

**Town of Pomfret
Selectboard Meeting Agenda
Town Offices
5218 Pomfret Road, North Pomfret 05053
May 17, 2023, 7:00 pm**

Zoom instructions below

Business Items	
1. Call to Order	7:00 pm
2. Agenda Review	
3. Public Comment	
4. Road Foreman's Report	7:05 pm
5. Items for Discussion or Vote a. Paving RFP b. Paving Town Office Parking Lot c. Vermont 100 Endurance Race Permit d. Public Comment on Draft Local Hazard Mitigation Plan e. Bicycle and Pedestrian Program Grant f. Delinquent Tax Matters g. Zoning Matters h. Large Event Permit Scope i. Request-to-Cater Permit –Totman Hill Road j. Temporary Highway Access Permit – Artistree k. Special Town Meeting l. Appointments m. Warrants n. Approval 5/3/2023 Minutes	7:30 pm
6. Meeting Wrap Up a. Correspondence b. Review of Assignments c. Agenda for Next Meeting	
7. Adjournment	
<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>	

Zoom Instructions

- Computer or Smartphone <https://zoom.us/j/95395079923?pwd=ZjBEed3ZuZWgvWmx2M0tpOE8zbjg2dz09>
- Mobile Phone +19292056099,,95395079923#,,#306922#
- Landline or Mobile Phone (301) 715 8592, followed by Meeting ID 953 9507 9923 and Password 306922



March 31, 2023

Dear Town of Pomfret & Select Board,

This letter is to inform you of an upcoming event, occurring partially in the Town of Pomfret. The 33rd Annual Vermont 100 Endurance Race will be held on July 15th-16th, 2023. Our event runs from 4am on July 15th until 10am on July 16th, though our participants will not be in your area for the entire time.

The route taken through Pomfret will be:

Entering from Hartford, following Cloudland Road, Galaxy Hill Road, Pomfret Road, Johnson Road, Hewitt Hill Road, Hidden Ridge Road, Webster Hill Road, Bernard Road, many private landowners (whose permission we already have), Wild Apple Road, and exiting into Woodstock on Austin Road. There will be a traffic detail with your Police Department at the intersection of Stage Road & Wild Apple Road. A map of the route is included, along with the permit application.

Celebrating its 33rd year, the Vermont 100 Mile Endurance Race is very special. It's the only not-for-profit endurance run in the country. The proceeds benefit Vermont Adaptive Ski & Sports (VASS). VASS, also a non-profit, provides recreational opportunities for individuals with disabilities. They offer basic skill lessons, as well as competitive programs, on a year-round basis. The success of the VT100 allows those with physical or mental disabilities to experience the thrill of sports that most of us take for granted. Skiing, sailing & horseback riding are just a few of their programs. The VT100 is one of the largest fundraisers supporting VASS. It's also the only combined 100 mile run & ride left in the US.

The VT100 Mile planning committee has been planning for a successful race. The goal of the race committee and volunteer staff is to organize a SAFE & enjoyable event. We strive to host an event that is respectful of both property and individuals. We appreciate hearing any comments or concerns you may have. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Amy Rusiecki".

Amy Rusiecki
VT100 Race Director
27 Graves Street
South Deerfield, MA 413.575.4491
vt100@vermontadaptive.org
www.vermont100.com

TOWN OF POMFRET
5218 POMFRET ROAD
NORTH POMFRET, VT 05053

PHONE (802) 457-3861
FAX (802) 457-8180

APPLICATION FOR A PERMIT TO HOLD AN EVENT
ON PUBLIC STREET(S) OR HIGHWAY(S)

Pursuant to Title 24 V.S.A. Section 2291 (5) the Legislative Body of the Town herewith regulate the use of public highways for events.

APPLICANT / ORGANIZATION Vermont 100 Endurance Race

PHONE 413.575.4491

ADDRESS 27 Graves Street, South Deerfield, MA

CONTACT PERSON Amy Rusiecki PHONE 413.575.4491

LOCATION OF ASSEMBLY AND BEGINNING OF EVENT Corner of Stage Road & Wild Apple Rd.


ROUTE ON PUBLIC HIGHWAYS (attach map showing route) _____

Entering from Hartford, following Cloudland Road, Galaxy Hill Road, Pomfret Road, Johnson Road, Hewitt Hill Road, Hidden Ridge Road, Webster Hill Road, Bernard Road, Wild Apple Road, & exiting into Woodstock on Austin Road.

