

Town of Pomfret
 5218 Pomfret Road
 North Pomfret, VT 05053
 Agenda for May 3rd, 2017 Regular Selectboard Meeting
7:00pm at the Pomfret Town Offices

Agenda Item	Presenting Individual	Timeframe
1. Call to Order	Chair	7:00pm-
2. Public Comment – for items not on agenda	Chair	7:00-7:10pm
3. Review of Agenda	Chair	7:10-7:15pm
4. Recurring Items, Presentations, Including Items for Possible Vote:		
a) Review, discussion, and approval of minutes: 4/19 Regular Meeting, 4/19 Special Meeting, 4/25 Special Meeting	Chair	7:15-7:20pm
b) Treasurer’s Report <ul style="list-style-type: none"> • Warrants for Payment <ul style="list-style-type: none"> (1) Accounts Payable (2) Payroll 	Treasurer	7:20-7:30pm
c) Delinquent Tax Collector’s Report	Delinquent Tax Collector	7:30-7:40pm
d) Road Foreman’s Report <ul style="list-style-type: none"> • General Update • Teago Store Intersection/Labounty Road • Dana Road Drainage 	Road Foreman	7:40-8:00pm
5. Business Items for Possible Vote:	Chair	8:00-8:55pm
a) Pomfret Selectboard Rules of Procedure		
b) Fire Protection Agreement		
c) Grounds Maintenance/Lawn Care RFP Bids Opening		
d) Tree Warden Discussion/Decision		
e) Town Constable Discussion/Decision		
f) Hazard Mitigation & Shared Fire & Emergency Response with Hartford Coverage for Joe Ranger Road and Surrounding Areas		
g) Employee Review Decision		
h) Junk Cars: Bunker Hill Road		
i) Driveway Access Permit: Allen Hill Road		
6. Business Items for Discussion	Chair	8:55-9:00pm
a) Selectboard correspondence:		
7. Closing Public Comments, Review of Assignments, and Adjournment	Chair	9:00-9:05pm

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

Draft Minutes of the April 19, 2017 Special Selectboard Meeting

Present: Sheila Hopkins (Selectboard Member), Frank Perron (Selectboard Member), Scott Woodward, (Selectboard Member), Emily Grube (Selectboard Member), Michael Reese (Selectboard Member), Art Lewin, Sr. (Road Foreman), Jonathan Williams (Assistant to the Selectboard),

1. Call to Order: Sheila Hopkins called the meeting to order at 6:00pm.
2. Public Comment: None.
3. Executive Session – Employee Review:
 - (a) Michael Reese moved, and Frank Perron seconded, that the board enter into executive session for the purposes of the employment of two employee pursuant to 1VSA 313(a)(3). The Board unanimously approved the motion. Art Lewin, Sr. and Jonathan Williams were present for portions of the executive session.
 - (b) (b) Michael Reese moved, and Frank Perron seconded, that the board exit Executive session. The Board unanimously approved the motion
4. Closing Public Comments and Adjournment: Michael Reese moved, and Sheila Hopkins seconded to adjourn the special meeting. The Board unanimously approved the motion.

**Town of Pomfret
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Draft Minutes of the April 19, 2017 Regular Selectboard Meeting

Present: Sheila Hopkins (Selectboard Member), Frank Perron (Selectboard Member), Scott Woodward, (Selectboard Member), Emily Grube (Selectboard Member), Michael Reese (Selectboard Member), Ellen DesMeules (Treasurer), Art Lewin, Sr. (Road Foreman), Jonathan Williams (Assistant to the Selectboard), Karen Hewitt (Collector of Delinquent Taxes), Andrew Mann, Curt Peterson (Vermont Standard), Fire Chief Kevin Rice, and Neil Lamson

