

Town of Pomfret Selectboard Meeting Agenda

Wednesday, March 4, 2020 6.00 PM

5238 Pomfret Road

No Pomfret, VT. 05053

Agenda Item	Presenter	Time Frame
1. Call to Order	Chair	6:00 pm
2. Public Comment	Chair	6:05 pm
3. Review of Agenda	Joint	6:10 pm
4. Recurring Items a. Approval of 02/05-19-25/2020 minutes b. Warrants for Approval	Joint	
a. Items for Discussion or Vote b. Road Foreman Report c. Suicide Six Liquor Permits d. Necessary actions after Town Meeting 1. Election of Chair 2. Election of Vice-Chair 3. Election of Clerk 4. Appointment/Reappointment of Town Officers 5. Delegation of Signing Authority 6. Designation of Official Town Newspaper and Alternate 7. Re-adoption of Selectboard Rules of Procedure 8. Review Conflicts of Interest Policy 9. Review of Selectboard Committees e. HR Issues: payroll policy , vacation policy f. Results from monitor review of Fema documentation for June storm, 2017.	Joint	6:15 pm
5. Meeting Wrap-Up a. Select Board Correspondence b. Review of Assignments c. Agenda Items for Next Meeting 6. Adjournment		

February 5, 2020
Pomfret Select Board Meeting
Draft Minutes

Present: Emily Grube (phone), Steve Chamberlin, Scott Woodward, John Peters, Frank Perron

Public: Neil Lamson (Lister) Jim Potter (Road Foreman), Ellen DesMeules (Treasurer), Cynthia Hewitt (SB Assistant)

1. Scott Woodward, acting as the Chair for the meeting, called the meeting to order at 6:04pm
2. No public comment
3. Review of Agenda: The board unanimously approved the following changes to the published agenda: (1) removed HR Follow-up and PACIF grant for smoke detectors for the Town Hall and Library, (2) added renewal of CD for Highway Vehicle Reserve, SILO Distillery catering permit, Update on Radio Repeater and further action on Zoning Regulations. John Peters moved and Frank Perron seconded changes to the agenda. On a roll-call vote, the motion carried unanimously.
4. Recurring Items
 - a. CD renewals – Ellen has made the following suggestions regarding upcoming CD renewals in anticipation of truck purchases: use the \$73,100 in this year’s budget, A CD for that initial amount at Mascoma (matures July 21) and CD at MACCU for \$27,500 that matures June 1, and another one at Mascoma of \$60,700, that would amount to \$234,400. That would allow you to make a small withdrawal from the CD coming due at Bar Harbor on Feb 19 (say \$20,000) and roll that CD for another year. And also renew the other CD at Bar Harbor (about \$111,000) you have still at least \$185,000 in CDs toward future trucks. Best rate is 1.75% from Mascoma. Emily moved and Frank seconded permission to Ellen to make these arrangements. Passed.
 - b. Approval of 01/08, 01/15, 01/21, & 01/25/2020. John Peters moved and Steve Chamberlin seconded approval of the minutes. Upon discussion of the motion, Scott Woodward read changes to the 1/8 minutes and will send those changes Cynthia Hewitt for the final minutes. On a roll-call vote, the motion carried unanimously.
 - c. Warrants for Approval: John moved and Steve seconded payment of the following warrants. Motion passed

19080	\$36,560.12	Accts payable
19075	11,485.22	Payroll
19076	39,793.24	Accts payable
 - d. On discussion of expenditure related matters, the Fire Department requested advanced approval for Ellen to cut a check to pay for lock replacements at the fire station in the amount of \$1,063.25. John Peters mentioned that the unwritten policy of the fire department was that building expenses would be covered by the Fire Department instead of the Town. Emily noted that if this expense causes the Fire Department to exceed their budgeted expenses, then the Fire Department would run out of money. Frank Perron moved and Steve Chamberlin seconded that the board

approve in advance that the Town Treasurer cut the check before the invoice is approved on a warrant signed by Selectboard. On a roll-call vote, the motion carried with three votes in favor (Emily Grube, Frank Perron and Steve Chamberlin) and two opposed (John Peters and Scott Woodward). Emily Grube also noted that the Town had received a \$2,000 donation for the FAST Squad. Upon discussion, it was clarified that the Treasurer would cut and issue the check to the FAST Squad for the donation.