TRAFFIC CONTROL (if any) Police detail at intersection of Stage Rd/ Wild Apple RD (pls see attached letter).

EVENT DATE(S) July 16th 2023 HOUR (start) 9:00am (end) 2:00pm

ESTIMATED NUMBER OF PARTICIPANTS 450

 3/31/2023
Authorized Representative Date

CONDITIONS:

Approved Denied Town Representative Date

Town of Pomfret
5218 Pomfret Road
North Pomfret, VT 05053

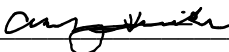
Phone: (802) 457-3861
Fax: (802) 457-8180

**LIABILITY HOLD-HARMLESS AGREEMENT
for use with
Outside Special Events within the Municipality**

In consideration of the agreement of the **Town of Pomfret** to allow my organization access to town roads and highways, Vermont 100 Endurance Race (organization) and I agree, and for myself/ourselves and my/our heirs, executors and administrators agree to indemnify, defend and hold forever harmless the **Town of Pomfret**, its officers, agents and employees from and against any and all claims, demands, liabilities, actions, judgments, settlements, damages, costs and expenses (including attorney's fees and disbursements) for injury to or death of any person, including myself, or damage to property arising out of or resulting from any material, product, equipment, vehicle or service supplied by the organization or by me, or the agents, servants or employees of either, or from any action or failure to act on the part of myself or the organization, or the agents, servants or employees of either, while performing services for, at the behest of, under contract with or on the premises of the **Town of Pomfret**.

Date: 3/31/23

Print Name: Amy Rusiecki

Sign Name: 

Witness: 

CERTIFICATE OF INSURANCE

PRINT DATE: 2/24/2023

CERTIFICATE NUMBER: 20230224960505

AGENCY:

Edgewood Partners Insurance Center
5909 Peachtree Dunwoody Road, Suite 800
Atlanta, GA 30328
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Track & Field, Inc. Vermont
130 East Washington Street, Suite 800
Indianapolis IN 46204

INSURERS AFFORDING COVERAGE:

INSURER A: Accredited Surety and Casualty Company, Inc. NAIC# 26379
INSURER B: Allied World National Assurance Company NAIC# 19489

EVENT INFORMATION:

VT100 Endurance Race (7/15/2023 - 7/16/2023)

POLICY/COVERAGE INFORMATION:

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	1-TRE-IN-17-01338542-00	11/1/2022 12:01 AM	11/1/2023 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$4,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				EACH OCCURRENCE \$2,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$2,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$2,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
A	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	1-TRE-IN-17-01338543-00	11/1/2022 12:01 AM	11/1/2023 12:01 AM	EACH OCCURRENCE \$3,000,000
					AGGREGATE \$3,000,000
B	OTHER				
	<input checked="" type="checkbox"/> EXCESS LIABILITY	0313-1301	11/1/2022 12:01 AM	11/1/2023 12:01 AM	EACH OCCURRENCE \$7,000,000
					AGGREGATE \$7,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured per the following endorsement: Blanket Additional Insured (RSCG 03 03)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 20 01)

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

CERTIFICATE HOLDER:

Town of Pomfret
5218 Pomfret Road
North Pomfret VT 05053

NOTICE OF CANCELLATION:

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

AUTHORIZED REPRESENTATIVE:





Application ID: DLL - Application - 27700
Application for: Request to Cater Permit
Category of Business: Caterer

Business/ Entity Information

Business/ Entity Name:

Collaborative Stoke, LLC

Business ID:

0009402

Business Address:

,
,

Entity Type:

Limited Liability Corporation

Phone:

6039535751

Management Type if LLC:

Email:

topher@trailbreakwrj.com

Foundational License (if applicable)

License Type:

Caterer

License Number:

LP-020034

Licensee Name:

Trail Break Tap & Tacos

License Status:

License issued-new application

Licensee Address:

129 South Main Street Suite 100,
White River Junction, Vermont 05001

License Start Date:

2023-04-30

License End Date:

2024-04-29

Event Contact/s

Person:

Christopher Lyons

Business Role:

Business Principal

Phone:

Email:

topher@trailbreakwrj.com

Business Address:

,
, ,

Violations:

Violation ID	Court/Traffic Bureau	Offense	Date of Offense
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Event Premises Details**Location Name:**

6.10 Lyle

Start date and time of event

June 10 2023 15:30

Location Address:17 Totman Hill Road,
Pomfret, Vermont 05067**End date and time of event**

June 10 2023 22:00

Local Jurisdiction/ Town Clerk:

Pomfret

Approximate Number of Persons Expected

100

Describe the type of event/ OCP Area:

Wedding!

