

**Town of Pomfret  
Selectboard Meeting Agenda  
Town Offices  
5218 Pomfret Road, North Pomfret 05053  
June 21, 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. Highway Access Permits i. J. Nutter, agricultural access (2067 High Pastures Road) ii. J. Nutter, private driveway (1582 High Pastures Road) b. Request for Fence in ROW (2000 High Pastures) c. Highway Ordinance Amendment d. FY 2024 Cost of Living Adjustment e. Financial Controls Questionnaire f. Town Hall Mini Grant Application g. Abracadabra Festival Permit Applications h. Fall Foliage Traffic Management i. Warrants j. Approval of Minutes	7:30 pm
6. Meeting Wrap Up a. Correspondence b. Review of Assignments c. Agenda for Next Meeting	
7. Executive Session – Contracts, Attorney-Client Communications, Quasi-Judicial Matters	
8. Items for Discussion or Vote a. Law Enforcement Services Contract (Windsor County Sheriff) b. Highway Access (Dinsmoor Road) c. Zoning Violations	
9. 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=ZjBEd3ZuZWgvWmx2M0tpOE8zbjg2dz09>
- Mobile Phone +19292056099,,95395079923#,,#,306922#
- Landline or Mobile Phone (301) 715 8592, followed by Meeting ID 953 9507 9923 and Password 306922

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

Applicant Name: ~~KANNONESTINE~~ J. NUTTER Phone: [Redacted] Email: [Redacted]

Applicant Mailing Address: 121 GREAT POND RD, N. ANDOVER, MA State: MA Zip: 01845

(Complete only if Applicant is not the Landowner)

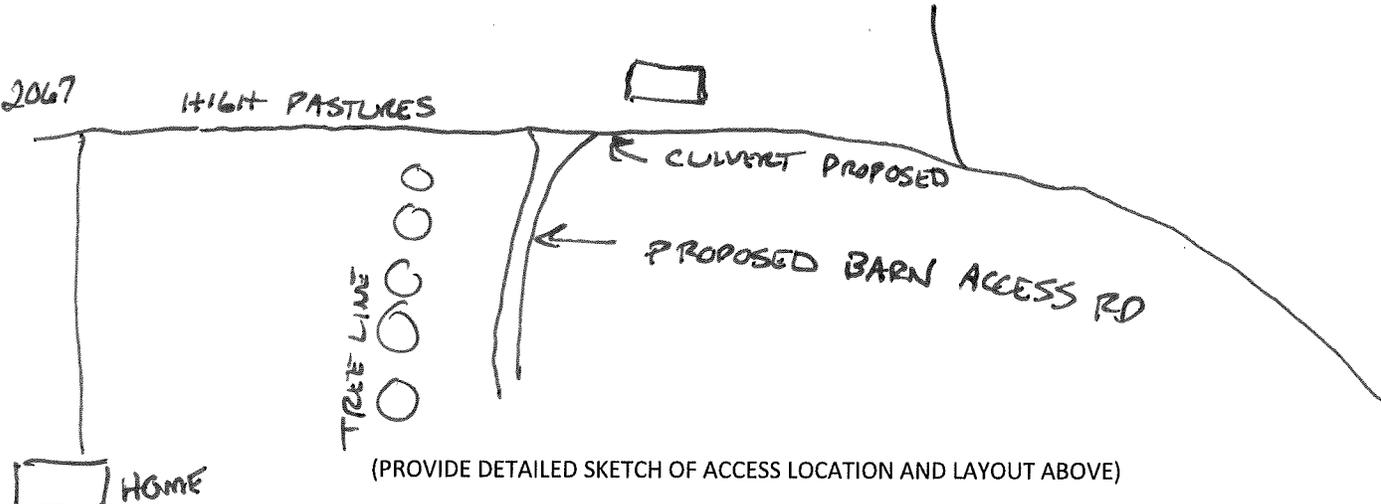
Landowner Name: KANNONESTINE Phone: [Redacted] Email: [Redacted]

Landowner Mailing Address: 2067 HIGH PASTURE RD, POMFRET State: VT Zip: 05091

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

Access Road Location: on the SOUTH (cardinal direction) of 2067 HIGH PASTURES RD (town highway name) at approximately 160' (feet) from the intersection of SUGARBUSH FARM RD (nearest town highway intersection).

Please provide a brief description of the work to be done: INSTALL ACCESS ROAD CURB CUT & CULVERT FOR BARN ENTRANCE



(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<sup>†</sup>**

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

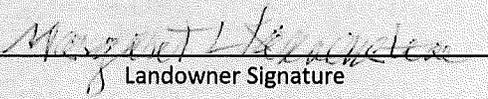
3. *Access Road Width.* Access roads shall be 16 feet wide and graded and sloped such that water from the access road does not enter the Town highway. It is recommended that the driveway or access road have a grade dropping six inches in 10 feet before extending either up or down slope.
4. *Culverts.* 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.

