

**Town of Pomfret  
Selectboard Meeting Agenda  
Town Offices  
5218 Pomfret Road, North Pomfret 05053  
September 6, 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. Revised Purchasing Policy b. Highway Access Permit Application (Sessions Meadow Road) c. Request-to-Cater Permit Application (Joe Ranger Road) d. Final South Pomfret Scoping Study approval e. Furnace Maintenance Contract f. Town Clerk Computer Replacement g. Delinquent Dog License Update h. Zoning Board of Adjustment Size i. Town Administrator Roles and Job Description j. Notice of Appearance in re: 23-ENV-00093 k. Warrants l. Approval of 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

**PURCHASING POLICY  
TOWN OF POMFRET**

**Original Adoption April 2, 2014  
Amended June 20, 2018**

**DRAFT POLICY UPDATE 9/01/23**

**Note:** **Yellow: new language from VLTC**

**Red: notes per VLTC**

**Green: notes per Pomfret existing language with comments & recommended language**

**PURPOSE.** The purpose of the Purchasing Policy is to obtain the highest quality goods and services for the Town of Pomfret at the lowest possible price to exercise financial control over the purchasing process, to develop contracts for equipment and repetitive supplies, to clearly define authority for the purchasing function, to allow fair and equal opportunity among qualified suppliers, and to provide for increased public confidence in the procedures followed in public purchasing.

**AFFIRMATIVE ACTION AND LOCAL PREFERENCE.** Whenever possible, local, small, minority and women-owned businesses shall be included in the solicitation lists for bids or non-bid purchases and all other affirmative action requirements outlined in the grant provisions must be followed.

The Town may exercise a preference for local businesses for purchases funded exclusively by the Town but only if such a preference does not result in unreasonable prices or rates due to a lack of competition. For purchases funded in whole or in part with federal funding the Town may not exercise a preference for local businesses.

**CODE OF CONDUCT.** All purchases of town equipment, supplies and services must be in compliance with the applicable provisions of the Town of Pomfret Conflict of Interest Policy. Copies of these can be obtained at the Town Offices, 5218 Pomfret Road, North Pomfret, Vermont 05053 or found on the Town's Website (<http://pomfretvt.us/>).

Employees, officers and agents of the Town who are involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No employee, officer or agent of the Town shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when

- the employee, officer or agent,
- any member of his or her immediate family,
- his or her partner, or
- an organization which employs, or is about to employ, any of the above, has a financial or personal interest in the firm/vendor selected for award.

An employee, officer or agent of the Town who is involved in the procurement and selection of a bid or purchase and who has a real or apparent conflict of interest must disclose that conflict of interest within the context of a duly-warned Selectboard meeting that occurs before the bid selection or purchase takes place. Such disclosure must be documented in the minutes for that meeting which shall be retained as part of the official record surrounding the bid or purchase.

Officers, employees and agents of the Town will not solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub - agreements.

**Purchases shall not be split into smaller quantities or amounts to avoid any of the procedures outlined herein.**

Officers, employees and agents who fail to follow the above Code of Conduct may be sanctioned or disciplined, to the extent permitted by law, for violations of the above standards

**DOCUMENTATION.** Records documenting the procurement process for any Minor or Major purchases, as those terms are defined below, including the reason for the specific procurement method chosen, the basis for the award and contract pricing (showing evidence that the process was fair and equitable), as well as any other significant decisions that were part of the procurement process shall be maintained for a period of at least three years or as long as it is in use from the date of the submission to the Federal government of the final expenditure report if the purchase or project was funded with federal grants, or until the completion of any litigation, claim, negotiation, audit, or other action involving the records, whichever is longer. Otherwise, records shall be maintained by the Town in accordance with the retention and disposition schedules as set by the Vermont State Archivist.

**INSURANCE:** Vermont League of Cities and Towns, the town's insurer, requires that all work done by 3<sup>rd</sup> parties on town property or equipment on town premises must carry general liability and workers' compensation insurance.