Documents Attached

Name	Document Type	Assosicated With
D-02544	Lease or proof of ownership	Collaborative Stoke, LLC
D-02545	Other	Collaborative Stoke, LLC

Payment and Acknowledgement**Signed by:**

Topher Lyons

State of Vermont / DLL Application Fee:

20.00

Date and time of Submission:

2023-05-06 21:09:37

State of Vermont / DLL Payment Status:**Local Control Payment Status:**

false

Local Application Fee:

0

TOWN OF POMFRET

APPLICATION FOR TOWN HIGHWAY ACCESS ROAD PERMIT
(Application fee of \$100 payable to Town of Pomfret)

Access Road Type (check one): Private Drive* Agricultural Forestry Parking access

Applicant Name: Marie Cross
Artistree Community AAs Center Phone: 802 457 3500 Email: manager@artistreevt.org

Applicant Mailing Address: PO Box 158, So. Pomfret State: VT Zip: 05067

(Complete only if Applicant is not the Landowner)

Landowner Name: Kathleen Dolan Phone: 802 356 1859 Email: Kd@artistreevt.org

Landowner Mailing Address: PO Box 94, Barnard State: VT Zip: 05031

The undersigned Applicant requests permission to develop, construct, or regrade the access road type indicated above.

Access Road Location: on the NW (cardinal direction) of stage Road (town highway name)
at approximately 0.17 miles (feet) from the intersection of Pomfret (nearest town highway intersection).

Please provide a brief description of the work to be done: Artistree would like to be

granted access from stage road to access the lower field at Artistree for event parking for 12 events scheduled for this summer - if needed.

No alterations will be made to the drive other than tree trimming and field mowing.

Site visit in 2022 with Jim Potter and Emily Grube determined vision requirements were met

(see attached.)

(PROVIDE DETAILED SKETCH OF ACCESS LOCATION AND LAYOUT ABOVE)

The following conditions, standards and restrictions shall apply to the first 20 feet of a newly developed, constructed, or regraded access road (measured from the edge of the traveled way) unless waived herein:

General Conditions

1. *Application Fee.* A \$100 non-refundable application fee shall be submitted before an application will be considered.
2. *Site Visit.* The Selectboard and Road Commissioner shall make a site visit prior to approving a permit.
3. *Final Site Inspection.* Upon completion of work, the Applicant or its agent shall notify the Town within ten days to arrange a final site inspection.
4. *Noncompliance.* Any work deemed not in compliance with the permit shall be corrected and reinspected for approval.
5. *Final Approval.* Work shall be approved by the Selectboard or its designee before any use of the access may be started.

* Each residence is limited to one driveway access.

Design Standards[†]

1. *Intersection Angle.* Access roads shall be constructed at a 90 degree angle to the town highway.
2. *Minimum Sight Distance.* Sight distances shall be at least as shown in the table below in both directions when viewed from a point 15 feet back from edge of the traveled way and at a height of eye of 3.5 feet on the drive to a height of eye of 2.0 feet on the roadway. The "posted speed" for unposted Class 3 highways shall be deemed to be 30 mph.

Minimum Sight Distance

<i>Posted Speed (mph)</i>	<i>Minimum Sight Distance (feet)</i>
25	155
30	200
35	250
40	305
45	360

3. *Access Road Width.* Access roads shall be 16 feet wide and graded and sloped such that water from the access road does not enter the Town highway. It is recommended that the driveway or access road have a grade dropping six inches in 10 feet before extending either up or down slope.
4. *Culverts.* Culverts shall be installed if deemed necessary by the Selectboard or its designee and shall conform to standards described in Section 5.3(h) of the Pomfret Highway Ordinance.
5. *Vegetation.* Vegetation and trees shall be removed as necessary to provide for visibility and safety.

The undersigned Applicant agrees to adhere to the conditions, standards and restrictions forming a part of this permit, and understands that this permit, if issued, will be issued in accordance with 19 V.S.A. 1111 and the Pomfret Highway Ordinance and may be voided in the event of misrepresentation, substantial inaccuracy or failure to undertake development, construction, or regrading of the access road within one year of the date of approval. If Applicant is not the Landowner, Applicant has provided the Landowner with a copy of this completed Application and obtained the Landowner's signature below.

