

Town of Pomfret Select Board Meeting
Draft Minutes – July 20, 2022

Present: Emily Grube, John Peters, Benjamin Brickner, Steve Chamberlin

Absent: Jonathan Harrington

Public: Cynthia Hewitt (Selectboard Assistant), Karen Hewitt Osnoe (Zoning Administrator; Delinquent Tax Collector), Alan Graham (Deputy Tree Warden), John Moore (Planning Commission), Allyn Ricker, Pamela Pickett, Christina Dolan (Vermont Standard)

1. Emily called the meeting to order at 7:01 pm
2. Public Comment – None
3. Review of Agenda – Karen Osnoe – Zoning violation on Tom White Hill; Emily – RFP for Local Hazard Mitigation Plan grant; sign Pike contract/bid. Ben – Nomination to attend leadership conference. Ben moved and Steve seconded these items be added to the agenda; unanimous
4. Road Foreman’s Report and Highway Items
 - a. Allyn reports that Cloudland Road is now open. Guard rails to be installed this week; Allyn and Jim will conduct the final walk through.
 - b. Truck/Loader Purchase. Steve stated that the ’22 base price for a Ford F550 is ± \$66,000; ’23 prices are not yet available. It will likely be at least 6 months from the order date before a truck will be available. We received no bids on the RFP previously issued. For this reason, the purchasing policy has been satisfied and we can proceed directly with a single vendor. Steve moved and Ben seconded we order a new truck from Ted Green Ford. Unanimous.
 - c. Dental Insurance for Employees – postponed to August 3 meeting.
 - d. Wild Apple Bridge/Culverts – An engineering RFP is needed for this project; Emily will prepare using the Cloudland RFP as a starting point. The project needs preliminary plans, analysis, and an engineering study.
 - e. Secondary roads speed limit – nothing further to discuss.
 - f. Caper Street Speed signage – Jim to relocate the 40-mph sign so it is farther from the 25 mph advisory sign.
 - g. Pike Contract – the contract includes the better asphalt; Emily will confirm contract is consistent with the approved bid and, if so, will sign and return the contract on Friday; price includes shoulder work and cold planing.
5. Items for Discussion or Vote
 - a. Zoning Violation – Karen reports that she discovered at a site visit for permit approval on Tom White Hill the landowner had already poured the 12x20 slab while putting in footings for the existing shed. Planning Commission would like the board to consider imposing a late fee or daily penalty pursuant to 24 V.S.A. 4451. The board decided a late fee was more appropriate than a daily penalty, but it was noted that since tax bills were recently mailed along with a conspicuous notice of the town’s zoning rules, daily penalties for violations will be more appropriate going forward. Ben moved and John seconded that Karen levy a \$200 late fee. Vote was 3 to 1; Steve abstained as a related person is a client.

- b. Delinquent Taxes – On June 7, 2022, Governor Scott signed S.226 (Act 182) that among other things prohibits tax sales while a homeowners Vermont Homeowner (VHAP) application is pending.
 - a. Parcel 0163 – VHAP application pending. Per Act 182, tax sale to proceed if the applicant is deemed ineligible or the VHAP application is closed due to inaction by the applicant.
 - b. Parcel 0188 – Delinquency too short and amount owed too small to warrant a tax sale. Delinquent Tax Collector to pursue a payment plan instead. Tax sale to proceed if no payment plan is agreed.
 - c. Parcel 0190-AL – Tax sale to proceed.
 - d. Parcel 0702 – Tax sale to proceed.
 - e. Parcel 0704-B – Taxpayer is paying pursuant to a payment plan. Tax sale to proceed if taxpayer fails to adhere to the existing payment plan.
 - f. Parcel 0705 – Delinquency too short and amount owed too small to warrant a tax sale. Delinquent Tax Collector to pursue a payment plan instead. Tax sale to proceed if no payment plan is agreed.
 - g. Parcel 1802 – Taxpayer is paying pursuant to a payment plan. Tax sale to proceed if taxpayer fails to adhere to the existing payment plan.
 - h. Parcel 2009 – Delinquency too short and amount owed too small to warrant a tax sale. Delinquent Tax Collector to pursue a payment plan instead. Tax sale to proceed if no payment plan is agreed.
 - i. Parcel 2302-B – VHAP application pending. Per Act 182, tax sale to proceed if the applicant is deemed ineligible or the VHAP application is closed due to inaction by the applicant.
 - j. Parcel 4213-AL -- Delinquency too short and amount owed too small to warrant a tax sale. Delinquent Tax Collector to pursue a payment plan instead. Tax sale to proceed if no payment plan is agreed.
 - k. Parcels 4801, 4801-B, 4801-C and 4801-D – Tax sale to proceed.