5. Business Items for Discussion or Vote

- a. Road Foreman's report: Jim presented an estimate for garage door repairs from Keith Manney, Overhead Door of Rutland in the amount of \$1500. Emily moved and Frank seconded approval of this estimate. Frank suggested the replacement of the doors be considered. Unanimous. Jim asked about necessary garage repairs and Emily assured him this was underway. She has a contractor coming to give an estimate and will contact others as well. Jim and crew have started removing dead trees from the roadways. GMP will be taking out 14 on Howe Hill and Labounty Rd. Sy Benoit will also remove more complicated areas; Land owners are entitled to the wood for live trees, but the Town will offer the wood of both dead and live trees to property owners. Jim Potter also mentioned that the surplus reserve of brown sand is all that's left for the season after the next order and last order.
- b. Radio Repeater - John Peters reported that the radios have been reprogrammed re-programmed by the vendor. One radio in Truck #3 is not working and will need to be replaced. Frank Perron moved and Steve Chamberlin seconded that John Peters place an order to purchase a replacement for the radio in Truck #3 for an amount up to \$500. On a roll-call vote, the motion carried unanimously.
- c. Listers' Certificate. Steve moved and John seconded approval of the certificate of correction for the tax assessment of the Rand property on Broad Brook Rd, reducing the tax assessment by \$10,000. Neil explained this is necessary in order to set the Grand List, which cannot be done if there are any pending appeals. On a roll-call vote, the motion carried unanimously.
- d. Cloudland Structures Grant: Jon Harrington is preparing the preliminary documents. Deadline of 04/15/2020.
- e. Nancy Nutile McMenemy requested permission to hold the Covered Bridge Half Marathon, with mandatory road closures on the Stage Road, on 06/07/2020. The race organizers will notify residents, place appropriate announcements in the paper, arrange traffic control with the Sherriff, and submitted their certificate of insurance. John moved and Frank seconded; On a roll-call vote, the motion carried unanimously. Emily will notify Ms. McMenemy.
- f. Howe Hill Project Performance Bond Jon Harrington of Horizon Engineering (the Town's consultant) suggested that add an option to include a performance bond in the bid package for the Howe Hill Rd. project if we felt we needed one. Emily Grube attended the Sharon Selectboard meeting on Monday and they are in agreement to include a performance bond in an amendment to the RFP. Emily Grube moved and Frank Perron seconded. On a roll-call vote, the motion carried unanimously.
- g. "To Do" items for after Town Meeting. Scott Woodward suggested we start identifying topics for the organizational meetings – i.e., signing authority, appointments, etc. He will work up list of items and post an Excel spreadsheet on Sharepoint.

- h. Permission for ZBA's request for consultation with Atty. McLean. Ben Brickner has requested permission to contact legal counsel in re: Teago Store Hearing (which is currently recessed). The ZBA needs to consult an attorney in regard to findings of fact. Emily Grube moved and John Peters seconded that the board approve the ZBA to seek legal counsel from Stitzel, Page and Fletcher. On a roll-call vote, the motion carried unanimously.
 - i. Approved amendments to proposed Zoning Regulations. Further action is necessary prior to warning the 2nd Zoning Ordinance Hearing subsequent to the changes to the proposed zoning regulations that the Selectboard approved on January 15th. Scott Woodward noted that there's a statutory process that must be followed when substantial changes are made to the proposed regulations after the Selectboard's hearing. Emily Grube anticipates the reply letter from the Planning Commission on this matter. She expects necessary language changes for light industrial/heavy industrial areas as well as standards for noise levels.
 - j. Frank moved and John seconded approval for Silo Distilleries catering permit for a reception at Artistree on 02/25/2020. Carried.
6. Meeting Wrap-Up
- a. Selectboard Correspondence: Selectboard Correspondence: Pomfret was selected by the Department of Public Safety (VT) (DR 4330) to undergo an audit re: 06/2017 FEMA report. Scott Woodward attended the initial audit review in Waterbury on 2/5. The Dept. of Public Safety will issue a follow-up letter in about a week outlining areas where the Town is compliant, non-compliant and where the Town could benefit from "best practices." Scott Woodward will provide requested documents to DPS. Once the letter is received, the Town will have 45 days to respond. The DPS noted that the Towns Conflict of Interest Policy will need to change to comply with Federal procurement requirements. Scott also noted that we will need to submit our Pay Policy to the DPS.
 - b. Assignments: John Peters will make the purchase for a new radio for Truck #3. Scott Woodward will develop a spreadsheet to post to Sharepoint for things that will need to be done immediately following Town Meeting. Emily Grube will email Jon Harrington about including the option for a performance bond in the Howe Hill Rd. RFP amendment. Emily Grube will email Nancy Nutile-McMeneny with approval for the road closure for the Covered Bridges half marathon, and Emily will also email Ben Brickner with approval for the ZBA to consult with Attorney Joe McLean.
 - c. Agenda for Next Meeting: Our moderator, Kevin Geiger, will attend 02/19/2020 meeting for a pre-town-meeting review.
7. Frank moved, John seconded adjournment at 7:19 pm On a roll-call vote, the motion carried unanimously.

