

**Town of Pomfret
Selectboard Meeting Agenda
Town Offices, 5238 Pomfret Road, No Pomfret 05053
July 20, 2022**

Zoom instructions below

Business Items	
Business Items	7:00 PM
1. Call to Order	Chair
2. Public Comment	
3. Agenda Review	
4. Road Foreman's Report & Highway Items a. Truck/Loader b. Dental Insurance c. Engineering RFP for future structure projects. d. Secondary Road Speed Limit e. Caper Street Signage F/U	
5. Items for Discussion or Vote a. Delinquent Tax Sales b. Employee Handbook c. Tree Policy d. Hiring Salary for hourly employees e. Vmers f. ARPA g. Cell Tower @Teago Fire Station h. Picnic Area Follow UP i. Warrants j. Approval of 07/06/2022 minutes	8:00
6. Meeting Wrap Up a. Correspondence b. Review of Assignments c. Agenda for Next Meeting	
7. Executive Session – Ambulance Contract; School Access	
<i>Time frames are approximate. Members of the public wishing to attend for specific business items are encouraged to arrive before the time indicated</i>	

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Click <https://zoom.us/j/95395079923?pwd=ZjBEed3ZuZWgyWmx2MotpOE8zbjg2dz09> to start or join a scheduled Zoom meeting
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Tree Policy V.3

Objective

Trees and stone walls along our Town highways contribute significantly to the beauty of Pomfret. Certain shade trees and roadside plantings along the Town right-of-way are protected by state statute. However, proper tree trimming and, where warranted, tree removal, are essential for safe movement of people and vehicles. The purpose of this policy is to provide guidance to Town officials and information to residents and landowners about maintenance, improvements, and alterations to Class 2 and 3 Town highways.

Background

Right-of-way: Municipalities own an easement, or right-of-way, for highway purposes. The width of a highway is usually three rods (49.5 feet), or 24.75 feet each side of the centerline of the currently existing highway but may be wider. For the public benefit of a road, the abutting landowner is stopped from exercising his or her full rights to the land under a right-of-way. The municipality has the authority to remove trees and other growing things, straighten curves, expand the traveled portion, and maintain or improve the road surface, all without the permission of the owners of the land the easement crosses, provided the work is done within the limits of the easement. Towns are obligated to maintain a road to certain standards that are dictated by a road's classification and by state statute. The landowner has rights to remove trees along the public right-of-way, providing that the trees are officially not designated as shade trees by the town.

Public place: Includes cemeteries, greens, parks, lawns around public buildings. Requirements for public shade tree maintenance are similar to those for highways.

Tree Warden: The Tree Warden in each town is appointed by the Selectboard. This person is responsible for preserving shade and ornamental trees in the town public ways and places, determining necessary care of trees, controlling of tree infestations, deciding when diseased, dead, or dying trees should be removed and, planning when new trees are appropriate. The Tree Warden shall hold public hearings when the removal of a shade tree is proposed.

Selectboard: Is responsible for maintaining the usefulness and safety of town roads and will decide on appeals of certain of the Tree Warden's decisions.

Highway Department: Performs or oversees road maintenance, including tree and brush removal.

Pomfret's policy on right-of-way clearing and trees is as follows:

(1) The Town shall comply with State statutes and regulations when performing road work. While the Town is obligated to maintain the usefulness and safety of its roads, it is also interested in preserving their aesthetic qualities.

(2) Except in emergencies, road maintenance that proposes removal of trees from the right-of-way will be reviewed by the Tree Warden. With the Road Commissioner/Road Foreman, the Tree Warden will view trees that have been identified for removal and provide a report to the Selectboard and the Highway Department. The Selectboard and the Highway Department will file the report in the Town Office. The Selectboard will notify the landowners by letter if the report recommends tree removal and hold a public hearing if necessary.

(3) Except in emergencies, landowners will be notified two weeks before work is scheduled in the public right-of-way across their land: tree cutting, road straightening or widening, and any work that will significantly alter the road or right-of-way. The letter will advise landowners of planned work, the tentative schedule for it, and will inform individuals of their opportunity to express their concerns regarding the work. Similar notification of proposed major road reconstruction projects will be mailed at least 60 days before the work is to begin.