 _____ Applicant Signature	JOSH NUTTER _____ Applicant Printed Name	5/26/22 _____ Date
---	--	--------------------------

*(Complete only if Applicant is not the Landowner)*

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

 _____ Landowner Signature	Margaret L. Komarski _____ Landowner Printed Name	5-26-22 _____ Date
---	---	--------------------------

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

<sup>†</sup> 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

TOWN OF POMFRET

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

Access Road Type (check one): [X] Private Drive [ ] Agricultural [ ] Forestry

Applicant Name: JOSH NUTTER Phone: [REDACTED] Email: [REDACTED]

Applicant Mailing Address: 1582 HIGH PASTURES RD POMFRET State: VT Zip: 05091

(Complete only if Applicant is not the Landowner)

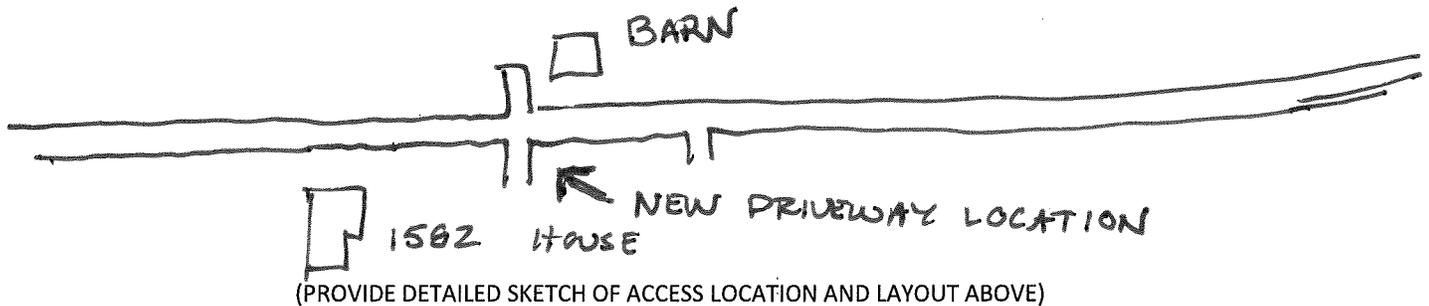
Landowner Name: Phone: Email:

Landowner Mailing Address: State: Zip:

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

Access Road Location: on the NORTH (cardinal direction) of HIGH PASTURES RD (town highway name) at approximately 500 (feet) from the intersection of SPALDING (nearest town highway intersection).

Please provide a brief description of the work to be done: INSTALL NEW DRIVEWAY FOR SAFETY REASONS AT OUR HOME, COULD ONLY BACK OUT OF PREVIOUSLY EXISTING DRIVEWAY.



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<sup>†</sup>**

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.

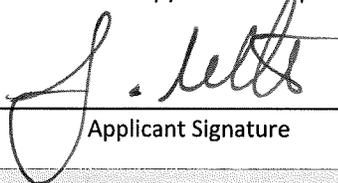
**Minimum Sight Distance**

<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.

  
 \_\_\_\_\_  
 Applicant Signature

JOSH NUTTER  
 \_\_\_\_\_  
 Applicant Printed Name

5/26/23  
 \_\_\_\_\_  
 Date

*(Complete only if Applicant is not the Landowner)*

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

\_\_\_\_\_  
 Landowner Signature

\_\_\_\_\_  
 Landowner Printed Name

\_\_\_\_\_  
 Date

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

<sup>†</sup> 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.



## HIGHWAY ORDINANCE

### Town of Pomfret, Vermont

~~A Originally Adopted December 3, 1980~~ adopted as Amended ~~December 5, 2001~~ Adopted as Amended ~~December 2, 2009~~ Adopted as Amended November 16, 2022 /                     , 2023

#### PART 1. TITLE, AUTHORITY AND ADOPTION

- 1.1. This ordinance is entitled the Highway Ordinance and is based on the authority of 24 V.S.A. Sections 1971-1976.
- 1.2. This ordinance shall be adopted by resolution of the Selectboard in accordance with the procedure outlined in 24 V.S.A. Section 1972.

#### PART 2. PURPOSE

- 2.1. The purpose of this ordinance is to establish municipal policy on maintenance and upgrading of existing town roads and to describe construction standards and procedures for accepting new roads into the town highway system.

#### PART 3. CLASSIFICATION OF TOWN HIGHWAYS

- 3.1. In accordance with 19 V.S.A. Chapter 3, all town highways shall be categorized into one or another of the following classes:
  - (a) Class 1 town highways are those town highways which form the extension of a state highway route and which carry a state highway route number. The Agency of Transportation shall determine which highways are to be Class 1 highways.
  - (b) Class 2 town highways are those town highways selected as the most important highways. As far as practicable they shall be selected with the purposes of securing trunk lines of improved highways from town to town and to places which by their nature have more than normal amount of traffic. The Selectboard, with the approval of the Agency of Transportation, shall determine which highways are to be Class 2 highways.
  - (c) Class 3 town highways:
    - (1) Class 3 town highways are all traveled town highways other than Class 1 or 2 highways. The Selectboard, after conference with a representative of the Agency of Transportation shall determine which highways are Class 3 town highways.

