**PURCHASING AUTHORITY.** Purchasing Agents are defined as employees, officers, or other individuals authorized by the Selectboard to purchase for the Town. Specific positions that have been authorized to make purchases are: Treasurer, Town Clerk, Road Commissioner(s), Road Foreman, Selectboard. **Is this still correct?**

Purchasing Agents are responsible for ensuring that the best possible price and quality are obtained by creating and utilizing pricing agreements and contracts. Each purchase and proposed procurements are to be reviewed to avoid unnecessary or duplicative purchases of equipment, supplies and services. Vendors will be selected based on cost and the best interest of the town, the quality of the goods and services offered, compatibility with existing equipment and the ability, capacity, and skill of the vendor demonstrated under prior contracts with the Town or references from other customers.

Purchasing Agents shall also ensure that the competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications, restricted with limits on the geographic location of vendor, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

**Incidental Purchases.** Those designees authorized to act as Purchasing Agents may make purchases of up to \_\_\_\_\_ \$1,000 (old value) without prior approval, provided those purchases are limited to the amount of the budget line item authorized by the Town.

**Minor Purchases.** Those designees authorized to act as Purchasing Agents **by the Selectboard** may make purchases with a value between \_\_\_\_\_ and \_\_\_\_\_ ~~-\$1,000~~ **=\$25,000 (old values)** , **only with prior approval of the Selectboard**, accompanied with a quote ~~Competitive written quotes from at least two vendors must be obtained~~ and are limited to the amount of the budget authorized by the town. **Although not required, competitive quotes from at least two vendors should be obtained whenever possible. VLTC language for "Those designees" is "Employees"**

**Major Purchases.** Purchases over \_\_\_\_\_ require a request for quotation (RFQ) and a sealed bid process **as outlined below**, with prior approval of the Selectboard. The Selectboard shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies and services. **Written price and rate quotations shall be obtained from at least two qualified vendors to ensure that the Town has received a fair and reasonable price. Vendors will be selected based on cost, the quality of the goods and services offered, and the ability, capacity, and skill of the vendor demonstrated under prior contracts with the Town.**

The Selectboard shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors or bidders, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

### **Purchases Categories Funded by the Federal Government**

**Purchases are categorized by the federal government as those under \$3,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and may be awarded without any kind of competitive quotes if the price is deemed to be reasonable.**

If federal funding is used for purchases between \$3,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and \$150,000, price or rate quotes must be obtained from two or more qualified sources following the affirmative action provision of this policy and all provisions regarding fair and unrestricted competition.

**For all major purchases with a value between \$ \_\_\_\_\_ ] and \$ \_\_\_\_\_, price and rate quotations shall be obtained from at least two qualified vendors to ensure that the Town has received a fair and reasonable price. Vendors will be selected based**

on cost, the quality of the goods and services offered, and the ability, capacity, and skill of the vendor demonstrated under prior contracts with the Town.

Large purchases with a value of \$\_\_\_\_\_ to \$150,000, which is the large purchase or simplified acquisition threshold under federal regulations] or more must follow a sealed bid process as outlined below.

Purchases at or exceeding \$150,000 or construction projects of any value that are funded with federal dollars must follow a sealed bid process as outlined below and also follow any procurement guidance as outlined in the grant agreement. In addition, a pricing analysis must be completed by the purchasing agent or a qualified consultant prior to issuing the request for proposal to ensure that there is a reasonable estimate against which to compare bid proposal pricing.

**SEALED BID PROCESS.** The sealed bid process shall be initiated by the issuance of a Request for Bids prepared by the Selectboard or its designee. Notice of the Request for Bids shall be made by letters (U.S mail or email) to known providers soliciting bid responses, advertisements placed in a newspaper of general circulation in the region, and on the town’s website.

**Note U.S mail or email language not in VLTC recommendation. Do you want to keep this?**

**BID SPECIFICATIONS.** A list of bid specifications may be prepared from purchases between \$15,000 and \$50,000, shall be prepared for each purchase over \$50,000 and shall be available for inspection at the Town office. Bid specifications should include:

1. Bid name and address.
2. Bid submission deadline.
3. Date, location, and time of bid opening.
4. Requirement that responses to specifications are in the same order as listed in request for bid.
5. Specifications for the project or services including quantity, design, and performance features.
6. For lump sum contracts: the lump sum base bid and the bid for each alternate; for unit price contracts, the unit price for each item and the total, if stated.
7. Bond, and/or insurance and liability requirements.
8. A copy of the proposed contract.
9. Any special requirements unique to the project or purchase.
10. Delivery or completion date.
11. For construction language that sets a requirement for a bid guarantee in the amount of 5% of the bid price from all bidders, as well as performance and payment bonds in the amount of 100% of the contract price from the contractor awarded the bid.