(4) Actions that will be taken by the Road Commissioner or Road Foreman before cutting trees or shrubs:

- ◆ Confirm the width of the right-of-way, and measure and mark its edges.
- ◆ Describe the location and proposed work to the Tree Warden.
- ◆ Request the Tree Warden's opinion whether the proposed work will require cutting of shade, fruit, or ornamental trees or shrubs, and whether such plants are in a residential area. If such plants are to be cut, obtain written permission from the Tree Warden, then notify the Selectboard.
- ◆ Notify landowners.
- ◆ Require a certificate of insurance before a contractor begins any cutting.
- ◆ Roadside mowing will maintain clearances for snow removal and road visibility for drivers.
- ◆ Brush and trees that could interfere with the operation of Town equipment may be removed.

(5) Actions to be taken by the Tree Warden:

- ◆ Consult with the Road Commissioner or Road Foreman on proposed right-of-way clearing.
- ◆ If the cutting of public shade trees is recommended, hold a public hearing. When appropriate, issue written permission to the Road Commissioner or Road Foreman to remove trees.

(6) Actions to be taken by the Selectboard:

- ◆ Decide cases involving cutting of shade tree, fruit, or ornamental trees or shrubs, after the Tree Warden's hearing, when the Tree Warden is precluded from deciding the case or an interested party requests in writing that the Selectboard do so.

Invasive Plant Management

The Tree Warden may make suggestions on management of invasive plants along the Town right-of-way.

Shade Tree Planting Guidelines

Trees planted by the town are officially designated as shade trees, with the protections outlined in the state statutes. All species of shade trees shall be selected from recommendations by the Vermont Urban & Community Forestry. For tree species to be planted, see Vermont Tree Selection Guide:

https://vtcommunityforestry.org/sites/default/files/pictures/complete_vt_tree_selection_guide_2019.pdf

Funding for Shade Tree Plantings and Removal

The Pomfret Selectboard shall create a town tree removal fund for use by the Tree Warden in the implementation of their duty. Funds in this account may be used by the Town Road Commissioner or Road Foreman, in consultation with of the Tree Warden. The tree removal fund will be important when ash trees damaged by the invasive Emerald Ash Borer need to be removed along the Town right-of-way.

Clean up

Materials cut from the Town right-of-way will be removed as reasonably appropriate.

Material from chipping can be spread on abutters' property with their prior approval.

Logs of an agreed-upon length may be left on abutters' property only with landowners' approval. Any wood from trees less than 6 inches DBH (Diameter Breast Height) that are removed by the Town belongs to the Town. Any wood from trees removed by the landowner, with approval of Tree Warden, belongs to the landowner.

Permit for Public Tree Removal in Pomfret

A permit for public tree removal must be approved by the Pomfret Tree Warden. Here is a link to a Town form that may be used to make such a request see: [Permit for Public Tree Removal](#).

Changes in Pomfret Tree Policy

The Pomfret Board of Selectmen reserves the right to establish internal guidelines consistent with this policy and to amend the policy from time to time without future notice.

Vermont Tree Warden Statutes

Updated January 2021

Source:

https://vtcommunityforestry.org/sites/default/files/pictures/Tree_Warden_Resources/tree_warden_and_tree_statutes.pdf

TITLE 24: Municipal and County Government

CHAPTER 033: MUNICIPAL OFFICERS GENERALLY

§ 871. Organization of selectmen; appointments

(a) Forthwith after its election and qualification, the selectboard shall organize and elect a chair and, if so voted, a clerk from among its number, and file a certificate of such election for record in the office of the town clerk.

(b) The selectboard shall appoint a tree warden, who need not be a resident of the municipality, and may appoint from among the registered voters the following officers who shall serve until their successors are appointed and qualified and shall certify the appointments to the town clerk who shall record the same:

(1) three fence viewers;

(2) a poundkeeper, for each pound; voting residence in the town need not be a qualification for this office provided appointee gives his or her consent to the appointment;

(3) one or more inspectors of lumber, shingles, and wood; (4) one or more weighers of coal; (5) one town service officer; and (6) one grand juror.

(c) After the selectboard appoints a tree warden, the selectboard shall certify the appointment to the Commissioner of Forests, Parks and Recreation. The certification shall include contact information for the appointed tree warden. (Amended 1963, No. 74, § 2; 2007, No. 121 (Adj. Sess.), § 18; 2015, No. 71 (Adj. Sess.), § 2; 2017, No. 93 (Adj. Sess.), § 2; 2019, No. 171 (Adj. Sess.), § 1, eff. Nov. 1, 2020.)