1. Call to Order: Sheila Hopkins called the meeting to order at 7:02pm.
2. Public Comment: (audio 1:23) There was no public comment.
3. Review of Agenda: (audio 1:29) There were no changes to the agenda.
4. Kenyon Hill Tree Discussion: (audio 1:52) Sheila Hopkins and Frank Perron briefed the Board on this item and there was discussion. An email concerning the Kenyon Hill Tree item shall be entered into the minutes as an attachment to the 4/19/17 Regular Selectboard meeting minutes. There was discussion by the Selectboard and the Road Foreman. A written maintenance policy was discussed.
5. Review, Discussion, and Approval of Minutes (4/05, 4/11): (audio 8:30) Scott Woodward moved, and Frank Perron seconded, to approve the 4/05 Regular meeting and 4/11 Special meeting minutes as written and prepared. There was discussion. The Board unanimously approved the motion.
6. Treasurer's Report: (audio 19:42)
 - (a) Warrants for Payment (1) Accounts Payable (2) Payroll: There was discussion concerning the warrants; there was discussion concerning vehicle (truck) repair costs and maintenance concerns. Sheila Hopkins moved, and Michael Reese seconded, to approve warrants #16074, #16073, #16072. There was discussion. The Board unanimously approved the motion. The Treasurer discussed the financial comments provided.
 - (b) Funding of Reserve Accounts: (audio 32:00) Scott Woodward briefed the Board on this item and there was discussion by the Selectboard, the Treasurer, and members of the public. Frank Perron moved, and Michael Reese seconded, to direct Ellen DesMeules the town treasurer, to fund the two rainy day reserve accounts as discussed and approved at town meeting and that the funds be maintained in the checking accounts as discussed and agreed upon. The Board unanimously approved the motion.

Emily Grube moved, and Frank Perron seconded, to fund the Bridge Reserve and the Paving Reserve as laid out in the town meeting article - to spend the

rest of the Highway Fund balance from prior fiscal years. There was discussion. The Board unanimously approved the motion.

7. Delinquent Tax Collector's Report: (audio 59:30): The Delinquent Tax Collector Karen Hewitt provided an update on ongoing delinquent tax collection efforts – another \$6,500 dollars has been collected; there was discussion by the Selectboard. Frank Perron has been contacted by parties interested in purchasing the two acres of land the town purchased at the last tax sale.
8. Road Foreman's Report: (audio 1:03:00)
 - (a) General Update: The Highway Department has been scraping, raking, and grading, and mudholes have been fixed. Allen Hill and Webster Hill have recently required the most attention. Truck 2 was sent in for service, with truck 3 to follow. Dana Road was washed out and requires fixing – there was discussion concerning this issue by the Selectboard and the Road Foreman. The Road Foreman shall develop a plan and present it to the Selectboard; a site visit may be required. Paving was discussed by the Selectboard and the Road Foreman. Paving Howe Hill Road was discussed; the Board discussed holding off on paving Howe Hill until the underlying issues are addressed. Other paving opportunities were considered. The planted Chippers' pine trees were considered – they are blocking the driveway access. Driveway access permits were discussed by the Selectboard and the Road Foreman.

There was discussion concerning the oil/water separator tank cleaning. Scott Woodward moved, and Sheila Hopkins seconded to authorize Emily Grube to sign any requisite permits concerning the underground oil/water separator tanks. There was discussion. The Board unanimously approved the motion.
 - (b) Transportation Alternatives Grant Agreement: (audio 1:23:19) The Assistant to the Selectboard briefed the Board on this item and there was discussion. Scott Woodward moved, and Michael Reese seconded, to approve and have the Selectboard Chair sign the Transportation Alternatives Grant Agreement document. There was further discussion. The Board unanimously approved the discussion. The Selectboard Assistant shall scan and submit signed grant agreement.
9. Draft Fire Alarm Ordinance and Registration Policy Review: (audio 1:27:00) Frank Perron briefed the Board on this item and there was discussion. Fire Chief Kevin Rice provided input on the draft ordinance and there was further discussion by the Board and the public. The Selectboard Assistant shall work with Frank Perron on researching this issue further.
10. Fire Protection Agreement Review: Scott Woodward briefed the Board on this item and there was discussion by the Selectboard. Additional edits were discussed. A special Selectboard meeting was considered to complete revisions to the document. A special Selectboard meeting is tentatively scheduled for April

25th at 6:30pm.

