

Town of Pomfret Selectboard Meeting Agenda

Town Offices 5238 Pomfret Road

No Pomfret, VT. 05053

December 15, 2021

6:00 p.m.

Agenda	Presenter	Time Frame
1. Call to Order	Chair	6:00 pm
2. Public Comment 3. Agenda review 4. Recurring Items <ul style="list-style-type: none"> a. Approval of 12/01/2021 MINUTES b. Warrants c. Road Foreman’s Report 5. Items for Discussion or Vote <ul style="list-style-type: none"> a. Claude Weyant, Windsor County Sheriff, LEAD Program b. Winter Maintenance Policy c. Cloudland Bridge RFP d. Cyber Security Town Offices and all Communications e. Regional Emergency Management Committee Appointment f. Dog Issue and Non compliance Bunker Hill; Dog response letter g. Progress Emergency Services Committee h. Final Employee Handbook Question i. Easement Repeater j. Budget Fire department k. Town Hall Window Issues l. Budget work session m. Annual Report Officer List 	6:30 pm	
6. Meeting Wrap-up <ul style="list-style-type: none"> n. Select Board Correspondence o. Review of Assignments p. Agenda Items for Next Meeting 		
7. Adjournment		

- <https://zoom.us/j/95395079923?pwd=ZjBEd3ZuZWgvWmx2M0tpOE8zbjg2dz09> to start or join a scheduled Zoom meeting
Join Zoom Meeting via Mobile Phone +19292056099,,953950799233#,,1#306922

Join Zoom Meeting via Landline or Mobile Phone Dial +1 301 715 8592, followed by the Meeting ID: 953 9507 9923 and Password: 306922

TOWN OF POMFRET SELECT BOARD MEETING
DECEMBER 1, 2021. DRAFT MINUTES

Present: Emily Grube, Steve Chamberlin, John Peters, Jon Harrington, Chuck Gundersen
Public: Jim Potter (Road Foreman), Ben Brickner (ZBA, Auditor), Cathy Peters, Cynthia Hewitt (SB Assistant), Becky Fielder (Town Clerk)

1. Emily called the meeting to order at 6:03
2. No public comment
3. Agenda Review: Emily moved and Jon seconded addition of the following items:
Bunker Hill Dog issue; Siebeck Dog Issue; Gift Cards. Motion carried
4. Recurring Items
 - a. Approval of 11/14/21 Meeting minutes. 3 ayes, 1 nay; motion carried.
 - b. Payments of Warrants. Steve moved and Jon seconded—Unanimous

22049	A/P	\$. 18245
22048	P/R	7,756.90
22047	A/P	1,178.31
22052	A/P	12,062.25
 - c. Road Foreman's Report: New Trucks are using a lot less sand; Rich Beland will be working on the garage ventilation over the weekend; Tree cutting to be finalized to Lebaron's Corner; Dead tree removal on the North End; Tree outfit will be cutting trees on north end; Teago handicap parking slot is often misused.
5. Items for Discussion or Vote
 - a. Winter Maintenance Policy – postponed to next meeting
 - b. Highway Renumbering –Jon moved and Steve seconded renumbering the following roads: Hidden Ridge #27; Clay Road #36. Unanimous Vote
 - c. Cloudland Bridge – Jim, Jon, and Justin determined the ledge continues 4 ft below the stream bed. This will involve removing 50-60 yards of ledge at the cost of \$8-10,000. Emmons, Jim, and State Forester have all signed the water issue document.
 - d. Gully Road – Mr. Pops(landowner) will need to provide signage stating the road is private and use appropriate communication to avoid misuse of his property.
 - e. Delinquent Taxes – postponed
 - f. Digitization of Records – approved to use NMREC for 40 years of records
 - g. Cyber Security - postponed
 - h. Dog Issue – Betsy Siebeck takes her dog off leash while walking; also, she and her partner split to two sides of the road when vehicle approach. She will receive a letter. The Nichols Bunker Hill tenant is identified and has also received a letter with a copy of the dog ordinance
 - i. Employee Hand Book - is correct and complete. Chuck will send off to Stitchell Page for final approval
 - j. Repeater Easement – Kevin Rice will be finishing up easement issues
 - k. Budget Worksheet – General Accounts items were discussed. Further work to be done on NMREC charges, cleaning supply costs, Fire Department Budget; adding 4th man to highway crew; trade in 550 next year; loader will last 2 more years; bridge reserve, paving reserve
 - l. Warning Items – Selectboard Terms & marijuana discussion – Postponed