TITLE 24: Municipal and County Government

CHAPTER 067: PARKS AND SHADE TREES

§ 2501a. Definitions

As used in this chapter:

(1) "Public place" means municipal property, including a municipal park, a recreation area, or a municipal building. "Public place" shall not include any municipal forestland or property that is subject to any ownership interest held by the Agency of Transportation.

(2) "Public way" means a right-of-way held by a municipality, including a town highway.

(3) "Shade tree" means a shade or ornamental tree located in whole or in part within the limits of a public way or public place, provided that the tree:

(A) was planted by the municipality; or

(B) is designated as a shade tree pursuant to a municipal shade tree preservation plan pursuant to section 2502 of this title. (Added 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2502. Tree wardens and preservation of shade trees

(a) The tree warden shall control all shade trees within the municipality.

(b) The tree warden and the legislative body of the municipality may adopt a shade tree preservation plan. The plan shall:

(1) describe any program for the planting of new trees and shrubs;

(2) provide for the maintenance of shade trees through feeding, pruning, and protection from noxious insect and disease pests;

(3) determine the apportionment of costs for tree warden services provided to other municipal corporations;

(4) determine whether tree maintenance or removal on specific municipal property shall require the approval of another municipal officer or legislative body; and

(5) determine the process, not inconsistent with this chapter, for the removal of: (A) diseased, dying, or dead shade trees; and

(B) any shade trees that create a hazard to public safety, impact a disease or insect control program, or must be removed to comply with State or federal law or permitting requirements.

(c) The shade tree preservation plan may:

(1) map locations or zones within the municipality where all trees in whole or in part within a public way or place shall be designated as shade trees; and

(2) designate as a shade tree any tree in whole or in part within a public way, provided that the tree warden and legislative body of the municipality find that the tree is critical to the cultural, historical, or aesthetic character of the municipality.

(d) The tree warden and legislative body of the municipality shall hold a minimum of one public hearing concerning the shade tree preservation plan for the purpose of soliciting public input. The legislative body shall publish the proposed plan 10 days prior to the public hearing.

(e) For the purpose of promoting the public health, safety, welfare, and convenience, a municipality shall have authority to adopt an ordinance that is not inconsistent with this chapter for the administration of the shade tree preservation plan and the regulation of shade trees. The tree ordinance shall be adopted pursuant to chapter 59 of this title. (Amended 1969, No. 238 (Adj. Sess.), § 1; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2503. Appropriations

A municipality may appropriate a sum of money to be expended by the tree warden, mayor, aldermen, selectboard, or trustees for the purpose of carrying out this chapter. (Amended 1969, No. 238 (Adj. Sess.), § 2; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2504. Removal of shade trees; exception

(a) The tree warden may remove or cause to be removed from the public ways or places any trees that are infested with or infected by a tree pest or that constitute a public hazard. The notice and hearing requirements of section 2509 of this chapter shall not apply to the removal of infested or infected trees.

(b) The tree warden may determine that an owner or lessee of abutting property has sufficiently controlled all insect pests or tree diseases upon the trees within the limits of a public way or place abutting the property and may determine that it is not necessary to remove the trees. (Amended 1969, No. 238 (Adj. Sess.), § 3; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2505. Deputy tree wardens

The legislative body of the municipality may appoint deputy tree wardens who shall serve under the direction of the tree warden and shall have the same duties and authority as the tree warden. The legislative body of the municipality may dismiss a deputy tree warden at its pleasure. (Amended 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2506. Regulations for protections of shade trees

A tree warden shall enforce all laws relating to shade trees and may propose to the legislative body of the municipality the rules, ordinances, or regulations for the planting, protection, care, or removal of public shade trees as he or she deems expedient. The legislative body of the municipality may adopt the rules, ordinances, or regulations pursuant to the provisions of chapter 59 of this title. (Amended 1969, No. 238 (Adj. Sess.), § 4; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2507. Cooperation

With consent of the legislative body of the municipality, the tree warden may:

(1) enter into financial or other agreements with the owners of land adjoining or facing public ways and places for the purpose of encouraging and effecting the shade tree preservation plan;

(2) enter into agreements with other municipal corporations to provide tree warden services or training; and

(3) cooperate with federal, State, county, or other municipal governments, agencies, or other public or private organizations or individuals and may accept on behalf of the municipality any funds, equipment, supplies, or services from organizations and individuals, or others, as deemed appropriate for use in carrying out the purposes of this chapter. (Amended 1969, No. 238 (Adj. Sess.), § 5; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2508. Cutting shade trees prohibited