11. Local Emergency Operations Plan (LEOP) Review: Sheila Hopkins and Chief Kevin Rice briefed the Board on this item and there was discussion. Frank Perron shall work with Fire Chief Kevin Rice to finalize the document for submission. Other agenda items were discussed. 'Hazard Mitigation and Enhanced Coverage for Joe Ranger Road and Surrounding Areas' shall be added to the May 3rd Regular Selectboard agenda at 7:20PM.
12. Joe Ranger 911 Letter: (audio 2:06:21) The Selectboard and Fire Chief Kevin Rice discussed the draft letter and there was further discussion by the Board. Michael Reese moved, and Sheila Hopkins seconded to have the Selectboard approve and sign the letter attached to the 04/19/17 'agenda with attachments' document concerning Joe Ranger Road and an E-911 request. The Board unanimously approved the motion.
13. Purple Crayon Request to Bore under Stage Road: (audio 2:07:30) Michael Reese and the Road Foreman briefed the Board on this issue and there was discussion by the Board and the Road Foreman. Michael Reese moved, and Frank Perron seconded to approve Purple Crayon's Request to bore under stage road at a depth of 7 to 8 feet for an 8-inch sleeve through which a water pipe will run, and ensure that the shoulders are properly compacted so as to prevent damage to the hard pavement. The Board unanimously approved the motion.
14. Zoning Administrator Appointment: (audio 2:12:40) Michael Reese and Scott Woodward briefed the Board on this item and there was discussion. Bill Emmons' email was discussed. The option of an interim zoning administrator was discussed. Sheila Hopkins shall reach out to the town Planning Commission in the hopes that they will take up this issue at their next meeting.
15. Chippers Enforcement Issues (possible executive session): Michael Reese briefed the Board on this item and there was discussion.
16. Town Hall Maintenance Decision: This item was discussed. It shall be added to next Tuesday's Special Meeting Agenda.
17. Selectboard Correspondence: (audio 2:29:00) phone call regarding a clay pigeons shooting event at Suicide Six was discussed. Sheila Hopkins will reach out to the interested parties and invite them to discuss the event further.
18. Grounds Maintenance RFP: The Assistant to the Selectboard briefed the Board on this item and there was discussion. Michael Reese moved, and Emily Grube seconded to approve the Grounds Maintenance RFP. The Board unanimously approved the motion. The Selectboard Assistant shall publicize, post, and distribute the RFP.

19. Next Meeting's Agenda: 'Fire Protection Agreement', 'Town Hall Maintenance', and the 'LEOP Approval' are scheduled for the April 25 Special Selectboard meeting. 'Dana Road Drainage' is scheduled for the May 3rd Regular Selectboard meeting.

20. Closing Public Comments, Review of Assignments: A public comment was made regarding town budget/finances.

21. Adjournment: Scott Woodward moved, and Frank Perron seconded, to adjourn the meeting at 9:37pm. The Board unanimously approved the motion.

Date: 04/21/2017

Respectfully Submitted,

Jonathan Williams, Assistant

Approved by the Board at _____ Meeting

Re: Agenda for 4/19

J <slewnior@gmail.com>

Sat 4/15/2017 12:58 PM

To: Jonathan Williams <jonathan.williams@pomfretvt.us>;

Cc: Sheila Hopkins <sheila.hopkins@pomfretvt.us>; Michael Reese <Michael.Reese@pomfretvt.us>; Emily Grube <Emily.Grube@pomfretvt.us>; Frank Perron <Frank.Perron@pomfretvt.us>; Scott Woodward <Scott.Woodward@pomfretvt.us>;

Dear Pomfret Selectboard:

Thank you for affording me the opportunity to be heard on the question of the Town's responsibility to clean up the Ash tree that fell this winter, the top of which remains on the easterly side of Kenyon Hill Road on the property of Russell and Karen Payne. And, Sheila, thank you for referring me again to the audio recording of the Selectboard's 4/5/17 meeting. I had trouble accessing it on several attempts, but have managed to listen to it before sending this email.