If federally grant funded, the bidders must also include costs for Davis Bacon compliance if that is a requirement of the federal agency providing the funding.

12. For construction projects over \$2,000, a statement that contractors will be provided with a copy of the most current wage determination (from the DOL website at <http://www.wdol.gov/dba.aspx>) and must comply with the Davis Bacon Act.
13. Request for Customer references with names and contact information.
14. Language that reserves for the Selectboard the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, to make an award which in its sole and absolute judgment will best serve the Town's interest. The Selectboard reserves the right to investigate the financial condition of any bidder to determine his or her ability to assure service throughout the term of the contract.

Once a Request for Bids has been issued, the bid specifications will be available for inspection at the Town Office and the Pomfret web site.

**BID SUBMISSION.** All bids must be submitted in sealed envelopes, addressed to the Town in care of the Selectboard, and plainly marked with the name of the bid and the time of the bid opening. Bid proposals will be date stamped on the outside of the envelope immediately upon receipt.

Any bid may be withdrawn in writing prior to the scheduled time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned to the bidder unopened.

Bidders shall bid to specifications and any exceptions must be noted by the bidder. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or connection of any kind with any other bidder for the same work, and that the bidder is competing solely on his/her behalf without connection with or obligation to any undisclosed person or firm.

**BID OPENING.** After the specified bid deadline, every bid received prior to the bid submission deadline will be publicly read aloud by the Selectboard. The bid opening will include the name and address of bidder; for lump sum contracts, the lump sum base bid and the bid for each alternate; for unit price contracts, the unit price for each item and the total, if stated; and the nature and the amount of security furnished with the bid if required. **Note that in the current policy "After the specified bid deadline" replaced VLTC "Every bid received prior to the bid selection" This language was inserted in our existing policy assuming that the bid was received before the deadline should not be announced before the deadline.**

**CRITERIA FOR BID SELECTION.** In evaluating bids, the Selectboard will consider the following criteria:

1. Price.
2. Bidder's ability to meet bid specifications.

3. Bidder's proven ability to perform within the specified time limits.
4. Bidder's experience and reputation, including past performance for the Town and references including bidder's customers.
5. Quality of the materials and services specified in the bid and compatibility with existing materials and equipment.
6. Bidder's ability to meet other terms and conditions, including insurance and bond requirements.
7. Bidder's financial capacity and responsibility.
8. Bidder's availability to provide future service, maintenance, and support.
9. Nature and size of bidder.
10. Contract provisions that are acceptable to the Town.
11. For construction projects over \$2,000, contractor's indication of acceptance of wages in the current wage determination provided as part of the Request for Bids. VLTC new language
12. Any other factors that the Selectboard determines are relevant and appropriate in connection with a given project or service.

*In addition to the above, in the case of a contract supported by federal funds, the additional criteria shall apply:*

12. There shall be no preference exercised for local contractors or suppliers.
13. Minority and women-owned businesses must be included in the solicitation list for the request for proposal.
14. The Selectboard will not select a bidder who is listed on the Excluded Parties List System website (<https://www.sam.gov>).

**BID AMENDMENTS.** If specification changes are made prior to the close of the bid process, the Request for Bids will be amended and notice shall be sent to any known bidder and bidders who already submitted a bid and a new bid process ~~may be~~ **will** be initiated soliciting bid responses and updated on the Pomfret web site. **VLTC included this language under Change Orders which concentrates on events occurring after the bid has been accepted.**

**CHANGE ORDERS.** Once a bid has been accepted, if changes to the specifications become necessary, the Selectboard will prepare a change order specifying the scope of the change. Once approved, the contractor and an authorized agent of the Town must sign the change order.