Australian Ballot – John moved and Steve seconded we have a Special Meeting on 12/03/2021 to schedule a special Town Meeting to discuss Australian ballot.

Unanimous.

6. Meeting Wrap Up
 - a. Select Board Correspondence
 - b. Review of Assignments: Siebeck Letter (CH); Fire Department Budget(KR), NMERC (EG)
 - c. Agenda Items Next Meeting: Winter maintenance (JP), Final Budget, Cyber Security (ED), Repeater Easement (KR), Cloudland RFP(JH)
7. John moved and Jon 2nd Adjournment at 8:40 pm. Unanimous

From: Weyant, Claude <Claude.Weyant@vermont.gov>

Sent: Wednesday, December 1, 2021 8:04 PM

To: Emily Grube <Emily.Grube@pomfretvt.us>; Chamberlain, Michael <Michael.Chamberlain@vermont.gov>; Beraldi, James <James.Beraldi@vermont.gov>

Subject: LEAD Program

Emily.

I hope this finds you well. I am writing to you to see if the Board would consider helping with the Law Enforcement Against Drugs program at the Prosper Valley School. We were approached by the school guidance counselor. It is to teach the 5th and 6th graders about the dangers with the misuse of drugs. It is a 45-60 minute class once a week for 10 weeks. It is somewhat similar to the old DARE program. I taught the DARE program for years in several of our town schools 15-20 years ago. It teaches the children important information about the misuse of drugs, shows the positive side of Law Enforcement, and is great for public relations.

Back then many of our towns would allow us to do this while we patrolled in their town. Others would agree to help with the program by adding one hour to the town patrols to cover the program. This covers the cost of the deputy. The school will provide all work books and materials for the students. One of our two main deputies that cover Pomfret, Sgt. J. Beraldi has been trained and is a certified instructor. They were hoping to start the second week in January. Take Care. Please let me know if you have any questions.

Thank you in advance for your consideration.

Claude Weyant-Captain

Windsor County Sheriff's Dept

Deer Pomfret Citizens:

Enclosed you will find Information regarding the way the Town maintains winter and summer roads.

We also include some information about the need for us to work with landowner's regarding the borders of the Town road within the area of the highway "right-of-way".

We will continue to try to provide good, safe roads for all of us to use. We are beginning some long range planning which we expect will help us to assign priorities better for the work load of our highway department.

The Selectmen.

2/12/92.

Board of Selectmen Bulk Route Town of Pomfret U. S.
Postage c/o Town Clerk Paid North Pomfret No.
Pomfret, VT

Vermont 05053

05053
Permit No. 2

TOWN OF POMFRET

POMFRET, VERMONT

SUMMER ROAD MAINTENANCE

SOME INFORMATION FROM STATE LAWS

1a By Statute, the Selectmen are responsible for keeping the roads passable and safe and of reasonable quality and at reasonable cost. (19 VSA 304).

2a Property owners Adjoining town roads may have ownership rights in the land underlying the road but their surface rights within the Right of Way (ROW) are limited by the

obligation of the Town to maintain the road for the benefit of the entire Town

a. The ROW is by statute a road 16.5 (49.5 ft) wide unless town records or historic monuments such as stone walls and trees will indicate otherwise. (19 VSA 32 and 19 VSA 702). In the case of older roads the travel way is very often not centered on the historic ROW which would result in series of straight lines without curves. Our Town records contain surveys of roads of 2, 2-1/2, 3 and 4 road widths.