Unfortunately, I will not be able to attend the 4/19/17 meeting. Please accept this email submission as you consider the question on the agenda this coming Wednesday. I would appreciate it if this email could be made part of the record for that meeting.

Having now listened to the recording of the 4/5 meeting, here are my thoughts and positions concerning the Town's obligation to clean up the remains of the Ash on the easterly side of Kenyon Hill Road. [I have chosen to quote various comments made by persons in attendance on 4/5, as transcribed by me from the audio record, as a way to illustrate how I view \(and think the Town should view\) the situation:](#)

Woodward: "When it comes to dead and diseased trees - which is a trickier subject because sometimes it's hard to tell - it essentially is the Town's responsibility to remove the entire tree." (starting at 59:00 of the recording contrasting downed trees resulting solely from "storm damage")

Mr. Woodward correctly, to my understanding, notes the limits of the Town's responsibility when a storm takes down a healthy tree -- only what falls within the road or right of way.

When it comes to diseased or dead trees, I believe his is also a correct statement of the Town's responsibilities, particularly with the restrictive, mandatory language of the applicable Town "Highway Ordinance" which reads, in pertinent part:

"Dead and diseased trees shall be removed."

The provision falls within the Standards 5.3 section pertaining to "Right of Way" in subpart c. It is an absolute, unqualified responsibility. Any diseased or dead tree located within the right-of-way of a public highway in the town of Pomfret that falls must be removed by the Town regardless of what caused it to fall. The reason is that the Town, by adopting the ordinance, accepted responsibility and any resulting liability for diseased or dead trees. The purpose of the ordinance is to protect the road from damage, and also to protect the traveling public from the risk of and actual injury from trees that are more vulnerable to winds, storms, culvert/drainage impact on roots, etc. The Town's responsibility for the tree does not shift to others because it fell in a "storm" or was "uprooted," which really was the sole focus of the discussion on 4/5/17:

Discussing why the Ash tree fell:

Moore or Hopkins(?): "It obviously came down in a storm." (1:02:44)

Woodward: "I don't know why it came down." (1:02:00)

Lewin: "Fell over. It's not dead or dying. It's just a tree...fell over." (1:00:47)

Again, if the tree was dead or diseased, the mandatory language of the ordinance imposes a non-discretionary obligation on the Town to remove the tree -- and failing to remove it carries with it absolutely responsibility in the Town to clean it up if it falls before it is removed. I'm not sure why the Town drafted an ordinance in this manner. It appears to me it is in excess of the obligation created in the Town by Vermont statutes and case law.

Discussing whether the tree was dead or diseased:

Woodward: "It's an Ash tree. So, there's no active diseases killing Ash trees, as far as I know." (1:01:00, then noting correctly that the Emerald Ash Borer has not yet been confirmed in Vermont)

It is not clear to me why the Tree Warden is not familiar with "Ash Yellows," Candidatus Phytoplasma fraxini: www.vtinvasives.org/invasive/ash-yellows. Unfortunately for me, it is becoming all too common, and it has killed or is close to killing over a dozen mature White Ash on my property, all roughly in a straight easterly line from the Ash that fell over the winter on the road.