Maui Cross Maui Cross 5/16/2023
Applicant Signature Applicant Printed Name Date

(Complete only if Applicant is not the Landowner)

The undersigned Landowner acknowledges they have received a copy of this completed Application.

Kathleen Dolan Kathleen Dolan 5/16/2023
Landowner Signature Landowner Printed Name Date

[Remainder of page intentionally blank. Application form continues on next page.]

[†] Any of the standards listed herein may be waived or varied upon the Applicant's request and following consideration by the Selectboard and Road Commissioner of public and private interests, topography, adequacy of highway design, ease of snow removal, drainage, and maintenance of safe conditions in all seasons for the traveling public.

OFFICIAL USE ONLY

Application fee of \$100 received on _____, 20__ by _____.

Culvert Required (*min. 18-inch diameter*)? Yes No

Additional conditions, standards and restrictions; waivers of design standards (if any):

PERMIT APPROVED this _____ day of _____, 20__.

Road Commissioner

Selectboard Chair

FINAL APPROVAL. The work described in this permit has been constructed in accordance with the above conditions, standards and restrictions and is acceptable under State and local regulations.

Road Commissioner

Selectboard Chair

Date

Form adopted by the Pomfret Selectboard January 4, 2023. Supersedes all prior dated forms.

SPECIAL TOWN MEETING

to decide the format of future town meetings

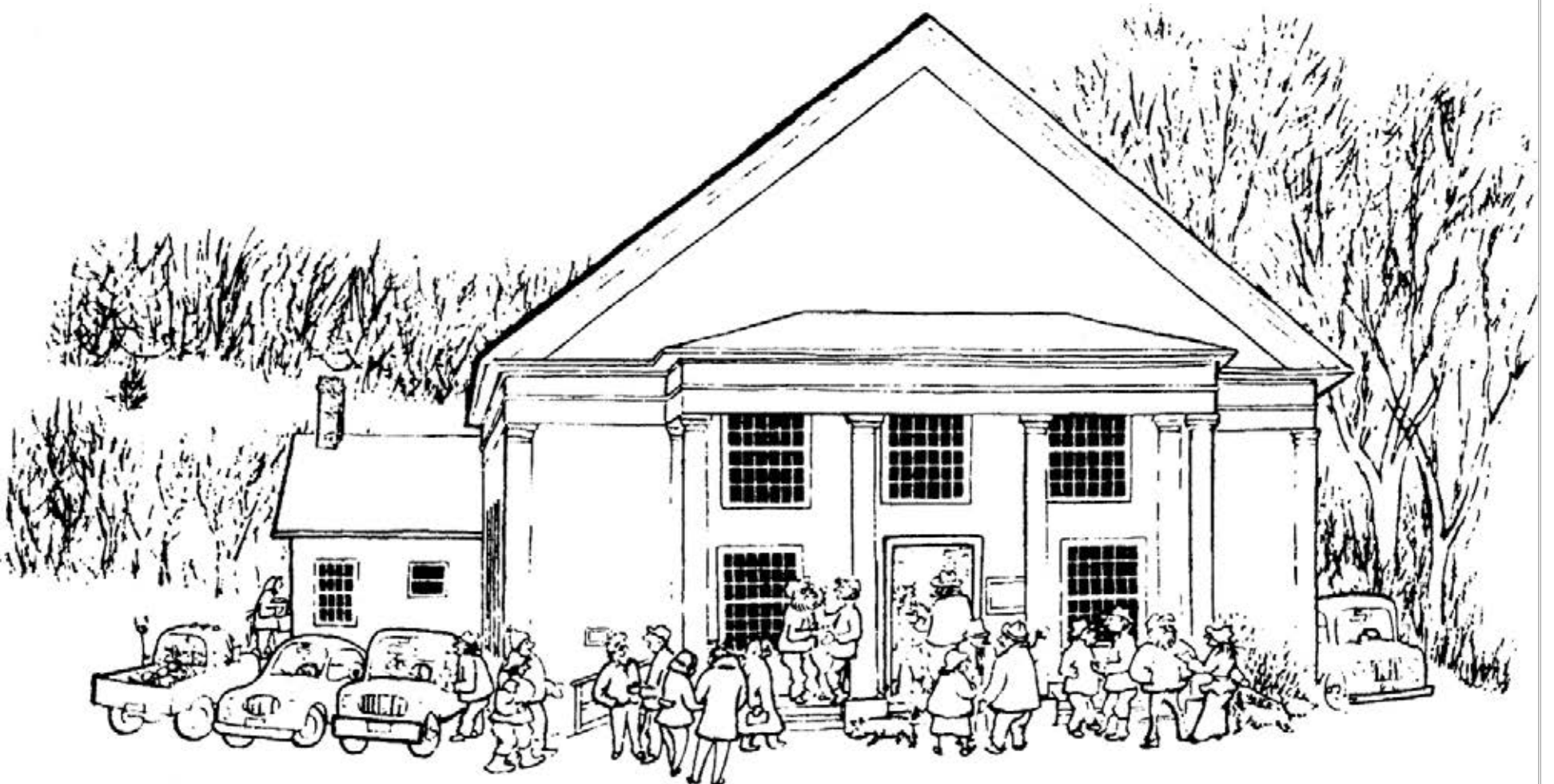
Saturday, May 20, 2023, 9:00 AM

The Prosper Valley School
multipurpose room (a/k/a gymnasium)
1071 Pomfret Road, South Pomfret, Vermont

**You MUST attend in person if you wish to participate or vote
on the Special Town Meeting articles:**

1. Shall Pomfret elect its town officers by Australian ballot pursuant to 17 V.S.A. 2680(b)?
2. Shall Pomfret adopt all budget articles by Australian ballot pursuant to 17 V.S.A. 2680(c)?
3. Shall Pomfret vote on all public questions by Australian ballot pursuant to 17 V.S.A. 2680(d)?
4. Shall Pomfret change the date of its annual town meeting to the third day preceding the first Tuesday in March pursuant to 17 V.S.A. 2640(b)?

Full warning available at <https://pomfretvt.us/>



Town of Pomfret Selectboard
Draft Meeting Minutes
May 3, 2023

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

Public: Jim Potter (Road Foreman), Cathy Emmons, Greg Tuthill, Mike Doten, Marie Robinson, Emily Anderson, Betsy Rhodes (Library Trustee), Gerry Fields, Gennie Lawrence, Jamie Ziobro, Lydia Locke, Sam Musson, Bill Emmons (Planning Commission), Jack Pearson, Doug Abbott, Annie Mears (Auditor), John Morley