**PART 8. SEVERABILITY.** If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

**PART 9. EFFECTIVE DATE.** This ordinance shall become effective 60 days after its adoption by the Selectboard and shall supersede and replace the Highway Ordinance adopted ~~December 2~~November 16, 2009 2022.

\* \* \* \* \*

Pursuant to 24 V.S.A. Section 1972 this ordinance is adopted by the Selectboard at its meeting on the ~~16th~~ [ ] day of ~~November 2022~~ [ ] 2023 and shall become effective on the ~~15th~~ [ ] day of ~~January~~ [ ] 2023.

~~Emily Grube, Chair~~

John Peters Jr., ~~Vice-Chair~~

Benjamin Brickner, Vice-Chair

Steve Chamberlin

~~Jonathan Harrington~~

Meg Emmons

---

---

Emily Grube

\* \* \* \* \*

**Adoption and Amendment History**

Originally adopted December 3, 1980, effective February 1, 1981

Adopted as amended December 5, 2001, effective February 3, 2002

Adopted as amended December 2, 2009, effective January 31, 2010

Adopted as amended November 16, 2022, effective January 25, 2023

Adopted as amended [ \_\_\_\_\_ ], 2023, effective [ \_\_\_\_\_ ], 2023

**TOWN OF POMFRET, VERMONT**

**NOTICE OF AMENDMENT OF  
HIGHWAY ORDINANCE**

On ~~November 16, 2022~~ [\_\_\_\_\_], 2023, the Selectboard of the Town of Pomfret, Vermont, adopted amendments to the existing Highway Ordinance. This notice is published pursuant to 24 V.S.A. § 1972 to inform the public of these amendments and of qualified voters' right to petition for a vote to disapprove the same.

~~To (i) increase the size of culverts required under new or modified access roads and driveways, (ii) increase the minimum required sight distance for new or modified access roads and driveways, (iii) clarify that only landowners who abut a Class 4 highway may request permission to plow or maintain the same at their own expense, (iv) clarify that final approval of new or modified access roads and driveways is required once construction or modification of the same is complete, and (v) make technical corrections.~~

To (i) clarify when a permit is required to change the grade of a driveway or access road where it enters upon a town highway, (ii) change the vantage point used to determine the sight distance of driveways and access roads that enter upon unpaved portions of town highways, and (iii) specify the deemed posted speed for unposted Class 2 town highways for purposes of determining the minimum sight distance for driveways and access roads entering upon such highways.

The full text of the ordinance may be examined during regular office hours at the Pomfret town office at 5218 Pomfret Road and may be viewed online by visiting pomfretvt.us.

**CITIZENS' RIGHT TO PETITION FOR VOTE**

Twenty four V.S.A. § 1973 grants qualified voters the right to petition for a vote at a special or annual town meeting to disapprove ordinance amendments adopted by the Selectboard. To exercise this right, qualified voters must present to the Selectboard or the Town Clerk a petition for a vote on the question of disapproving the amendments signed by not less than five percent (5%) of the town's qualified voters. The petition must be presented within forty-four (44) days following the date of the adoption of the amendments. Unless a petition requesting a vote is filed pursuant to 24 V.S.A. § 1973, the amended Highway Ordinance shall become effective sixty (60) days from the date of said adoption.

**PERSON TO CONTACT**

Additional information pertaining to this ordinance may be obtained by contacting Rebecca Fielder, Town Clerk at 5218 Pomfret Road, or by calling 802-457-3861 during regular office hours, or by emailing [clerk@pomfretvt.us](mailto:clerk@pomfretvt.us).

**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

Applicant Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

(Complete only if Applicant is not the Landowner)

Landowner Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Landowner Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

The undersigned Applicant requests permission to develop, construct, or ~~regrade~~ [change the grade of](#) the access road type indicated above.

Access Road Location: on the \_\_\_\_\_ (cardinal direction) of \_\_\_\_\_ (town highway name)  
at approximately \_\_\_\_\_ (feet) from the intersection of \_\_\_\_\_ (nearest town highway intersection).

Please provide a brief description of the work to be done: \_\_\_\_\_  
\_\_\_\_\_

(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~~ [grade changed](#) 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.

\* Each residence is limited to one driveway access.

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.