**CREDIT CARD PURCHASES.** A town credit card may be issued to a town employee authorized by the Selectboard to be used solely for purchases for the Town of Pomfret. All receipts or invoices, must be promptly submitted to the town treasurer for documentation. No personal purchases may be made with a town credit card. Use of the Town credit or debit card is subject to the Town's Credit and Debit Card Policy. **Note: not included in VLTC document.**

**PURCHASES FOR ORGANIZATIONS/BOARDS/OFFICIALS.** The Selectboard shall consult with organizations/boards/officials for purchases used by their department

**EXCEPTIONS.** The following exceptions may apply; however, there must be written documentation created and maintained that outlines the process and rationale for such exceptions:

**Competitive Proposals.** If time does not permit the use of sealed bids, or the award will be made on the basis of non-price related factors, a competitive proposal process shall be initiated by the issuance of a Request for Bids (RFB) or Request for Qualifications (RFQ) prepared by the Selectboard or its designee that includes the factors that will be used to evaluate and compare the proposals. Bids or qualifications shall be obtained from an adequate number of qualified sources (at least two vendors) to ensure that the Town has received a fair and reasonable price and all notification and record keeping requirements of the sealed bid process shall be followed.

If architectural or engineering services are being solicited, this process should be used with the most qualified firm or individual awarded the bid and price or fees negotiated after the award. If competitive proposals are used, all of the above steps in the sealed bid process should be followed except that: 1) the bid submission need not be sealed; and 2) price will not be the primary factor in the proposal selection.

**Sole Source Purchases.** If the Selectboard determines that there is only one possible qualified source for a proposed purchase after conducting a good faith review of available sources, it may waive the bid process and authorize the purchase from the sole source after determining that the price offered is fair and reasonable and reasons for such a purchase are documented.

**Recurring Purchases.** If the total value of a recurring purchase of a good or service is anticipated to exceed **\$25,000** during any fiscal or multiple years, the bid process shall be utilized and shall specify the recurring nature of the purchase. Once a bid has been accepted, all future purchases shall be made from that bidder without necessity of additional bids, until such time as the Selectboard votes to initiate a new bid process.

**Emergency Purchases.** The Selectboard may award contracts and make purchases for the purpose of meeting the public emergency without complying with the bid process. Emergency expenditures may include immediate repair or maintenance of town property, vehicles, or highway equipment if the delay in such repair or maintenance would endanger persons or property or result in substantial impairment of the delivery of important Town services.

**Professional Services.** The bid process may not apply to the selection of providers for services that are characterized by a high degree of professional judgment and discretion including legal, financial, auditing, risk management and insurance services.

Federally funded non-competitive purchases for \$150,000 or more require a cost analysis to determine the reasonableness of the proposed pricing and should be completed in accordance with the requirements of the federal or state agency issuing the grant funding.

Vermont State Purchasing Office. The town may purchase items from vendors who offer the same price to the Town as was successfully bid to provide goods or services to the State of Vermont, without going through the bid process described herein. Note: Language, in green, already on current policy.

The foregoing Policy is hereby amended by the Selectboard of the Town of Pomfret, Vermont, this \_\_\_\_\_ day of \_\_\_\_\_ and is effective as of this date until amended or repealed.

\_\_\_\_\_  
John Peters, Jr., chair

\_\_\_\_\_  
Benjamin Brickner, Vice-Chair

\_\_\_\_\_  
Meg Emmons

\_\_\_\_\_  
Steve Chamberlin

\_\_\_\_\_  
Emily Grube

**PURCHASING POLICY ACKNOWLEDGEMENT BY AUTHORIZED USER**

**TOWN OF POMFRET, VT**

I have read the Purchasing Policies and will comply with their requirements.

Signed by authorized town Selectboard Member or Purchasing Agent:

\_\_\_\_\_ Date \_\_\_\_\_

## Vermont Purchasing Policy Authorization Comparisons by Town

LOWEST LEVEL: Incidental Purchases			Purchasing Authority for usually depending on size or type of order	
Under \$500	Montpelier	May be paid out of petty cash or billed to the Department. Limited by Budget. Reviews prices between suppliers should be checked.	Department Heads, City Manager or designees involved based on level of purchase	
Under \$500	Hartford	Purchases by departments with no Purchase Order except for employee reimbursement. Department codes and signs the invoice. Department Heads approve all purchases in advance or delegate this authority one level down.	Town Manager, Finance Director, Department Heads	
Under \$500	West Windsor	Purchases made by Town Clerk or Highway Foreman without SB approval.	Selectboard, Town Clerk, Highway Foreman	
Under \$1,000	Pomfret	Purchases made without prior approval. Purchases limited by budget.	Selectboard, Treasurer, Town Clerk, Road Commissioners and Road Foreman	
Under \$1,000	Strafford	Purchasing agents up to \$1,000 may purchase without prior approval. Purchases limited by budget.	Selectboard, Town Clerk, Town Treasurer, Road Foreman, Asst. Town Clerk & Treasurer	
Under \$1,500	Bridgewater	Selectboard or designee acting Purchasing agent. If practical, quotations should be solicited.	Selectboard or designee	
Under \$2,500	Norwich	Town Manager is the Purchasing Agent for the Town & reviews all proposed procurements. Competition not restricted by geography. Department Heads purchase budgeted items without prior approval. Purchases limited by budget. Competition not restricted by Geography.	Selectboard, Town Manager, Department Heads	
Under \$5,000	Thetford	Approval from SB not required. Bid process required of recurring purchases over \$1,000.	Selectboard Approval (over \$5,000)	

Note: Information based on data found on each town website.

## Vermont Purchasing Policy Authorization Comparisons by Town

### MIDDLE LEVEL: Minor Purchases

\$500 - \$7,500	Montpelier	Approved by Department head or designee. If more than \$5,000, approved by City Manager or designee. Service or goods receipt/condition checked before invoice paid.
\$500 - \$15,000	West Windsor	Usual and customary purchases allowed by Town Clerk & Highway Foreman without SB approval. Other types of purchases require solicitation of quotes from at least two vendors.
\$501 - \$4,000	Hartford	Approval by Department Head. Price quotations not necessary.
\$1,000 - \$10,000	Stratford	Prior approval by SB. Limited by budget. Recommends at least 2 competitive quotes.
\$2,500 - \$10,000	Norwich	Department heads, under Town Manager supervision and prior approval, via a purchase order, make purchases requiring at least 3 competitive bids. Federal Funding purchases, \$3,000 to \$150,000 require quotes from 3 or more sources. Use of designated & special purchase funds, at all levels, requires SB approval. Prefers obtaining 3 bids
\$5,000 - \$10,000	Thetford	SB approval required. Required quotes from at least 2 vendors. Vendor selected based on cost, goods/service quality, skill shown by prior contracts.
\$1,501 - \$14,999.99	Bridgewater	SB is the purchasing agent. Required formal bids or quotes from at least 3 vendors under the supervision and consultation with the department. Professional services. Professional services over \$5,000 require SB approval.
\$4,001 - \$20,000	Hartford	Requires approval of Department Head, Town Manager & Finance Director. 3 written quotations required. Vendor recommended by Department Head. If the lowest bid is not recommended, attachments to the purchase order includes reason for choice.
\$1,000 - \$25,000	Pomfret	Prior approval by SB. Written quotes from at least 2 vendors. Purchases limited by budget.

### Vermont Purchasing Policy Authorization Comparisons by Town

HIGHEST LEVEL: Major Purchases

Over \$7,500	Montpelier	Requires at least 2 bids. Sealed bid & advertised in at least 1 newspaper. Contract required as well as other requirements. Seeks trade-in value.
Over \$10,000	Thetford	Process approval by SB. Sealed Bid preferable with advertisements posted in 3 location within the town plus 1 in newspaper. Recurring purchases require bid process if the total value of the purchase of goods or service exceeds \$1,000 per year
Over \$10,000	Strafford	Requires prior review & approval by SB. Price or rate quotes must be obtained from 2 or more qualified sources. Large purchases require a sealed bid process requested by mail to known providers with notification posted in 3 locations & 1 newspaper. Recurring purchases require the bid process if the total value of the purchase of goods or service exceeds \$10,000 per year
Over \$10,000	Norwich	Requires prior approval of SB & purchase order approval of Town Manager. At least 3 competitive bids. If over \$25,000, follows a sealed bid process posted in 3 public locations & 1 newspaper. Prepared by Department Head under Town Manager supervision. If over \$150,000 or construction, projects of any size must follow a special bid process. Recurring Purchases: if the total value of a recurring purchase of goods or service is anticipated to exceed \$10,000 during a fiscal year, the bid process shall be used
Over \$15,000	Bridgewater	SB or designee act as purchasing agent preparing Invitation to Bid with a newspaper advertisement. Requires formal bid process. Recurring purchases may require competitive solicitations through formal bids, written or oral quotation
Over \$15,000	West Windsor	Sealed bid process over \$15,000 required preparation by SB. Request for bid to known providers with advertisements in 3 public locations & newspaper. Recurring purchases exceeding \$15,000 per year require a bid process
Over \$20,000	Hartford	Requires competitive sealed bid or proposal. Note: Bidding process is described in detail.
Over \$25,000	Pomfret	Prior approval by Selectboard Required sealed bid to known providers with advertisements in a newspaper & on the Town's website. Required pricing analysis. Recurring purchase of goods or service over \$25,000 requires a bid process