4. Landowners should keep in mind that they do not acquire an interest within the ROW by constructing structures, erecting fences, planting shrubs and trees and lawns between the road and the edge of the ROW. (19 VSA 102). Any such construction or planting which is deemed to interfere with visibility, drainage and other safety or maintenance considerations is subject to removal or regrading by the Town.

5. Driveway curbs or connections to town roads must be made and maintained to prevent rain and snow melt water from **draining onto the town road travelled**

FOR YOUR INFORMATION

6. Most damage to paved and gravel roads comes from (a) high traffic volumes, (b) water and water erosion damage, and (c) the freeze-thaw cycle.

7. To prevent freeze-thaw damage to pavement the town tries (a) to maintain the pavement so water **drains** quickly from the surface to the ditches, (b) to keep the surface free of cracks so water cannot get beneath the pavement, (c) to keep the ditches clear and deep enough to prevent storm water getting under the pavement, and (d) to keep the shoulders between the pavement and the ditch graded so storm water **will** reach the ditch without running along the pavement edge.

TOWN POLICY

8. The Town expects to maintain paved road surfaces on those roads **carrying** the heaviest and high volume traffic.

9. To prevent water damage to gravel roads the town tries (a) to correct the road so water will get off the road to the ditch quickly and not seep into the gravel surface (b) to maintain roadside ditches to keep the road base dry, (c) to minimize the presence of double ditches which cause storm water to flow along the road and wash away the gravel surface material, and (d) to divert the surface and ditch water to the edge of the road and slope it level - every 200 to 300 feet. (19 VSA 950, 951, and 952).

10. When the Town plans to place material to widen shoulders, correct or regrade ditches, an effort be made to consult and cooperate with landowners regarding those plans.

11. The Town must not interfere with normal traffic flow from time-to-time to accomplish the investigation, planning and execution of routine maintenance activities. Vehicle mounted flashing lights, signs and/or flagmen be used to warn of abnormal conditions which create a potential hazard.

Failure of the public to exercise caution under these conditions, or to obey the signals of a flagman, can result in accident or injury.

By the Selectmen of the Town

Miller G. Hewitt
James M. Havill
J & Peter Gratiot

TOWN OF POMFRET

PO MFR ET, VERMONT

WINTER ROAD MAINTENANCE

TOWN POLICY

1. Roads will be plowed as soon as possible following a snow storm and the main paved road school bus route will, when possible, be plowed first.
2. Roads will be sanded when needed. Sanding may not be performed sooner than the day after plowing is finished . .
3. When reported weather of snow -and freezing rain is such that the roads cannot be fully plowed and/or sanded within a 12 hour work period, the department will use its best judgement on how to proceed and how to complete its task,
4. Individuals plowing driveways must not leave snow in the plowed portion of the road to interfere with town plowing .
5. Vehicles left in the travel led portion of a road, thus interfering with plowing or sanding operations, may be towed at the owner's risk and expense.
6. All decisions made by the 'Road Commissioner regarding maintenance, plowing and sanding of our town roads are final . The Road Commissioner is fully empowered to vary from these policies for circumstances he deems compelling .

WE ASK THE FOLLOWING OF THE TRAVELLING PUBLIC:

Persons using Pomfret roads in winter must be aware, that there is great variability in grade, curvature, and surface condition which will be encountered during and after storms . Winter tires in good condition are essential. Under icy conditions, until the roads are sanded, even 4-wheel drive and chains may not meet the needs . .

Before travel ling, give serious consideration to weather data available over the radio, television, and on the telephone . If the driving is going to be bad, adjust your plans to fit .

Time is required for the plow or sander to get to you and when road conditions are bad or there is an equipment breakdown it takes longer . There will be times on back roads when one should consider staying home , .