The Ash that fell was, I firmly believe, stricken with Ash Yellows several years ago. It was dead, and if not dead severely diseased. If one looks at the remains of the canopy of that tree as it now sits on Payne's property, it was long since dead. Upon impact, the canopy branches shattered all the way back to branch diameters of between 3-6 inches. A live or healthy tree that fell in a storm would not show the same shattering of branches of the canopy. As well, one hallmark of an Ash stricken with Ash Yellows is a stump that produces "water-shoots." Several such shoots are on the stump that is lying on the westerly side of Kenyon Hill Road. Most are dead, one or more show some minimal signs of life upon being snapped.

I urge the Town to look again at the tree, educate itself about Ash Yellows, and then kindly send the Road Crew up to clear the top of the tree from Payne's property to meet its obligation assumed by ordinance.

A couple of additional thoughts I'd offer after listening to the recording of your 4/5/17 meeting.

Lewin: "The Town doesn't own any land on Kenyon Hill." (1:04:15)

The tax map suggests this conclusion is correct. However, it may be worth looking at a deed I've read quickly, a conveyance made by Richard O. and Judith M. Palmer to the Town of Pomfret. My apologies for not having a good record to offer from my notes, but it may be a deed issued 11/23/88, recorded in Volume 37, Page 328 of the Pomfret Land Records. This was a conveyance (apparently in fee simple absolute, and not just an easement) made in connection with the relocation of the first section of Kenyon Hill Road back in the late 80's(?). I have not completed my look at these deeds, so it may be that the subsequent history of the conveyance will support Mr. Lewin's conclusion. If not, it may well be that the Town owns the Ash that fell. The same responsibility of the Town would attach, so I thought I'd mention it based on what I see from a limited review of the land records.

Moore: As a proposed policy (paraphrased by me), "unless a landowner notifies the Town within a period of time that they want the wood, the Town should take it and dispose of it."

I believe such a policy, if adopted and carried out, would be contrary to Vermont law, and would unlawfully involve the Town in taking private property from landowners in Pomfret in a manner that may result in liability.

I'm also a bit troubled by our Road Foreman/Tree Warden's reaction at the meeting to the suggestion that landowners be asked if they want wood from fallen or downed trees in the right of way. I'm also troubled by what seem to be inconsistent loyalties and responsibilities created by having the Road Foreman also hold the position of Tree Warden.

Perhaps those are things the Selectboard may want to consider as it attempts to develop a Tree Policy -- although, as might be clear from this email, I think the entire effort is likely frustrated by an extraordinarily broad ordinance concerning dead and diseased trees, one that affords the Town absolutely no discretion in choosing what trees to remove, when to remove them, and its responsibility when those trees come down when not previously removed from the right of way. And with the number of Ash trees in the right of way below my house, let alone in the entire Town, I don't envy the road crew if Ash Yellows takes hold of them as it did the tree that fell and the dozens elsewhere on my property.

Thank you for taking the time to read this email and for the opportunity to be heard on this question. I wish the Selectboard every success as it seeks to develop a policy, and I look forward to the removal of the remains of the Ash tree on Kenyon Hill Road. My sincere apologies for not being able to join you on 4/19/17.

Please feel free to contact me if you have questions or would like to take a tour of my Ash groves that are afflicted with Ash Yellows.

Sincerely,

Jeff White
802.356.6710

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

Draft Minutes of the April 25, 2017 Special Selectboard Meeting

Present: Frank Perron (Selectboard Vice-Chair), Scott Woodward, (Selectboard Member), Emily Grube (Selectboard Member), Michael Reese (Selectboard Member), Andrew Mann, Gaal Crawl, Kevin Geiger (arrived at the end