Financial Management Questionnaire – Towns and Cities

	Yes	No	Don't know	By whom
Are all town account records currently maintained by one individual?	<input checked="" type="checkbox"/>			Treasurer. but auditors review
Do you reconcile bank and ledger balances monthly?	<input checked="" type="checkbox"/>			
Are checks always written to specified payees and not to cash?	<input checked="" type="checkbox"/>			
Does the same individual open the mail and deposit checks?	<input checked="" type="checkbox"/>			
Are pre-numbered checks used for all bank accounts?	<input checked="" type="checkbox"/>			
Are unopened bank statements delivered directly to the treasurer as received?			N/A	
Have you borrowed money from the town?		<input checked="" type="checkbox"/>		
Have select board members attended financial trainings?			Most of them	
Are bank statements reconciled on a regular basis?	<input checked="" type="checkbox"/>			
Does someone other than the treasurer review bank reconciliations?	<input checked="" type="checkbox"/>			Auditors, Chad H at year end
Have you deposited town monies anywhere other than a town account?		<input checked="" type="checkbox"/>		
Have you deposited any non-town monies into a town account?		<input checked="" type="checkbox"/>		
Is interest in town accounts apportioned to each account?	<input checked="" type="checkbox"/>			
Have there been any changes in authorized signatures during the fiscal year?		<input checked="" type="checkbox"/>		
Has a signature stamp ever been used for any town account?		<input checked="" type="checkbox"/>		
Has there ever been a theft, or unauthorized use of town funds or equipment?		<input checked="" type="checkbox"/>		
Are financial records maintained in a computerized system?	<input checked="" type="checkbox"/>			
Does the town have written policies and procedures for financial operations?	<input checked="" type="checkbox"/>		but not all - pending	
Does each town official have copies of these policies and procedures?	<input checked="" type="checkbox"/>		once they are approved by SB	
Have you attended trainings on recordkeeping?	<input checked="" type="checkbox"/>			
Are checks written by the same individual who approves payments?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Treasurer approves some. NOT ALL
Are you a participant in any business which does business with the town?		<input checked="" type="checkbox"/>		
Do you maintain separate pages, columns or running balances for each fund?	<input checked="" type="checkbox"/>			
Do elected town auditors attend financial trainings?	<input checked="" type="checkbox"/>			
Are bank accounts and fund balances reconciled on a monthly basis?	<input checked="" type="checkbox"/>			
Does the town loan money to town employees?		<input checked="" type="checkbox"/>		

As a signer below I certify to the best of my knowledge that the answers provided in this self-assessment questionnaire are an accurate representation of the operation of the Town/City of: POMFRET, Vermont.

Preparer: (signature) Silken DesMeules (printed name) Ellen DesMeules Title: Treasurer Date: June 12, 2023

Reviewed by Select Board (signature): \_\_\_\_\_ on (date): \_\_\_\_\_



**Application ID:** DLL - Application - 29237  
**Application for:** Festival Permit  
**Category of Business:** One Time Occasion

### Business/ Entity Information

**Business/ Entity Name:** Abracadabra Coffee Co.  
**Business ID:** 0355186  
**Business Address:** 35 Wayside Rd.,  
Woodstock, Vermont 05091  
**Entity Type:** Business Corporation  
**Phone:** 4193206845  
**Management Type if LLC:**  
**Email:** info@abracadabracoffeeco.com

### Foundational License (if applicable)

**License Type:**  
**License Number:**  
**Licensee Name:**  
**License Status:**  
**Licensee Address:**  
,  
,  
**License Start Date:**  
**License End Date:**

### Event Contact/s

**Person:**  
Sarah Yetter

**Business Role:**  
Partner

**Phone:**  
[REDACTED]

**Business Address:**  
35 Wayside Rd.,  
Woodstock, Vermont, 05091

**Email:**  
info@abracadabracoffeeco.com

### Violations:

Violation ID	Court/Traffic Bureau	Offense	Date of Offense
--------------	----------------------	---------	-----------------

## Event Premises Details

**Location Name:**

Abracadabra Coffee Co.

**Start date and time of event** July 9 2023 15:00**End date and time of event** July 9 2023 20:00**Location Address:**

35 Wayside Rd.,  
Woodstock, Vermont 05091

**Approximate Number of Persons Expected****Local Jurisdiction/ Town Clerk:**

Pomfret

**Describe the type of event/ OCP Area:**

Gathering on 1 acre field behind the building. Designated areas for consuming alcohol are cordoned off and marked with signs.

## Documents Attached

Name	Document Type	Assosicated With
D-06820	Articles of Organization	Abracadabra Coffee Co.
D-06825	Federal Employee Identification #	Abracadabra Coffee Co.
D-06826	Operating Agreement	Abracadabra Coffee Co.
D-06828	Proof of Worker Compensation Insurance	Abracadabra Coffee Co.