Except as otherwise provided in 19 V.S.A. chapter 9, a shade tree shall not be cut or removed, in whole or in part, except by a tree warden or his or her deputy or by a person having the written permission of a tree warden. (Amended 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2509. Cutting shade trees; notice and hearing

(a) The tree warden shall post public notice of the intent to cut or remove a shade tree. The notice shall be posted a minimum of 15 days prior to cutting or removing the tree. If the cutting or removal is appealed pursuant to subsection (c) of this section, the legislative body of the municipality shall hold a public hearing. This subsection shall not apply to the cutting or removal of a shade tree or trees that:

(1) are infested with or infected by, or at risk to become infested with or infected by, a tree pest and are located in an infestation area designated by the Agency of Agriculture, Food and Markets and Department of Forests, Parks and Recreation;

(2) are a hazard to public safety; or

(3) must be removed for the municipality to comply with State or federal law or permitting requirements.

(b)(1) The tree warden shall post public notice of the intent to cut or remove a shade tree or group of shade trees pursuant to subsection (a) of this section in at least two conspicuous locations within the municipality. The tree warden shall post the public notice in or near the office of the clerk of the municipality.

(2) When the shade tree or group of shade trees are located on property held in fee by another, the municipality shall notify each abutting landowner at the landowner's address of record.

(c)(1) Within 15 days after the posting of public notice, a resident or landowner may appeal in writing to the legislative body of the municipality to object to the cutting or removal of a shade tree. The legislative body of the municipality shall give notice of the appeal to the tree warden.

(2) Within 10 business days after receipt of an appeal, the legislative body of the municipality shall hold a public hearing with the tree warden to receive public comment on the proposed cutting or removal of the shade tree. The tree warden shall stay action on the proposed removal until the legislative body of the municipality renders a final decision on the appeal.

(d) In all cases, the decision of the legislative body of the municipality shall be final. (Amended 1969, No. 238 (Adj. Sess.), § 6; 2017, No. 74, § 100; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2510. Penalty

(a) Whoever shall willfully mar or deface a shade tree without the written permission of a tree warden or legislative body of the municipality shall be fined not more than \$50.00 for the use of the municipality.

(b) Any person who willfully and critically injures or cuts down a shade tree without written permission of the tree warden or the legislative body of the municipality shall be fined pursuant to 13 V.S.A. § 3602 for each tree so injured or cut, for the use of the municipality. (Amended 1969, No. 238 (Adj. Sess.), § 7; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2511. Control of infestations

When an insect or disease pest infestation upon or in shade or private trees threatens other public or private trees, is considered detrimental to a municipal shade tree preservation program, or threatens the public safety, the tree warden may request surveys and recommendations for control action from the Secretary of Agriculture, Food and Markets or Commissioner of Forests, Parks and Recreation in accordance with 6 V.S.A. chapter 84. (Amended 1969, No. 238 (Adj. Sess.), § 8; 2003, No. 42, § 2, eff. May 27, 2003; 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)

§ 2512. Repealed. 1969, No. 238 (Adj. Sess.), § 9.

TITLE 32: Taxation and Finance

CHAPTER 017: FEES AND COSTS

§ 1680. Tree warden

When a town or incorporated village fails to fix the compensation of a tree warden or his deputies, they shall receive such compensation as the selectmen or trustees determine.

Other Statutes Related to Trees TITLE 30: Public Service

CHAPTER 071: TELEGRAPH, TELEPHONE AND ELECTRIC WIRES

§ 2506. Trees not to be injured; exception; penalty A tree within a street or highway shall not be cut or injured in constructing, maintaining or repairing a line of wires, without the written

consent of the adjoining owner or occupant, unless the transportation board or the selectmen of the town in which the tree is situated, after due notice to the parties and upon hearing, shall decide that such cutting or injury is necessary. A person or corporation cutting or injuring such trees shall pay the damages, if any, awarded on such hearing, before cutting or injuring the trees. A person or corporation that violates a provision of this section shall be fined not more than \$50.00 nor less than \$5.00 for each tree so cut or injured. (Amended 1989, No. 246 (Adj. Sess.), § 31.)