By the Selectmen of the Town
Miller G. Hewitt
James M. Havill
J. Peter Gratiot

5 February 1992

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Town of Pomfret, Vermont



REQUEST FOR PROPOSALS Paving December 16, 2021

Proposals due by
Noon, January 19, 2022

Mail responses to:
Town of Pomfret
Attn: Chair, Pomfret Selectboard 5218
Pomfret Road
North Pomfret, VT 05053

Contact Information:
Pomfret Selectboard
Jon Harrington
Jon.Harrington@pomfretvt.us
(802) 457-3861

Introduction

The Town of Pomfret, Vermont, (“Town”) is accepting proposals from excavating contractors for the following scope of work: Remove an existing 78-inch diameter corrugated metal pipe and replace with new precast concrete box culvert that is 12 foot wide x 7 foot high inner dimensions x 40 feet long with concrete cut off wall, headwalls and wingwalls on both inlet and outlet ends of the culvert.

Proposers are to include detailed specifications including any options, warranties, and timeframe for completion of work.

The Town is exempt from the Vermont State Sales

Tax. All pricing shall be good through the 2022

season.

Proposal Schedule

Activity	Date
RFP Issue & Publication	12/16/2021
Non-mandatory pre bid site visit	12/28/2021
Proposals Due	01/18/2022 noon
Selectboard Bid Opening	01/19/2022
Anticipated Selectboard Decision	01/19/2022

Instructions to Bidders

- Delivery of Bids

As required by the Town of Pomfret Purchasing Policy (see attached), all bids must be submitted in sealed envelopes, addressed to the Town in care of the Selectboard, and plainly marked with the name of the bid and the time of the bid opening. Bid proposals will be dated stamped on the outside of the envelope immediately upon receipt. Any bid may be withdrawn in writing prior to the schedule time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned. Bidders shall bid to specifications and any exceptions must be noted. A bidder shall bid to specifications and any exceptions must be noted. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or any kind with any other bidder for the same work, and that the bidder is competing solely on his/her/its behalf without connection with or obligation to any undisclosed person or firm.

Sealed proposals, clearly marked “Cloudland Culvert Proposal” on the outside, must be received no later than Noon, January 19, 2022 at the following address: Pomfret Town Offices, attn.: Pomfret Selectboard Chair, 5218 Pomfret Rd., North Pomfret, Vermont 05053. Proposals shall be opened at the subsequent Selectboard meeting.

Pre-Bid Meeting: There will be non-mandatory site meeting at the site, the AT crossing at 1101 Cloudland Road on **Tuesday December 28 ay 9 AM** for anyone interested in attending.

- Evaluation of Bids

As provided by the Town's Purchasing, in evaluating bids, the Selectboard will consider the following criteria:

- Price
- Bidder's ability to perform within the specified time limits;
- Bidder's experience and reputation, including past performance for the Town;
- Quality of the materials and services specified in the bid;
- Bidder's ability to meet other terms and conditions, including insurance and bond requirements;
- Bidder's financial responsibility;
- Bidder's availability to provide future service, maintenance, and support;
- Nature and size of bidder; and
- The degree to which the proposals respond to all requirements of the requested specifications.

The Selectboard reserves the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make a n award which in its sole and absolute judgment will best serve the Town's interest. The Selectboard reserves the right to investigate the financial responsibility of any bidder to determine its ability to assure service throughout the term of the contract.

- Bid Form

A bid form has been attached. The attached bid form shall be completed with unit and final price. Payment terms will be lump sum fee based on the total fee amount from the based bid form. Ledge removal with hydraulic hammer shall be paid for as an alternate item by the cubic yard, as indicated on the bid form.

- Change Orders

As provided in the Town's Purchasing Policy, if specification changes are made prior to the close of the bid process, the Request for Bids will be amended and notice shall be sent to any bidder who already submitted a bid and a new bid process will be initiated. Once a bid has been accepted, if changes to the specifications become necessary, the Selectboard will prepare a change order specifying the scope of the change. Once approved, the contractor and an authorized agent of the Town must sign the change order.

- Insurance & Indemnification

The proposer shall maintain full casualty insurance and worker's compensation coverage and shall indemnify the Town for any claims.