1. Call to Order: Frank Perron called the meeting to order at 6:47pm.
2. Public Comment: (audio part 1, 0:42) Public comment offered by Andy Mann regarding public records access to the legal suit involving the Town and Chippers. Michael Reese will research to determine which documents should be made publicly available. Gaal Crawl also offered public comment reporting her update as liaison between the Selectboard and the Fire Department.
3. Fire Protection Agreement: (audio part 1, 7:15, audio part 2 beginning to 43:24) A lengthy discussion was had about the April 20, 2017 draft of the Fire Protection Agreement. Scott Woodward will make further edits of the document, including: making corrections to the definitions section, incorporating a provision that will have the Board and Fire Department adopt recommendations from the 2016 Fire Services Evaluation (the “John Wood Report”), additional reporting requirements (e.g., number and nature of calls, status of hose testing, status of training, disclosure of Standard Operating Procedures (SOP’s) and active personnel levels at each station). The Board also discussed the timing of when various reports would be due as part of the agreement, e.g., January 30 of each year for July 1-December 21 and July 31 of each year for January 1-June 30. The intent of reporting requirements is to help the Board make long-term decision about future services. Michael Reese will also draft a hold harmless provision to be included in the agreement.
4. Town Hall Maintenance (Installation of new windows): (audio part 2, 43:25) Three bids were received for the installation of new windows at the Town Hall. The bidders were: John Syme of Pomfret (bid \$12,600), Lance Ballard of South Woodstock (\$20,075) and Ron Amato of Sharon (\$15,200). Scott Woodward briefed the board on a conversation he had with VLCT regarding Workers’ Compensation insurance. Scott described the paperwork requirements of hiring contractors, especially sole proprietors. Michael Reese moved and Scott Woodward seconded a motion to award the bid to John Syme. The motion passed unanimously.
5. Local Emergency Operations Plan (LEOP): (audio part 2, 56:44) Frank Perron briefed the Board on the status of the LEOP. Michael Reese moved and Scott Woodward seconded to have Frank Perron finish making changes to the LEOP

and prepare the plan for signature to be turned in to the State of Vermont by the May 1, 2017 deadline. The motion passed unanimously.

6. Fire Alarm Ordinance: (audio part 2, 1:00:33) Emily Grube raised the issue of the Fire Alarm Ordinance. The Board briefly discussed whether the ordinance should be pursued and the various complications that might ensue with the Town's responsibilities to enforce the ordinance. The board also discussed the volume of false alarm calls of which there have been 22 reported since 2012 (see 2012, 2013 and 2015 Town Reports). The Board tabled further discussion of the ordinance until further notice.
7. Closing Public Comments, Review of Assignments: (audio part 2, 1:09:20) Andy Mann raised the issue of whether there will be a deficit in the General Fund for FY2017 and highlighted the statutory requirement if a deficit occurs. Kevin Geiger arrived and received an update from the Board for his role as liaison between the Board and the Fire Department.
8. Adjournment: Michael Reese moved, and Emily Grube seconded, to adjourn the meeting at 9:07pm. The Board unanimously approved the motion.

Date: 04/26/2017

Respectfully Submitted,

Scott Woodward, Board Member

Approved by the Board at _____ Meeting

Town of Pomfret

5218 Pomfret Road
North Pomfret, VT 05053

POMFRET SELECTBOARD RULES OF PROCEDURE

A. PURPOSE.

The Selectboard of Pomfret is required to conduct its meetings in accordance with Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Selectboard must be open to the public at all times, except as provided in 1 V.S.A. § 313.

B. APPLICATION.

These rules of procedure apply to the Selectboard of Pomfret, referred to below as “the body.” These rules apply to all regular, special, and emergency meetings of the body.

C. ORGANIZATION.

1. The body shall annually elect a chair and a vice-chair. The chair or, in the chair’s absence, the vice-chair, shall preside over all meetings. If both the chair and the vice-chair are absent, a member selected by the body shall act as the presiding member for that meeting.
2. The presiding member shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.
3. A majority of the members of the body constitute a quorum. If a quorum of the members of the body is not present at a meeting, the meeting will be canceled.
4. No single member of the body shall have authority to represent or act on behalf of the body unless, by majority vote, the body has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.
5. A motion made by a member of the body requires a second. The presiding member of the body may make a motion and may vote on a question before the body. A motion will only pass if it receives the votes of a majority of the total membership of the body. 1 V.S.A. § 172.
6. Discussion will only proceed after a motion with a question has been offered. However, there is no limit to the number of times a member of the body may speak to a question. A member may speak or make a motion without being recognized by the presiding member. A motion may be amended by any member of the body following discussion. Motions to close or limit debate will not be entertained. Once discussion has ended, the presiding member will call the question.
7. Any member of the body may request a roll call vote.
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 majority vote of the body, and must be readopted annually.