TITLE 13: Crimes and Criminal Procedure

CHAPTER 077: TREES AND PLANTS

§ 3602. Valuation of trees or timber

Any person who is entitled to damages pursuant to section 3606 of this title or who is entitled to restitution for a violation of section 3606a of this title may provide an assessment of the value, based upon the kind, condition, location, and use of the timber cut down, destroyed, removed, injured, damaged, or carried away or, in the alternative, may assess the value of the timber as follows:

- (1) if a tree is no more than six inches in stump diameter or DBH, \$50.00;
- (2) if a tree is more than six inches and not more than ten inches in stump diameter or DBH, \$100.00;
- (3) if a tree is more than 10 inches and not more than 14 inches in stump diameter or DBH, \$300.00;
- (4) if a tree is more than 14 inches and not more than 18 inches in stump diameter or DBH, \$750.00;
- (5) if a tree is more than 18 inches and not more than 22 inches in stump diameter or DBH, \$1,500.00;
- (6) if a tree is greater than 22 inches in stump diameter or DBH, \$2,000.00;
- (7) for a bush or shrub, \$50.00. (Added 2009, No. 147 (Adj. Sess.), § 4; amended 2015, No. 106 (Adj. Sess.), § 1.)

§ 3606. Trespass; civil action (a) In addition to any other civil liability or criminal penalty allowed by law, if a person cuts down, fells, destroys, removes, injures, damages, or carries away any timber placed or growing for any use or purpose whatsoever, or forest products standing, lying, or growing belonging to another person, without permission

from the owner of the timber or forest product, or cuts out, alters, or defaces the mark of a log or other valuable forest product, the party injured may recover of such person, in an action on this statute, treble damages for the value of the timber or forest product, and any damage caused to the land or improvements thereon as a result of such action. The injured party or landowner may

rely on an assessment of damages based on the kind, condition, location, and use of the timber or forest product by the injured party or landowner, or alternatively, may elect to rely on the values established under section 3602 of this title.

(b) If the defendant in an action brought pursuant to subsection (a) of this section establishes by a preponderance of the evidence that he or she had good reason to believe that the timber or forest products belonged to him or her, or that he or she had a legal right to perform the acts complained of, the plaintiff shall recover single damages only, with costs.

(c) As used in this section, "damages" shall include any damage caused to the land or improvements thereon as a result of a person cutting, felling, destroying, removing, injuring, damaging, or carrying away timber or forest products without the permission of the owner of the property on which the timber stands. (Amended 1959, No. 61, eff. March 26, 1959; amended 2009, No. 147 (Adj. Sess.), § 5; 2015, No. 106 (Adj. Sess.), § 1.)

TITLE 19: Highways

CHAPTER 009: Repairs, Maintenance, And Improvements

§ 901. Removal of roadside growth

Except for work that is part of the Transportation Program under section 10g of this title:

(1) A person shall not remove shade trees, as defined in 24 V.S.A. § 2501a, without prior approval of the tree warden pursuant to 24 V.S.A. chapter 67.

(2) A person, other than the abutting landowner or municipality, shall not cut, trim, remove, or otherwise damage any grasses, shrubs, vines, or trees growing within the limits of a town highway without first having obtained the consent of the legislative body.

(3) A person, other than the Agency or the abutting landowner, shall not cut, trim, remove, or otherwise damage any grasses, shrubs, vines, or trees growing within the limits of lands subject to any ownership interest held by the Agency without first obtaining the Agency's written consent. (Added 1985, No. 269 (Adj. Sess.), § 1; amended 2019, No. 171 (Adj. Sess.), § 3, eff. Nov. 1, 2020.)

§ 902. Penalty for removal

(a) A person, other than the Agency, the abutting landowner, the municipality, or the tree warden, who willfully or maliciously cuts, trims, removes, or otherwise damages trees within the limits of a State highway or municipal right-of-way shall be fined pursuant to 13 V.S.A. § 3602, unless the person has obtained prior written consent from the Agency, municipality, or tree warden.

(b) A person, other than the Agency, the abutting landowner, the municipality, or the tree warden, who willfully or maliciously cuts, trims, removes, or otherwise damages grasses, shrubs, or vines within highway limits in violation of section 901 of this title shall be fined not more than \$100.00 nor less than \$10.00, for each offense, unless the person has obtained prior written

consent from the Agency or municipality. (Added 1985, No. 269 (Adj. Sess.), § 1; amended 2019, No. 171 (Adj. Sess.), § 3, eff. Nov. 1, 2020.)