Respectfully submitted.
Cynthia Hewitt
Selectboard Assistant



State of Vermont
Department of Public Safety
45 State Drive
Waterbury,
Vermont
05671-1300
<http://dps.vermont.gov/>
(802) 241-
5000 (main)

February 3, 2020

Scott Woodward
Town of Pomfret
5218 Pomfret Road
Pomfret, VT 05053

Reference: 2018, Public Assistance, 02140-84330-027

Dear Mr. Woodward,

Following up on our phone conversation, this letter is to confirm the on-site financial monitoring review of the above referenced Federal grant. I look forward to meeting with you on Wednesday, February 5th at 1pm. Please contact me with any questions you may have about the review.

State and federal monitoring standards require a review of a subrecipient's organizational and financial systems, to include:

- Internal Controls
- Accounting System
- Financial Management
- Grant Management
- Compliance with agreement requirements
- Compliance with federal and state requirements, as applicable

I have included a list of documents I would like to review. This list is not conclusive and may be changed during the course of the review.

The review will require your participation; it should take between one to three hours. Prior to the conclusion of my visit, I will discuss the overall review, any areas requiring additional

review, and any identified questioned compliance, which will be noted in the financial monitoring report requiring a corrective action response.

With Best Regards,



Jordan Black-Deegan
Audit Analyst
Vermont Department of Public Safety
802-241-5504 (W)
802-798-2305 (M)

cc: Brenda Buker, Operations and Internal Controls Manager
Melissa Austin, Financial Administrator



Award being reviewed

Public Assistance
02140-84330-027
8/16/2017
\$52,127.44

Primary list of monitoring documents

Documents will be selected based on sample review

Grant Management:

- Grant Management Policy & Procedures (if organization has one)
- Certificates of insurance
- Indirect Cost Documentation if applicable
- Record Retention Policy

Purchasing:

- Employee Code of Conduct Policy
- Suspended & Debarred check (SAM.gov)
- Procurement Procedures
- Purchasing Policy
- Multiple bids & Procurement History
- Contracts
- General Ledger (expense & revenue) for sampled expenses
- Bank statements of check payments for purchase & reimbursement

Equipment Purchases:

- Inventory Policy
- Property Records
- Asset list if applicable
- Capitalization Policy if applicable

Salary Expenses:

- Employee Policy
- Payroll Policy
- Payroll records/history
- Activity Reporting
- Overtime Policy
- Benefits source documentation if applicable
- General Ledger (expense & revenue) for sampled expenses

February 19, 2020

Pomfret Selectboard Meeting
Draft Minutes

Present: Emily Grube, Steve Chamberlin, Scott Woodward, John Peters, Frank Perron

Public: Bill Emmons (Planning), Nelson Lamson (Planning), Carol Lamson, Neil Lamson (Lister), Karen Hewitt Osnoe (ZBA), Kevin Geiger (Moderator), Cy Benoit (Planning& Trees), Seth Westbrook, Ellen DesMeules (Treasurer), Betsy Rhodes (Library), Ben Brickner (Zoning&