D. AGENDAS.

1. Each regular and special meeting of the body shall have an agenda, with time allotted for each item of business to be considered by the body. Members of the body, or other town officials, who wish to have items added to the meeting agenda shall contact the Selectboard Assistant to request inclusion on the agenda. Members of the public wishing to request an item be placed on the agenda shall contact a member of the body with their request. The Selectboard Assistant shall maintain a running list of agenda items to be addressed by the body. The Selectboard Chair will lead the development of the regular agenda. The Selectboard Assistant, or in his or her absence, a designated body member, will prepare the final regular agenda for distribution.

2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, notice of the meeting, to include a meeting agenda, shall be posted on the home page of the Town's website, on the Pomfret Listserv, in the Town Offices, and posted near the North and South Pomfret Post Offices. The agenda must also be made available to any person who requests such agenda prior to the meeting.

3. Materials and information relevant to decisions or actions the body will or may make will be included in the agenda packet posted on the Town website so that the body and the public each have sufficient time to review materials and information prior to the meeting. With the exception of the agenda itself, the agenda packet may be amended up until 24 hours prior to the meeting.

4. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made after the public comment period at the beginning of the meeting. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by unanimous vote of the body. Agenda for special meetings may not be changed during the meeting. 1 V.S.A. § 312(c)(2).

E. MEETINGS.

1. Regular meetings shall take place on the first and third Wednesday of the month at 7 p.m. at the Pomfret Town Offices.

2. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the body.

3. A member of the body may attend a regular, special, or emergency meeting by electronic or

other means without being physically present at the designated meeting location, so long as the member identifies him or herself when the meeting is convened, and is able to hear and be heard throughout the meeting. Whenever one or more members attend electronically, voting must be done by roll call. If a quorum or more of the body attend a meeting without being physically present at a designated meeting location, the following requirements shall be met:

- a. At least 24 hours prior to the meeting, or as soon as practicable prior to an emergency meeting, the body shall publicly announce the meeting and post notice of the meeting in or near the municipal clerk's office and posted near the North and South Pomfret Post Offices.
- b. The public announcement and posted notice of the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the body, or at least one staff or designee of the body, shall be physically present at each designated meeting location.

4. Draft minutes shall be prepared by the Selectboard Assistant, or in his or her absence, another member of the body, and he or she shall clearly label them as "draft" minutes and shall post the draft minutes on the Town website within five (5) calendar days of the meeting. After the draft minutes have been approved by the Selectboard, the Selectboard Assistant, or in his or her absence, another member of the body, shall prepare the approved minutes by making any additions and/or corrections to the draft minutes and clearly label them as "approved" and shall post them on the Town website.

5. Selectboard meetings will be audio recorded, except in cases where technical problems prevent doing so. The audio recording for a given meeting will be posted on the Town website not later than five (5) calendar days after the meeting.

6. Meetings may be recessed to a time and place certain.

F. PUBLIC PARTICIPATION.

1. All meetings of the body are meetings in the public, not of the public. Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the body, so long as order is maintained according to these rules. 1 V.S.A. § 312(h).

2. At the beginning of each meeting there shall be ten minutes allotted for public comment on issues not contained in the agenda. As necessary, and by majority vote, the body may increase the time for public comment.

3. After a motion is offered and after the body has discussed the motion, there may be 2 minutes per person afforded for open public comment on the question. At his or her discretion, the presiding member may invite the public in refining the motion.