§ 903. Agreements for planting

The agency or the board of selectmen may enter into agreements with individuals or organizations who wish to plant grasses, shrubs, vines, trees or flowers within highway limits. (Added 1985, No. 269 (Adj. Sess.), § 1.)

§ 904. Tree and brush removal

The legislative body of a municipality, if necessary, shall cause to be cut and burned, or removed from within the limits of the highways under their care, trees and bushes that obstruct the view of the highway ahead or that cause damage to the highway or that are objectionable from a material or scenic standpoint. Trees that have been set out or marked by the abutting landowners and shade trees that have been designated pursuant to 24 V.S.A. chapter 67 shall be preserved if the usefulness or safety of the highway is not impaired. Young trees standing at a proper distance from the roadbed and from each other, and banks and hedges of bushes that serve as a protection to the highway or add beauty to the roadside, shall be preserved. On State highways, the Secretary shall have the same authority as the legislative body. (Added 1985, No. 269 (Adj. Sess.), § 1; amended 2019, No. 171 (Adj. Sess.), § 3, eff. Nov. 1, 2020)

From: Pam Pickett <pickettps4@gmail.com>
Sent: Friday, July 15, 2022 6:07 PM
To: Emily Grube <Emily.Grube@pomfretvt.us>; Karen Hewitt Osnoe <karen.hewitt@pomfretvt.us>;
wbemmons3@gmail.com <wbemmons3@gmail.com>; kricevt@gmail.com <kricevt@gmail.com>
Subject: Teago FD Cell Tower

Greetings,

A recent article in the Vermont Standard (July 14, 2022) outlined a proposed plan for a cell tower to be placed on the Teago Fire Department Property. I have been in contact with Kevin Rice, Chief of the Teago Fire Department to gather additional information about this potential project. Because I will be out of town for the next week and I will be unable to attend the upcoming Planning and Selectboard meetings, I have opted to send this email to express my concerns.

At present, it is my understanding that this tower will be 40 feet including antennas. This will make it taller than the surrounding vegetation in the meadow, brook bank and hillside. The placement of this cell phone tower will detract from the scenic beauty of the Pomfret Road and surrounding landscape. As a result, Pomfret's natural environment and the rural character of the village will be adversely affected.

The proposed location of the tower would be approximately 200 feet from my property boundary and approximately 300 feet from my primary dwelling. According to information that I have gathered, it is recommended that cell towers be at least 400 meters (approx. .25 miles) from a residence <https://emfcenter.com/what-distance-is-safe/>. Of note, the State of New Hampshire is proposing legislation that will require cell towers to be at least 500 meters away from a residence. <https://mdsafetech.org/2020/11/17/new-hampshire-commission-studies-5g-technology-health-and-environment-effects/>

As a direct property abutter I am opposed to this project. I am concerned about the actual and potential health impacts that living in close proximity to the tower would have on members of my household. Information that I have gathered about this topic is alarming to say the least. <https://mdsafetech.org/cell-tower-health-effects/> <https://mdsafetech.org/nervous-system/>
This article provides information related to the "adverse biological effects" to birds, bees and humans from exposure to Electromagnetic Radiation (EMR) from cell phone towers. <https://www.intechopen.com/chapters/60604>

Of significance, the International Association of Firefighters has opposed the placement of cell towers on Fire Stations due to health concerns. <https://www.iaff.org/cell-tower%20radiation/?fbclid=IwAR2nQtDDFuE0TDQ8DUyJXkKMDgSTowO3rvghMqcF5Gg6VD5SfNMU29q7ck%20%20:-:text=The%20International%20Association%20of%20Fire,for%20the%20conduction%20of%20cell>

Town of Pomfret Select Board
Draft Minutes
July 6, 2022

Present: Emily Grube, Steve Chamberlin, John Peters, Jon Harrington, Ben Brickner
Public: Christine Dolan (VT Standard), Allyn Ricker, Cynthia Hewitt (SB Asst), Kevin Rice (Fire Chief), Marjorie Wakefield (Trustee of Public Funds), Alan Graham (Dpty Tree Warden), Cy Benoit (Tree Warden)