Audit), Nancy Matthews (Auditor), Betsy Siebeck, Christine Cole, Tim Reiter (Suicide 6), George Calver (Standard), Kevin Worden, Cynthia Hewitt (SB Assistant)

1. Emily called the meeting to order at 6:00 pm
2. Public Comment (none)
3. Review of Agenda: Steve moved and John seconded that Kevin Geiger's Pre-Town Meeting item was moved to the top of the list. Motion carried
4. Items for Discussion or Vote:
 - a. Pre-Town Meeting – Moderator Geiger talked through the Warning. Mr. Emmons asked for clarification of Article 9 -- Regional Energy Coordinator Position. Mr. Geiger and the Board explained this was a proposal introduced by Nick Clark, SB chair from Thetford. Discussion ensued. This is not in the budget, but presented as a separate article for the voters to decide; Scott posted the job description http://pomfretvt.us/files/1115/8215/6133/Regional_Energy_Coordinator_-_Draft_6.2-1.pdf Mr. Clark was asked for updated information which has not been provided.
 - b. Road Forman Report:
 1. Truck Repairs and Highway Expenses: Truck #2 recently underwent routine maintenance and it was determined it had some serious issues which need addressing; However, none of them pose a safety issue, nor are maintenance related. Jim has decided, with consent of the crew, to continue running Truck #2 with minimal use of 4WD, which should eliminate the urgency of the repairs. Additionally, Truck #3 is going for service and Jim feels it has some serious issues as well, due to problematic power steering. It remains to be seen if this will require an expensive repair. Emily wanted the Board to be aware of these potential expenses in advance.
 2. Howe Hill Bids – 3 bids were submitted; Jon Harrington will create a spread sheet comparing these and a joint meeting will be held with Sharon next week for determination of an award. 02/27 at 6:30 pm Sharon Town Offices.
 3. Jim and Cy Benoit have been riding around town marking high priority trees for removal. Cy has a basic scope of work re: chipping, firewood, traffic etc., which he will submit for bids. Scott moved and Frank seconded to authorize Cy to petition 2-3 vendors for estimates and to then send the estimates to Emily for Board consideration. Unanimous vote.
 4. Labounty Road RFP. Since both Chris Bump and Scot Jenson are interested in this project Emily suggested they be contacted for possible engineering input prior to issuing an RFP.
 5. Sill repair, Town Garage. Emily continues to contact both carpenters and painting contractors for bids on garage repairs.
 - c. Teago Store Renovations. Kevin Worden, the engineer for the Teago Store renovations presented his plan. The main concerns are with the highway ROW, especially on Pomfret Road and Stage Road, curbing, handicapped access, and parking. Frank also raised the issue of having an ice cream window. The new plan will increase "seating" capacity from 6 to 15. They have eliminated a bed and bathroom from upstairs to conform with the sewage requirements for the State. It was decided a site visit would be necessary. Emily, Frank, Jim, Steve, and John will

perform the visit on Thursday; a special meeting is convened for further discussion.
Tuesday Feb 25 Pomfret Town offices 6:00PM

- d. 2020 Census: Elvira Otero has sought permission to post road side signs for soliciting census workers. The Board decided she could post 6 signs and must be responsible for collecting them as well.
 - e. Schedule Joint meeting with Sharon Selectboard for Howe Hill Bids. Thurs, 02/27/2020 at 6:30 pm.
 - f. Zoning By-law Progress: Mr. Emmons read the letter to the Select Board regarding Industrial vs. Heavy industrial matters; and sound ordinance. The draft Zoning By-law does provide these definitions and distinctions, consistent with the Regional Plan prepared by the Two Rivers- Ottaquechee Regional Commission. The Planning Commission believes these definitions and distinctions in the draft by-law represent an improvement upon the 2016 Town Plan, as they carefully circumscribe the scope of "Light Industrial" in a manner that makes these uses appropriate for consideration in the Rural District. Moreover, as with "Light Industrial" uses in the Village District, these uses, in the Rural District, are subject to the general standards for all land development in Section 4.1, general conditional use standards in Section 4.2, special standards in *Section 4.5*, and ZBA review. After much discussion, John moved and Frank seconded Planning Commission's recommendation to 'Prohibit Heavy Industrial Use' in the Rural District." Passed—4/1. Regarding sound ordinance, John moved and Steve seconded there be no sound ordinance; unanimous vote.
 - g. Outline of necessary Post-Town Meeting actions. Scott prepared this list and posted to Sharepoint.
 - h. Emily moved and Scott seconded the following Warrants for payment. Unanimous