Ben moved and Steve seconded that Karen proceed as described above, including with six tax sales (Parcels 0190-AL, 0702, 4801, 4801-B, 4801-C and 4801-D). Vote was 3 to 1; Emily abstained as one delinquent taxpayer is a neighbor. Karen to send another letter to inform them of proceeding tax sales.

- c. Employee Handbook – Options are to return to Stitzel Page for clarification of their comments or to Teresa (HR Acquired consulting firm) to review the comments and advise the board accordingly. Ben moved we forward handbook to Teresa for her advice. Steve seconded. Unanimous
- d. Tree Policy – Alan Graham will make final edits per select board commentary. Board will approve at the 08/03/22 Meeting.
- e. Hiring Salary for Hourly Employees – Emily will confirm with Ellen. Based on prior cost of living adjustments, Ben believes the current starting hourly pay rate following the 5.9% COLA approved by the board last June is \$18.95/hour.
- f. VMERS – Ellen will continue trying to arrange a meeting with the Vermont Retirement Office to better understand the VMERS group options available to town employees.
- g. ARPA – Town garage ventilation and two new laptops for town officials to be submitted for payment with ARPA funds; discussion of other projects to continue at

- later meetings. Ben relayed a comment from Chad (the town's CPA) that the cost to digitize land records is better paid from the state-mandated reserve fund (as opposed to with ARPA funds) because the state-mandated fund can be used only for very specific expenses, while ARPA funds may be used more broadly. Emily to follow up with Ellen on the status of the digitization payments.
- h. Cell Tower at Teago Fire Station – Pam Pickett reemphasized her opposition to erection of a cell tower at Teago, as per her letter to the Board (attached); and asked select board to oppose the project. Pam's major concerns are aesthetics and health impacts due to proximity to her home. Emily agrees the health concerns need to be addressed. Ben noted that approval of telecommunications facilities in Vermont is primarily a state process. While the town and members of the public may raise concerns and submit comments, local land use regulations do not apply.
 - i. Picnic Area Deed – To be discussed when updates are available.
 - j. Warrants –

23003	\$ 10,477.30	Payroll
23004	130,195.49	A/P

 Emily moved and Steve seconded, unanimous
 - k. Approval of July 20 Minutes – Ben moved and Steve seconded approval of the minutes with one minor change. Unanimous.
 - l. RFP for Local Hazard Mitigation Plan – Ben moved and Steve seconded we prepare the RFP for next meeting. Unanimous. Ben will prepare using the form provided by Vermont Emergency Management as a starting point.
6. Meeting Wrap Up
- a. Correspondence – Request to make an Entry of Appearance in the Silver Birch Properties matter now pending in the Superior Court, Environmental Division; Leadership conference attendance.
 - b. Review of Assignments
 - Jim – Consider dental insurance; move Caper Street speed sign
 - Ben – Prepare Local Hazard Mitigation Plan RFP; send employee handbook comments to Teresa; find someone to attend the annual leadership conference; revert to Joe McLean about the Entry of Appearance
 - Emily – Sign and return Pike contract; prepare RFP for Structures Grant; discuss Dental Insurance with Jim; discuss Caper Street signage with Jim; discuss with Ellen billing of new laptops to ARPA and land records digitization to reserve fund
 - Steve – Order new truck
 - c. Agenda items for next meeting – to be discussed over email before the next meeting.
7. Executive Session – Ben moved and John seconded that the board enter Executive Session per 1 V.S.A. 313(a)(1) to discuss contracts and confidential attorney-client communications. Unanimous. The board entered executive session at 8:53 pm.
 8. Executive Session was adjourned at 9:45 pm, and no decisions were made therein.
 9. Entry of Appearance – Ben moved and John seconded that Joe McLean be authorized to make an Entry of Appearance on behalf of the town in the Silver Birch Properties matter now pending in the Superior Court. Vote was 3 to 1; Steve abstained as a related person is a client. Ben will revert to Joe on this.

10. Ben moved and John seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 9:50 pm.

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

- 11.
12. Greetings,
- 13.
14. 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.
- 15.
16. 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.
- 17.
18. 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/>
- 19.
20. 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/>
21. 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>
- 22.

23. Of significance, the International Association of Firefighters has opposed the placement of cell towers on Fire Stations due to health concerns.
24. <https://www.iaff.org/cell-tower%20radiation/?fbclid=IwAR2nCqtDDFuE0TDQ8DUyJXkKMDgSTowO3rvghMqcF5Gg6VD5SfN MU29q7ck%20%20~:text=The%20International%20Association%20of%20Fire,for%20the%20conduction%20of%20cell>
- 25.
26. I am happy to provide a listing of additional sources and articles that support my concerns – please let me know if you would like them forwarded to you.
- 27.
28. I appreciate your time and it is my sincere hope that this project does not come to fruition. Cell phone towers do not belong in close proximity to a home.
- 29.
30. Thank you,
31. Pam Pickett
32. South Pomfret, Vt
33. 802-356-3027
34. 802-457-3751
- 35.