1. Emily called the meeting to order at 7:00 pm
2. Public Comment – Fire Chief Kevin Rice wanted to alert the Board to a potential opportunity presented to him from Mac Mountain a communications company. They wish to erect a secondary 40-foot cellular tower on Teago FD property, which they feel will improve cellular communications for North Pomfret, Barnard, and Woodstock. Additionally, they will lease the property from the Fire Department. Further negotiations are pending. Kevin also reported the Highway antenna need adjustment. Steve will continue to communicate with Mike Barcomb to secure ROW.
3. Agenda Review – Need to determine the FY 2023 tax rate.
4. Road Foreman’s Report
 - a. Allyn reports that the Cloudland Bridge Project will be delayed due to issues with the box culvert fabrication and difficulty securing a crane on the later date when the completed culvert is expected to arrive on site. Construction and the road closure may last until July 15th; he will know more soon. Allyn will be available to supervise the August paving project
 - b. Grant Acceptance – Emily has received verbal confirmation of a paving grant but no paperwork. Once the paperwork arrives and the grant is accepted, she will approve the Pike RFP for the paving.
 - c. Caper Street Speed. Limit – Jim will remove the 40-mph sign at the approach to Caper Street, since it stands in front of the 25-mph yield sign.
 - d. Dental Insurance - Discussion postponed to July 20th meeting. The board would like Jim’s input about whether there is interest in this benefit among the road crew.
 - e. Secondary Road Speed Limit – Suggestions including flashing warning signs for speeding, budgeting more sheriff time, etc. to be continued
 - f. Prosper Valley Plowing – Bob Crean asked if the town crew would be able to the remove snow from the PV School. We do not have the manpower to take on that job. Emily will notify Mr. Crean.
 - g. Truck & Loader RFP. Steve and Jim will work up an order for a Ford 550; pricing to be discussed at next meeting.
5. Items for Discussion or Vote
 - a. Tree Policy – Mr. Benoit and Mr. Graham presented an amended tree policy. Further discussion with the Board included additional editing. Mr. Graham will resubmit and present for July 20th Meeting.
 - b. Brick Building – Emily moved and Ben seconded John Barnes be contracted to perform masonry repairs on the Brick Building and add drainage. Mr. Barnes expects to do the work in August 2023

Deleted: It

- c. Ambulance Contract and d. School lot access will be discussed in Executive Session, following conclusion of the public portion of this meeting
 - d. School Lot Access (see above)
 - e. ROW Crossing – Steve moved and Jon seconded approval of this document with suggested changes, as well as the related permit fees Unanimous vote
 - f. Permit Fee Scheduling See above
 - g. Employee Handbook – was returned from Stitzel Page just yesterday; their suggestions will be reviewed and discussion postponed to the 07/20/22 agenda
 - h. VMERS – no response yet – Ellen will follow up with the state Retirement Office.
 - i. Set the Tax rate Ben moved and Emily seconded that the FY 2023 tax rate be set as follows: \$0.4084 (town) and \$0.0007 (local agreement) per \$100 taxable value. Unanimous vote.
 - j. ARPA – postponed to 07/20/22 meeting
 - k. Picnic Area Deed – Ben presented the deed revised by Stitzel Page. Jon will take to Nancy Bassett.
 - l. Catering permit ratification. John moved, Ben seconded and Board unanimously agreed that the Town Clerk or (in her absence) the Assistant Town Clerk may approve request-to-cater permit applications for recurring events (same applicant and venue; similar start time, end time and expected attendance) where no complaints have been received for prior iterations of the proposed event. New requests will still need to come before the board
 - m. Emily moved and Ben seconded approval of the following warrants:

22120	\$ 4,066.65	A/P
22123	11,215.01	Payroll
22126	69,199.15	A/P
23002	26,317.85	A/P

 Unanimous Approval
 - n. Approve 06/15/2022 Minutes – Ben moved and Steve seconded approval after a minor correction. Unanimous Vote
6. Meeting Wrap Up
- a. Correspondence – Mike Doton reminder of Vermont 100 race
 - b. Review of Assignments – Emily contact Mr. Emmons and List serve re: possible extension of road closure; speak with Mike Doton, Caleb, Bob Crean, Ellen; Jonathan following up with Mr. Flynn (Caper ST. speed limit) and Nancy Bassett.
 - c. Agenda Items for next meeting: Tree policy, Employee Handbook, Truck/Loader, Dental Insurance, ARPA, VMERS
7. The meeting was adjourned at 9:50 pm; Executive Session called to order
8. Executive Session adjourned at 10:25 pm, and no decisions were made therein
9. The meeting was adjourned at 10:30 pm.

Deleted: adjournment

Commented [BB1]:

Deleted: persevere

Deleted: granting of routine catering permits may be authorized by Becky and/or Ellen