19083	\$34,257.87	accounts payable
19082	6,730.79	payroll
19081	1,063.25	accounts payable
 - i. Events in Town with inadequate parking; Emily has received two complaints regarding parking at private functions which nearly cause the roads to close. Further discussion is necessary.
 - j. Documenting personnel decisions regarding employee performance reviews. Emily stated she had completed, and had signed by employee, the standard form. Though all board members were issued the same form, no others were forthcoming. Scott has prepared a letter. Second issue needs to be further documented.
 - k. Reimbursement of work provided at the time of 2017 Flood/FEMA payments. This is a troubling situation. Scott moved and John seconded payment of invoice. Vote was 3 yes, 1 no, 1 abstained. Motion carried; invoice will be paid.
5. Meeting wrap up
- a. No correspondence

- b. Review of Assignments – Town meeting; arrive at 8 to set up chairs. John and Scott will set up sound system. Norm will turn on the water.
6. Agenda items for next meeting: Approve 02/05/2020 minutes, other items to be determined.
7. Adjournment 9:50 PM

Draft Minutes Special Select Board Meeting

Tuesday, February 25, 2020 u

Present: Emily Grube, Steve Chamberlin, Scott Woodward, John Peters, Frank Perron

Public: Betsy Rhodes (Library), Carol Lamson, Seth Wesbrook, Kathleen Dolan, Marc van Gulden, Jon Harrington, Christine Cole, Cynthia Hewitt (SB Asst)

1. Call to order 6:04 PM
2. Public Comments: None
3. Review of Agenda: Emily moved and John seconded some payment warrants be added to the agenda; Motion carried
4. Emily presented the following warrants for payment; Steve seconded; unanimous
19086 \$43,667.56 Accts payable
19087 5,079.93 Tax Refunds
19085 7,961.81 Payroll

5. Howe Hill Culverts

Jon Harrington apologized for any confusion with the bids, which were for gray vs black culverts. John explained the gray are less prone to deflection and sturdier. John stated that we can accept the bids pursuant to triple wall construction for the 48” pipe upgrade. This will add ± \$2000 to the cost. Emily moved and Frank seconded that we accept the Pike Bid and include a change to triple wall at the joint meeting with Sharon on Thursday.

As an aside, Emily stated we needed to get a preliminary design for the Cloudland culvert in order to apply for the structures grant.

6. Teago Store

Emily, Frank, Steve, John, Jon, Jimmy performed a site visit on Teago Store plans. They believe the current design submission will make the area safer and more aesthetically pleasing. Emily also found the 2012 bridge inventory. The bridges are more than 100 years old. There is an expectation that something will need to be done re: intersections, bridges, and ROW, but John speculates this will be likely 10 or more years down the road. Frank spent some time at Teago watching traffic patterns and pedestrians. The ZBA will eventually approve a current design. All are cautioned to understand a future necessity to change the intersection/roadway/ bridges/ROW. Many alternatives were suggested and discussed.

7. Executive Session. 7:58 PM. Scott Woodward moved that the board enter into executive session pursuant to **1 V.S.A. § 313(a)(3) to discuss evaluation of Town employees.**
8. Scott Woodward moved that the board make a specific finding that premature general knowledge would place the board and an employee at a substantial disadvantage.
9. We exited ex session at 9:13. Scott moved to approve and sign letters of documentation of conversations with Jim and Art on January 15, 2020. Frank seconded, Motion passed.
10. Frank moved to adjourn at 9:15. and John seconded. Motion passed