- Project Special Provisions

- Project Timeframe Requirements

- The project shall be completed by August 31, 2022. All in stream work shall meet all applicable permitting requirements.
- Cloudland Road can be closed to traffic for a maximum of 7 calendar days. Road closure shall be coordinated closely with the Town of Pomfret.

- Detours

- Pedestrian detour for Appalachian Trail shall be maintained, refer to plans.
- Inspections - The Town may at its discretion assign an inspector to monitor quality control during the culvert installation. The Contractor shall work with the inspector to ensure that the project is constructed in accordance with the plan and contract requirements.

F. Compliance with Instructions

I have read the above Instructions in its entirety and fully understand all the requirements requested by the Town of Pomfret, Vermont.

Signature

Date

Print Name & Company

In July 2021, regional Local Emergency Planning Committees were replaced with one statewide Local Emergency Planning Committee. As noted in statute (Sec. 12. 20 V.S.A. § 6) the Emergency Management Division will establish Regional Emergency Management Committees which “shall coordinate emergency planning and preparedness activities to improve their regions’ ability to prepare for, respond to, and recover from all disasters.”

As directed by the Legislature, the Regional Emergency Management Committee will consist of two voting members from each town as follows:

- The local Emergency Management Director or designee, and
- A representative from the local emergency services community to be appointed by your executive or legislative branch

The local Emergency Management Director or emergency services representative may designate the other voting member in their city or town to serve as their proxy, but must notify the Regional Planning Commission in writing prior to the meeting in which the proxy designation is made. This proxy designation allows that individual to represent 2 individuals for the purposes of achieving quorum.

The Regional Emergency Management Committee may also have nonvoting members to include public or private individuals or organizations interested in emergency planning and preparedness.

Your Emergency Management Director is *automatically* a member of the REMC and we already have their contact information. We are asking your executive or legislative branch to identify the second member, which must be a representative of the local emergency services community. Please reply to this email by **January 31, 2022** with your municipality’s second appointee’s name, address, phone number, and email and by whom they were appointed (Town Manager, Selectboard, etc.).

Note that we will be asking the Regional Emergency Management Committee representatives to be confirmed each year with submittal of your Local Emergency Management Plan.

The initial meeting of our Regional Emergency Management Committee will take place on March 17, 2022. Do not hesitate to reach out to me if you have questions or wish to discuss further.

Sincerely,
Tory

Victoria (Tory) Littlefield | Regional Planner



128 King Farm Road | Woodstock, VT 05091

802-457-3188 x3005

trorc.org | [facebook](https://www.facebook.com/trorc) | [youtube](https://www.youtube.com/channel/UCqj8K8K8K8K8K8K8K8K8K8K)

This email is not a legal opinion and is part of the public domain.

Dear Pomfret Selectboard,

I received your letter of December 2nd regarding alleged incidents with my dog. I have a number of questions regarding the letter, the answers to which I would like in a formal written response.

First, by requiring me to leash my dog at all times while out walking, am I to understand that the letter represents a formal enforcement action of Pomfret's Dog Ordinance against me or is the Selectboard converting the ordinance into a leash law that applies to all Pomfret residents? Before the Board takes action against an individual, I believe that the Board must (and should) first identify who complained, provide the specific details of each complaint and describe how the facts in each complaint result in violations of the ordinance. I believe that if this is an enforcement action that I'm also entitled to more than a discussion with the Selectboard. Am I not entitled to a formal hearing where the facts from both sides are considered by the Board?

Second, the Board also appears to take a second enforcement action by requiring two people to walk on the same side of the road. In what Pomfret ordinance is there a requirement that two or more people must walk on the same side of the road? If this is an enforcement action related to the Dog Ordinance, how is two people walking on separate sides of the road related to any specific provision of the Dog Ordinance? If this enforcement action is not related to the Dog Ordinance, please provide a copy of or reference to the applicable ordinance. Did the Town take an enforcement action against the other person or just me?

I look forward to receiving your response.

Betsy Siebeck

PS Please send a copy of your letter of December 2nd, to me, via email.