## Payment and Acknowledgement

**Signed by:**

Sarah Yetter

**State of Vermont / DLL Application Fee:**

125.00

**Date and time of Submission:**

2023-06-12 23:21:40

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

false

**Local Application Fee:**

0



**Application ID:** DLL - Application - 29238  
**Application for:** Festival Permit  
**Category of Business:** One Time Occasion

### Business/ Entity Information

**Business/ Entity Name:** Abracadabra Coffee Co.  
**Business ID:** 0355186  
**Business Address:** 35 Wayside Rd.,  
Woodstock, Vermont 05091  
**Entity Type:** Business Corporation  
**Phone:** 4193206845  
**Management Type if LLC:**  
**Email:** info@abracadabracoffeeco.com

### Foundational License (if applicable)

**License Type:**  
**Licensee Name:**  
**Licensee Address:**  
,  
,  
**License Number:**  
**License Status:**  
**License Start Date:**  
**License End Date:**

### Event Contact/s

**Person:**  
Sarah Yetter

**Business Role:**  
Partner

**Phone:**

**Business Address:**  
35 Wayside Rd.,  
Woodstock, Vermont, 05091

**Email:**  
info@abracadabracoffeeco.com

### Violations:

Violation ID	Court/Traffic Bureau	Offense	Date of Offense
--------------	----------------------	---------	-----------------

## Event Premises Details

**Location Name:**  
Abracadabra Coffee Co.

**Start date and time of event** August 13 2023  
15:00

**Location Address:**  
35 Wayside Rd.,  
Woodstock, Vermont 05091

**End date and time of event** August 13 2023  
20:00

**Approximate Number of Persons Expected**

**Local Jurisdiction/ Town Clerk:**  
Pomfret

**Describe the type of event/ OCP Area:**  
1 acre field behind the building. Designated area for  
consuming alcohol cordoned off and marked with signs.

## Documents Attached

Name	Document Type	Assosicated With
D-06820	Articles of Organization	Abracadabra Coffee Co.
D-06825	Federal Employee Identification #	Abracadabra Coffee Co.
D-06826	Operating Agreement	Abracadabra Coffee Co.
D-06828	Proof of Worker Compensation Insurance	Abracadabra Coffee Co.

## Payment and Acknowledgement

**Signed by:**  
Sarah Yetter

**State of Vermont / DLL Application Fee:**  
125.00

**Date and time of Submission:**  
2023-06-12 23:27:52

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

**Local Application Fee:**  
0

**Local Control Payment Status:**  
false



**Application ID:** DLL - Application - 29294  
**Application for:** Festival Permit  
**Category of Business:** One Time Occasion

### Business/ Entity Information

**Business/ Entity Name:** Abracadabra Coffee Co.  
**Business ID:** 0355186  
**Business Address:** 35 Wayside Rd.,  
Woodstock, Vermont 05091  
**Entity Type:** Business Corporation  
**Phone:** 4193206845  
**Management Type if LLC:**  
**Email:** info@abracadabracoffeeco.com

### Foundational License (if applicable)

**License Type:**  
**Licensee Name:**  
**Licensee Address:**  
,  
,  
**License Number:**  
**License Status:**  
**License Start Date:**  
**License End Date:**

### Event Contact/s

**Person:**  
Sarah Yetter

**Business Role:**  
Partner

**Phone:**  
[REDACTED]

**Business Address:**  
35 Wayside Rd.,  
Woodstock, Vermont, 05091

**Email:**  
info@abracadabracoffeeco.com

### Violations:

Violation ID	Court/Traffic Bureau	Offense	Date of Offense
--------------	----------------------	---------	-----------------

## Event Premises Details

**Location Name:**

Abracadabra Coffee Co.

**Start date and time of event** September 10 2023 15:00**End date and time of event** September 10 2023 21:00**Location Address:**

35 Wayside Rd.,  
Woodstock, Vermont 05091

**Approximate Number of Persons Expected****Local Jurisdiction/ Town Clerk:**

Pomfret

**Describe the type of event/ OCP Area:**

Gathering on 1 acre field behind the building. Designated area for consuming alcohol cordoned off and marked with signs.

## Documents Attached

Name	Document Type	Assosicated With
D-06820	Articles of Organization	Abracadabra Coffee Co.
D-06825	Federal Employee Identification #	Abracadabra Coffee Co.
D-06826	Operating Agreement	Abracadabra Coffee Co.
D-06828	Proof of Worker Compensation Insurance	Abracadabra Coffee Co.

## Payment and Acknowledgement

**Signed by:**

Sarah Yetter

**State of Vermont / DLL Application Fee:**

125.00

**Date and time of Submission:**

2023-06-14 12:00:21

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

false

**Local Application Fee:**

0

Town of Pomfret Selectboard  
Draft Meeting Minutes  
June 7, 2023

Present: John Peters, Benjamin Brickner, Steve Chamberlin (until 8:05 pm), Meg Emmons, Emily Grube

Public: Jim Potter (Road Foreman), Bill Emmons (Planning Commission), Cathy Emmons, Marie Robinson, Jim Robinson, Betsy Rhodes (Library Trustee), Ogden Hunnewell, Mike Doten, Amy Robb, Glenn Morley, Annie Mears, Doug Abbott, Neil Lamson (Lister), Karen Osnoe (Delinquent Tax Collector), John Morley, John Moore (Planning Commission), Karen Rodis, Kathleen Dolan, Marie Cross, Kerry Postler-Hermann, “ibookg4”

