. At such meetings, the public must be afforded reasonable opportunity to give its opinion on matters considered by the Select Board so long as order is maintained. Such public comment is subject to the reasonable rules established by the chair of the Select Board. 1 V.S.A. § 312(h).

B. APPLICATION. This policy sets forth rules of procedure for Select Board meetings and shall apply to all regular, special, and emergency meetings of the Town of Pomfret Select Board.

C. SCHEDULE & TIMES. Regular meetings of the Pomfret Select Board will be held on the first and third Wednesdays of each month, starting on the first Wednesday after Town Meeting. Unless canceled or rescheduled, these regular meetings will be held at the Town Offices from 7:00 pm to 9:00 pm. By a majority vote, the Select Board may extend the duration of any regular meeting to exceed the scheduled adjournment. This measure is meant to respect the time of the public, other Town officials and the Select Board members.

D. NOTICE. Regular meetings shall be noticed at least 48 hours before the meeting. Special meetings shall be noticed at least 24 hours before the meeting. All notices shall be distributed through the town's public email list (Pomfret listserv), given to any local media requesting such notices, posted on the front page of the Town's website, posted in the Town Offices, and posted in the North and South Pomfret Post Offices. Emergency meetings shall only be called when necessary to respond to unforeseen circumstances requiring immediate attention. Notice of emergency meetings shall be distributed to the Town's public email list and posted on the front page of the Town's website. All Select Board meetings (regular, special and emergency) are open to the public and subject to the Open Meetings Law as required by 1 VSA §§ 310-314.

E. PROCEDURES.

1. The Chair of the Select Board, or in the Chair's absence, the Clerk, shall run Select Board meetings.
2. The Chair shall rule on all questions of order or procedure and shall enforce these rules as required by 1 V.S.A. § 312(h).
3. A majority of the members of the Select Board shall constitute a quorum. If a quorum of the members of the Select Board is not present at a meeting, the only action that may be considered by the Select Board is a motion to recess or adjourn the meeting.

4. At the beginning of each Select Board meeting, there shall be 15 minutes afforded for open public comment on issues not contained in the agenda. By unanimous vote, the Select Board may increase the time for open public comment and may adjust the agenda items and times accordingly.
5. Each Select Board meeting shall have an agenda, with specific time allotted for each item of business to be considered by the Select Board. In the case of regular meetings, those who wish to add items to the meeting agenda shall contact the Clerk to request inclusion on the regular agenda no later than five (5) days before the meeting. The Select Board Chair will lead the development of the regular agenda, will seek the input of other Select Board members, and will approve the final content of the regular agenda. The Clerk will prepare the final regular agenda for distribution.
6. All business shall be conducted in the same order as it appears on the regular agenda, except that by unanimous vote of the Select Board, the order of items to be considered and/or the time allotted may be modified. Agenda for special meetings may not be changed during the meeting. 1 V.S.A. § 312(c)(2).
7. Public comment on issues discussed by the Select Board, if not offered during the open public comment period, may be offered during the meeting with the permission of the Chair. Such comment, if permitted, shall be limited to 2 minutes, unless by unanimous vote, the Select Board increases the individual time for public comment.
8. Minutes shall be taken by the Select Board Clerk or in the Clerk's absence, another person designated by the Select Board. The Select Board Clerk shall clearly label the minutes as "draft" and will make the draft minutes available for inspection and purchase. 1 V.S.A. § 312(b)(2). The Clerk shall also post the minutes on the Town website and distribute them to persons who have requested copies. After the draft minutes have been approved by the Select Board, the Select Board Clerk shall prepare the approved minutes by making any additions and/or corrections to the draft minutes and clearly label them as "approved". The Select Board clerk shall sign the approved minutes and shall arrange to post them on the town website within five (5) calendar days of approval.
9. The audio Select Board meetings will be recorded, except in cases where technical problems prevent doing so. The recording for a given meeting will be posted on the Town website not later than five (5) calendar days after the meeting.
8. Meetings may be recessed to a time and place certain.
9. These rules shall be made available at all meetings, and procedures for public comment shall be reviewed at the beginning of all meetings.
10. These rules may be amended by unanimous vote of the Select Board, and must be readopted annually at the organizational meeting.

ADOPTED:

Signatures

Date

Memorandum

To: Pomfret Selectboard

From: Norm Buchanan, Lister

Date: March 30, 2015

Re. Lister issues to be considered at the Selectboard meeting of April 1, 2015

There are a few issues which would benefit from Selectboard attention:

1. I strongly recommend that the tax due date be changed from mid-August to September 9th. The State of Vermont does not set the tax rate until the end of June. As a result there is inadequate time to finalize the tax bills, print them, review them for accuracy (very important) and mail them out. This decision is one that needs to be put before the voters at a town meeting. Given that a town meeting will be required in May (or thereabouts) to approve a budget, this would be an appropriate time to place a warning on the agenda and bring this to a vote. Please give this your most serious attention.
2. The Lister Board, as you know, is now comprised of only one elected person, myself. I realize that you may be thinking of possible alternatives to a citizen Lister Board. However, I feel there is a strong benefit to the town to have this a citizen function. At this point, I have identified one person who is interested in coming on as a Lister at the March 2016 town meeting. Additionally, I also have identified another dozen potential candidates to approach for service to Pomfret. I will bring any candidate to your attention as soon as possible. Any assistance you can provide in a search for an appropriate candidate would be most appreciated.
3. In this transition period, Laura Kent has agreed to assist as time allows, on an hourly basis. This temporary appointment needs your approval.