4. Members of the public must be acknowledged by the presiding member before speaking. Comment by the public must be addressed to the presiding member or to the body as a whole, and not to any individual member of the body or public.

5. Speakers must identify themselves with name and address the first time they speak during a meeting.

6. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.

7. Order and decorum shall be observed by all persons present at the meeting. Neither members of the body, nor the members of the public, shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the body and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.

8. Members of the body and members of the public shall obey the orders of the presiding member. The presiding member should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines in his or her sole discretion that deviation from the process is warranted:

- a. Call the meeting to order and remind the members of the applicable rules of procedure.
- b. Declare a recess or table the issue.
- c. Adjourn the meeting until a time and date certain.
- d. Order the constable to remove disorderly person(s) from the meeting.

ADOPTED:

Sheila Hopkins, Chair

Date

Frank Perron, Vice Chair

Date

Emily Grube

Date

Michael Reese

Date

Scott Woodward

Date

TOWN OF POMFRET
APPLICATION FOR A DRIVEWAY OR APPROACH ROAD ACCESS PERMIT

Landowner Dwight + Carol Hardy Phone 802 356-7443 / 356-6902
Address 11 Magnolia Cirde, WRS State VT Zip 05001

The undersigned requests an Access Permit to construct an access to serve the landowner's property; located on the right side of Allen Hill Rd (E911 highway name) Town Highway No. _____

The proposed access will be located approximately _____ (ft./ mi.) from the intersection of this road with Howe Hill Rd. (E911 highway name).

(DETAILED SKETCH MUST ACCOMPANY THIS APPLICATION.)

Driveways and approach roads entering a town highway shall meet the following standards:

1. Be constructed at a 90 degree angle to the town highway
2. Have a minimum site distance shall be 150 feet both ways when viewed 15 feet back from the edge of the travelled way.
3. Have a minimum width of 16 feet for the first 20 feet back from edge of town highway shoulder.
4. Be graded and ditched so that water does not run onto the town highway.

Both sides of proposed driveway shall have stakes with ribbons to indicate desired location at point of access to the town highway. The applicant agrees to maintain said access and adhere to the directions, restrictions and conditions forming a part of this permit.

Dated at WRS this 27 day of April 2017

Carol Hardy Signature, Applicant or Applicant's Agent Carol Hardy Applicant or Applicant's Agent's Name
(printed or typed)

Application fee of \$50. Received Date 4/28/2017 by [Signature]

Directions, restrictions and conditions:

15-inch culvert required yes no

Other restrictions or conditions

This permit is issued in accordance with Title 19, V.S.A. relative to all highways within the jurisdiction of the Town of Pomfret. This permit may be voided in the event of misrepresentation, substantial inaccuracy or failure to undertake construction of the access within one year of the date of approval.

Permit to construct access is given this _____ day of _____, 20__.

_____ Road Commissioner _____ Chair, Selectboard

Final Approval: The first 20 feet of a driveway or access road entering a Town highway shall be constructed by the applicant and approved by the Selectboard and Road Commissioner before any building construction may be started.

This access has been installed in accordance with the above directions, restrictions and conditions and is acceptable under State and local regulations. This _____ day of _____, 20__.

_____ Road Commissioner _____ Chair, Selectboard

Neill/Spear

Hopkins

#2512

Land owned by Dwight & Carol Hardy

D
r
i
v
e
w
a
y

12' w

Driveway

existing
driveway

16' w

Existing
garage

Across from 2601

power pole

Allen Hill Road

477 Thistle Hill Road
North Pomfret, VT 05053-0307

To the Selectboard,

Friends, in a never-ending quest to have Pomfret an even better place to live, I am submitting photos of three hulks of cars that have been sitting in a prominent spot on Bunker Hill Road for several years. Do we have a way of requesting that they be moved to a less conspicuous spot? The land appears to be on a little finger of land belonging to Dean Tracy's widow.

Many thanks,

Gaal Crowl

(Attached please find 3 photos.)