1. John called the meeting to order at 7:03 pm.
2. Agenda Review – Delete 5(c); postpone 5(g); add Abbott Memorial Library safety improvements memo after 5(e).
3. Public Comment – Cathy Emmons remarked the grading seemed to be widening the roads. Jim explained this is necessary to get the run-off into the ditches.
4. Road Foreman’s Report – Jim reports that D&D Excavating will deliver product under last year’s contract, which expires next June. The road crew has completed culvert work on Webster Hill Road, very helpful to have the road closed; he is still in discussion with the Murphys re: their driveway markers. We should have the new truck by end of the month; it is currently in the paint shop. Jim and Caleb (Pike Industries) will inspect the Library St./Stage Road intersection in preparation for paving this year. Library St. was not included in the contract and would be an add-on in order to address the immediate need there. The town did not receive a state paving grant this year. As a result, funding is available to repave only ~ 1.5 miles this year. Jim suggested starting on Stage Road at the Pomfret Road intersection to avoid Pike needing to relocate their equipment more than necessary. Ben moved and John seconded that the town proceed this year with the Stage Road and Library Street apron paving using all available funds in the paving reserve (including the \$200,000 to be appropriated in FY 2024), plus \$50,000 of uncommitted ARPA funds. John then moved and Emily seconded that further discussion be postponed until after the Bicycle and Pedestrian Grant Program Application discussion later in the meeting. Unanimous.<sup>[1]</sup>
5. Items for Discussion or Vote
  - a. Materials RFP – Discussed during Road Foreman’s Report.
  - b. Cloudland Foliage Traffic – Meg presented a letter drafted by Cloudland Road and Barber Hill Road residents to appear under Selectboard letterhead and be distributed by the residents to tourist industry entities in Woodstock (e.g., the Chamber of Commerce, local inns, motels, B&Bs, etc.) urging them to not direct visitors to private property. Ben moved and Meg seconded approval of the letter with minor changes. Unanimous. Mike Doten reported that a poll was taken of the residents to determine their preference for traffic changes during fall foliage season. Two-thirds prefer that all of Cloudland Road south of Cloudland Farm restaurant and all of

---

<sup>1</sup> **Editor’s Note:** The postponed discussion appears in Section 5(h) below.

- Barber Hill Road be closed; one-third prefer that Cloudland Road south of Barber Hill Road be made one-way northbound similar to last year; zero preferred closing only Cloudland Road south of Barber Hill Road; and zero preferred doing nothing. Meg expects to hear back from the Woodstock town manager about whether Woodstock will consider closing its segment of Cloudland Road in coordination with Pomfret's efforts. Jim feels closing the road would just push the problem elsewhere around town. Input will also be sought from the new Windsor County Sheriff.
- c. Large Event Permit – Artistree will hold an event on August 26 behind the Grange Theater and Cast House buildings. Anticipated attendance is 200 people. Ben moved and Meg seconded approval of the permit as presented. Unanimous (Steve absent).
  - d. Highway Access Permits
    - i. Artistree, private drive – A site visit occurred at 6:00 pm before the meeting. Ben moved and Emily seconded that the permit be approved with the following conditions: (1) used seasonally from June 1 to September 30 and (2) gravel be added at Stage Road to protect the pavement edge. Unanimous (Steve absent).
    - ii. S. Sundstrom, private drive – A site visit occurred at 6:30 pm before the meeting. Ben moved and Meg seconded that the permit be approved with the following conditions: (1) minimum sightline of 155 feet in both directions when viewed 10 feet back from the traveled way at driver's eye level, (2) maple tree with "posted" sign attached limbed up to attain said sightline to the south, (3) roadside vegetation kept mowed to attain said sightline year round. Unanimous (Steve absent).
    - iii. J. Nutter, agricultural access – A site visit was scheduled for June 21 at 6:00 pm.
    - iv. J. Nutter, private drive – A site visit was scheduled for June 21 at 6:00 pm.
  - e. Abbott Library Memo re: Temporary Safety Improvements – Betsy Rhodes submitted a memo on behalf of the Abbott Memorial Library trustees proposing pavement striping, plastic bollards and parking bumpers to improve safety on Library Street and to keep parked cars away from the stream bank to prevent erosion. The board indicated support for this work (much of which will occur on the Library's property) and urged that it be done in coordination with the imminent paving work and possible longer term bicycle and pedestrian improvements now in early planning stages. Betsy will coordinate with Jim and Jim will discuss with Caleb (Pike Industries) at their site visit on June 12.
  - f. Delinquent Tax Matters – Karen provided tax lien notices for four parcels with delinquent tax status (Parcels 0124, 0188, 1116 and 2302-B). Ben moved and John seconded that the four lien notices be approved and recorded in the land records. Unanimous (Steve absent). Copies will be sent to Becky for recording. Karen also reports payment agreements are in place for Parcels 2301-B and 4801-D. Emily noted the delinquent tax total has been reduced from ~ \$250,000 to ~ \$86,000 in the last two years and Karen was thanked for her efforts.
  - g. Bicycle and Pedestrian Grant Program Application – Ben and Meg have been working on this. Meg will work with VHB and Vtrans to finalize the budget and determine the exact 20% local match obligation. Ben moved and John seconded that the grant application be approved and that Meg be authorized to submit the same

provided the 20% local match obligation does not exceed \$100,000,<sup>[2]</sup> and that all available funds in the South Pomfret Village reserve and uncommitted ARPA funds be made available to satisfy the 20% local match obligation. Unanimous (Steve absent).