1. John called the meeting to order at 7:03 pm.
2. Agenda Review – Ben moved and Meg seconded deletion of agenda Item 8(a) (Eydt Estate Request to Remove Trees and Vegetation (after the executive session)) and 5(j) Bicycle and Pedestrian Program Grant. Unanimous.
3. Public Comment – None.
4. Road Foreman’s Report – There is a roof leak at the garage; Jim feels it is from a seam, not a hole. He will have it repaired. The crew is also cleaning up some of the rooms at the garage. Ben has created a new easement agreement document combining several forms provided by Stitzel Page. The board agreed a written easement was preferable (as opposed to handshake agreements), particularly where grant funding is used. Ben will send the draft easement agreement back to Stitzel Page for review and comment. Justin accompanied the repeater work crew to the tower; they installed two new batteries. The tower also needs some structural work done. Jim expects the new Ford 550 will be delivered in the next few weeks. There is no trade in for the old truck; he will investigate advertising it on Craigslist or the state’s Surplus Property database. John mentioned we also need to sell the old projector from the town office. Jim asked what should be done re: new tires for the loader; it is also using a gallon of oil every 40 hours. He will collect some specs and prices and report back.
5. Items for Discussion or Vote
 - a. Eydt Estate Request to Remove Tree and Vegetation – The subject property has been sold and the Eydt family has withdrawn its request to remove a tree and vegetation in the Pomfret Road right-of-way in connection with the Selectboard’s March 6, 2023 decision conditionally approving a residential driveway access at the same location. Ben moved and Meg seconded that the request be dismissed without prejudice. Unanimous.
 - b. Draft Local Hazard Mitigation Plan (LHMP) – Postponed indefinitely until a draft is ready for review.
 - c. Extension of Two Rivers LHMP Services Contract – John approved the extension request on the board’s behalf between meetings as it was time-sensitive. Ben moved and Emily seconded ratification of the same. Unanimous.
 - d. Delinquent Tax Liens – Postponed to May 17 when the Delinquent Tax Collector will be invited to attend.
 - e. Fall Foliage Traffic Management – Meg has received feedback from the Cloudland Road Residents. Several are in attendance (Cathy Emmons, Mike Doten, Marie Robinson, Gerry Fields) to begin discussion of the topic. They hope a more proactive