- h. Stage Road Paving – Ben renewed the motion and John seconded that the town proceed this year with the Stage Road and Library Street apron paving using all available funds in the paving reserve (including the \$200,000 to be appropriated in FY 2024), plus \$50,000 of uncommitted ARPA funds. Unanimous (Steve absent).
- i. Grand List Extension Request – Ben moved and John seconded that the request for a 30-day extension to lodge the grand list abstract be approved. Unanimous (Steve absent).
- j. Appointments – Ben moved and Meg seconded approval of the Planning Commission’s nomination of Jack Pearsons to complete the final ~ 10 months of a 3-year term expiring in March 2024. Unanimous (Steve absent).
- k. Warrants – Ben moved and Meg seconded approval for payment of the following warrants:

23121	\$	11,726.80	Payroll
23123		814.51	A/P
23125		33,407.34	A/P

Unanimous (Steve absent).
- l. Approval of Minutes – Ben moved and Meg seconded approval of the further revised May 20, 2023 Special Town Meeting minutes and the May 25, 2023 Special Selectboard Meeting Minutes as presented. Motion carried (John, Ben, Meg in favor; Emily abstained; Steve absent).

6. Meeting Wrap Up

- a. Correspondence – Meg received suggestions for the Town Hall project from Gary Moore, he will submit a proposed enabling the board to consider alongside the previously received proposal and proceed with the mini-grant.
- b. Review of Assignments – John to speak with Jim re: Library/Stage Road paving; Meg and Ben to finalize the Bicycle and Pedestrian Program grant application; Ben to prepare Highway Ordinance revision re: Class 3 road driveway sightlines.
- c. Agenda for Next Meeting – Mini-grant for Town Hall, two highway access permits (J. Nutter), approve revised law enforcement services contract.

7. Executive Session

- a. Ben moved and John seconded that the Selectboard enter into executive session pursuant to 1 V.S.A. 313(a)(1)(A) to discuss contracts. Unanimous (Steve absent). The Selectboard entered executive session at 10:18 pm.
- b. The Selectboard exited executive session at 11:22 pm, with no decisions having been made therein.

8. Items for Discussion or Vote

- a. Law Enforcement Services Contract (Windsor County Sheriff) – No action required at this time. The board will await a revised draft of the contract following discussion with the Sheriff during executive session.

---

<sup>2</sup> **Editor’s Note:** The 20% local match obligation was subsequently calculated to be \$97,600 and the application was submitted on June 9.

- b. The Prosper Valley School Use Agreement Extension – Emily moved and Meg seconded that the extension agreement be approved and John be authorized to sign the same on the board’s behalf. Unanimous (Steve absent).
9. Adjournment – Ben moved and Meg seconded that the meeting be adjourned. Unanimous (Steve absent). The meeting was adjourned at 11:23 pm.

WINDSOR COUNTY SHERIFF'S DEPARTMENT

LAW ENFORCEMENT SERVICES CONTRACT

The following agreement is between the Windsor County Sheriff's Department (hereinafter referred to as "Sheriff's Department") and the Town of Pomfret, a governmental entity (hereinafter referred to as "Town").

RECITALS

The parties recite and declare:

- A. The Sheriff's Department as part of its normal business provides law enforcement services on a contractual basis to governmental and nongovernmental entities.
- B. The Town needs additional police presence within certain areas of the Town, in order to deter improper conduct and to provide police services like investigation and responding to police emergencies.
- C. The Town needs additional enforcement of state criminal laws as well as enforcement of certain municipal ordinances including the regulation of speed in the Town of Pomfret and other ordinances that the Town identifies to the Sheriff's Department.

SECTION ONE

SERVICES TO BE PROVIDED

The Sheriff's Department shall provide to the Town, fully equipped and trained Deputy Sheriffs, for the purpose of satisfying law enforcement needs within the Town. These services shall be provided by providing Deputy Sheriffs in patrol vehicles for an average of (6) six to (8) eight hours per week which will be documented on a monthly basis as set forth herein. The Town shall provide the Sheriff's Department with goals/objectives regularly that they anticipate will need law enforcement action. Patrol activities shall be scheduled to achieve these goals and objectives in addition to answering calls for service. Quarterly performance reports will be provided to assess goals/objective performance as well as discussions between the parties to discuss any issues or concerns in order to keep a good working relationship.

SECTION TWO

TERM OF AGREEMENT

The Services to be provided under this Agreement will be for the period of July 1, 2023 to June 30, 2024, unless either party gives at least (30) thirty days advance written notice to the other that it wants to amend or terminate this Agreement and providing the date of termination if it is prior to June 30, 2024. If a party wants to amend the Agreement, then the parties shall work together to discuss the desired amendments and the Agreement will be amended as the parties agree or if they cannot agree, a party may choose to terminate the Agreement by giving at least 30 days written notice of the termination date if it is prior to Jun 30, 2024.

### SECTION THREE

#### LAW ENOFRCEMENT

The Sheriff's Department shall be entitled to enforce all state laws during the Agreement. If the Town asks to have specific municipal ordinances enforced by the Sheriff's Department, the Town shall provide copies of the ordinances prior to the date that the Sheriff's Department is to begin enforcing the Town's ordinances, other than those regulating speed of motorized vehicles.

### SECTION FOUR

#### CHARGES AND FEES

The Sheriff's department shall charge an annual fee for these services of \$ 25,000.00 which shall be paid monthly by installments of \$2,083.00 per month. The Sheriff's Department shall provide a monthly summary of services provided during the month by the 10<sup>th</sup> of each month. The report will detail the hours worked and services provided. A monthly invoice will be submitted by the first of each month. At the end of the year the total hours should be between 312 and 416 hours. The work shall include but not be limited to all investigations, office work such as compiling reports and arrest records, and court related proceedings, which include meeting with prosecutors, depositions, and court appearances for hearing and trials. Additional charges not covered would include expert testimony, laboratory fees, etc. will be invoiced separately and sent on a monthly basis if there are any charges. Mileage and regular office expenses are included in the annual fee

As needed, extra patrol coverage can be contracted at a fee of \$65.00 per hour per deputy.

### SECTION FIVE

#### SHERIFFS COMPENSATION INCLUDES AN AMOUNT FOR ADMINISTRATION

Pursuant to 24 VSA 291 a ( C ) the Sheriff, as administrator of the services to be provided under this Agreement, is entitled to compensation at a rate not to exceed 5% of the hourly charges for work performed by Sheriffs; this 5% fee is already included in the annual fee set forth above.

## SECTION SIX

### PAYMENT OF FEES AND CHARGES

The Town agrees to pay the Sheriff's Department in full each month by the 10<sup>th</sup> of each month, A monthly invoice will be sent by the first of the month.

## SECTION SEVEN

### EQUIPMENT

The Sheriff's Department shall provide whatever equipment its officers might need in order to carry out its duties under this Agreement. If any funds are provided to the Sheriff's Department from any source to purchase equipment that is used in the Town, the Town waives any interest in any of that equipment.

## SECTION EIGHT

### OFFICER CONTROL AND DISCRETION

The Sheriff's Department shall at all times retain control of all police practices and decisions, except that Deputy Sheriff's shall not use their own private vehicles. These decisions shall include, but are not limited to, the forwarding of criminal offenses to the prosecutor and the follow up of evidence of criminal activity. The Sheriff's Department and the Town agree that the duties and work assignments are to be conducted after mutual agreement by the Sheriff's Department and the Town as set forth in Section One. The Town shall agree to provide a single point of contact to the Sheriff's Department, for example the Selectboard Chair or their designee, to deal with all issues related to this Agreement.

## SECTION NINE

### ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the parties and that any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in the Agreement.

SECTION TEN

MODIFICATION OF AGREEMENT

Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced by a writing signed by each party or an authorized representative of each party.

SECTION ELEVEN

NOTICES

Any notice provided for or concerning this Agreement shall be in writing and deemed sufficiently given when sent by certified or registered mail or hand delivered, to the respective address or each party.

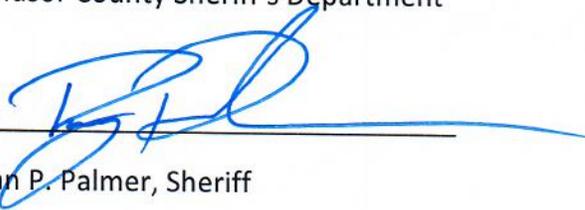
SECTION TWELVE

INSURANCE

The Sheriff's Department shall carry liability insurance coverage, workmen's compensation for its officers, and such other insurance coverage at least in the amounts as set forth on the insurance certificate attached to this agreement as Exhibit 1 including coverage for any vehicles used in the performance of this agreement. The Sheriff's Department agrees to indemnify and hold harmless the Town from any and all claims related to its work under this Agreement.

Dated 06/19/2023

Windsor County Sheriff's Department

By: 

Ryan P. Palmer, Sheriff

Dated: \_\_\_\_\_

Town of Pomfret

By: \_\_\_\_\_

Chair of the Selectboard