discussion will lead to a more effective solution to the problem. Meg and Cathy will work on a letter for the Selectboard to sign and distribute to local businesses that may be promoting fall foliage tourism. The letter will ask business to urge leaf peepers to be respectful of private property. Meg will also contact the Woodstock Town Manager to determine whether closing Cloudland Road would be feasible. The new Windsor County Sheriff will also be consulted.

- f. Library Street (TH 60) Right-of-Way – Betsy Rhodes searched the town records and discovered a December 1981 letter from Trans indicating that Library Street (TH 60) had been added to the town highway system with no further documentation required. Betsy also discovered the town’s February 1982 Certificate of Highway Mileage confirming the same. Ben notes that the tax map does not show Library Street as being a town right-of-way. In addition, the question of whether Library Street is a town highway was raised by VHB in connection with the ongoing South Pomfret Scoping Study. Betsy will contact Jon Harrington (municipal project manager of the scoping study) to understand the basis for VHB flagging this issue in the first place.
- g. Town Hall Renovation Feasibility Study – Hunter Ulf provided a Proposal for Professional Services for the Pomfret Town Hall Renovation Feasibility Study. Meg will solicit a second quote for the work as required by the town’s Purchasing Policy. Gennie Lawrence reiterated her interest in creating a focus group to understand potential future uses of the Town Hall. She will start by soliciting interest via the Listserv. Meg will work with Gennie on this. Gennie believes a usage study was conducted in 2015-16 and will try to find results of same.
- h. Town Office Accessible Entry Proposal – Hillside Builders, LLC provided a Job Cost Estimate to bring the town office entryway into compliance with the ADA. John will consult with Becky and Ellen to solicit a second quote for the work as required by the town’s Purchasing Policy.
- i. Vermont 100 Endurance Race Permit – Discussion postponed to May 17. In the meantime, John will contact the race organizers for a more precise route map. John also will ask Becky for a copy of the as-approved 2022 race permit so the Selectboard can consider including the same conditions when reviewing the 2023 permit application.
- j. Bicycle and Pedestrian Program Grant – Discussion postponed to May 17 to allow more time for the South Pomfret Scoping Study to be completed. The grant application deadline is June 9.
- k. Warrants – Emily moved and Ben seconded approval for payment of the following warrants:

23110	\$ 9,556.10	Payroll
23111	25,352.07	A/P (incl. April 2023 debit card expenses)
23113	4.61	A/P

Unanimous. Ben observed that legal expenses have been higher than normal in recent months; this is due to several ongoing matters happening at the same time. Selectboard members indicated the increased cost was acceptable to ensure these matters were handled correctly.
- l. Approval of Minutes – Ben moved and Meg seconded approval of April 19, 2023 minutes as presented. Unanimous.

6. Meeting Wrap Up
 - a. Correspondence – John completed the FCC license renewal online.
 - b. Review of Assignments – Ben to send draft easement agreement to Stitzel Page for review and comment; Emily to speak with Nancy Matthew re: purchasing and credit card policy revisions; John to follow up with Karen re: tax liens and delinquent tax payment plans, with Becky about the 2022 Vermont 100 Endurance Race Permit and a second quote for the town office door renovation; Jim to research selling used truck and other miscellaneous equipment; Meg to continue working on the Cloudland Road foliage issue, MERP grant submissions, with Gennie Lawrence on the town hall usage focus group, and to obtain a second quote for the town hall feasibility study.
 - c. Agenda for Next Meeting – Bicycle and Pedestrian Program Grant, open paving RFP proposals, tax liens, delinquent tax payment plans; RFP to pave town office parking lot.
7. Executive Session
 - a. Ben moved and Emily seconded that the Selectboard enter into executive session pursuant to 1 V.S.A. 313(a)(1)(F) to discuss confidential attorney-client communications. Unanimous. The Selectboard entered executive session at 9:44 pm.
 - b. The Selectboard exited executive session at 10:04 pm, with no decisions having been made therein.
8. Adjournment – Ben moved and Emily, Steve and Meg simultaneously seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 10:05 pm.