Covered exceptions: Sole source, emergency purchases, waivers for various reasons, professional service

# PENDING RESUBMISSION ON CORRECT FORM

ZONING PERMIT

<b>Town of Pomfret, Vermont</b>		<b>Permit No.</b>
<b>ZONING PERMIT APPLICATION</b>		<b>ZP20-</b>
[4][2][0][3] - [ ] Parcel ID number	\$ [1800.00] Est. cost of project	[200.00] App. fee**
Applicant <u>Chris Reynolds</u> Address <u>3 Verndale Road</u> <u>Milton MA 02186</u> Email <u>jadevalley@a.rob.com</u>	[8][0][2] - [2][8][1] - [9][1][5][1] Phone Number (daytime)	Lot Size: _____
Street Address of Property _____ Property Owner (if not same as Applicant) _____ Address _____	<u>426 Sessions Meadow</u> <u>Harold Reynolds Jr. Rev Trust</u>	
<b>DESCRIPTION OF PROPOSED WORK</b>		
Description of proposed work (incl. dimensions): <u>1. Culvert at end of driveway with catchment</u> <u>2. Swale down side of driveway to stop</u> <u>drainage onto driveway</u>		
Closest distance between new structure/addition and the following property lines (as shown on sketch): front/street: _____ ft.    back: _____ ft.    right: _____ ft.    left: _____ ft. Height: _____ ft.    No. & type of farm animals for farm structures: _____		
<b>NOTICE:</b> Permits must be approved a minimum of 15 days before commencing new use or construction. Use or construction authorized by this permit must be commenced within one year of issue unless delayed by ligation or permit expires.		
<b>ACTION OF THE ADMINISTRATIVE OFFICER</b>		
ID of zoning district: _____ ID and classification of use: _____ Application is REFERRED to the <input type="checkbox"/> ZBA or <input type="checkbox"/> PC for the following review and approval: <input type="checkbox"/> Ridgeline <input type="checkbox"/> Variance <input type="checkbox"/> Conditional Use <input type="checkbox"/> Other: _____		
[ ] [ ] - [ ] [ ] - [2][0] AO Signature: _____		
<b>FINAL ACTION OF THE ADMINISTRATIVE OFFICER</b>		
<input type="checkbox"/> APPROVED <input type="checkbox"/> APPROVED with conditions noted <input type="checkbox"/> DENIED <input type="checkbox"/> NO PERMIT REQUIRED		
Comments: _____ _____ _____		
[ ] [ ] - [ ] [ ] - [2][0] AO Signature: _____		
<b>WARNING:</b> State permits may be required for this project. Call 802-279-4747 to speak to the State Permit Specialist before beginning construction.		

\*\*See current fee schedule. Make check payable to Town of Pomfret.

PROPERTY SKETCH

ZP20-

**INSTRUCTIONS:** Draw a lot outline and proposed construction within the lot showing distances to boundaries, existing buildings and location of roads, drives and parking. Show septic facilities and water supply for new residences. Indicate North on your sketch. Use another sheet or attach plans if appropriate.

see attached

CERTIFICATIONS OF APPLICANT AND/OR PROPERTY OWNER

**PROPERTY OWNER:** The undersigned property owner hereby certifies that the information on this application is true and accurate, consents to its submission, and understands that if the application is approved, the zoning permit and any attached conditions will be binding on the property. Further, the undersigned authorizes the Administrative Officer access, at reasonable times, to the property covered by the permit issued under this application, for the purposes of ascertaining compliance with said permit.

Property Owner's signature

Date

**APPLICANT** (if not property owner): The undersigned applicant hereby certifies that ALL the information submitted on and with this application is true and accurate.

Christopher Reynolds  
Applicant's signature

8/20/2023  
Date

OFFICE USE ONLY

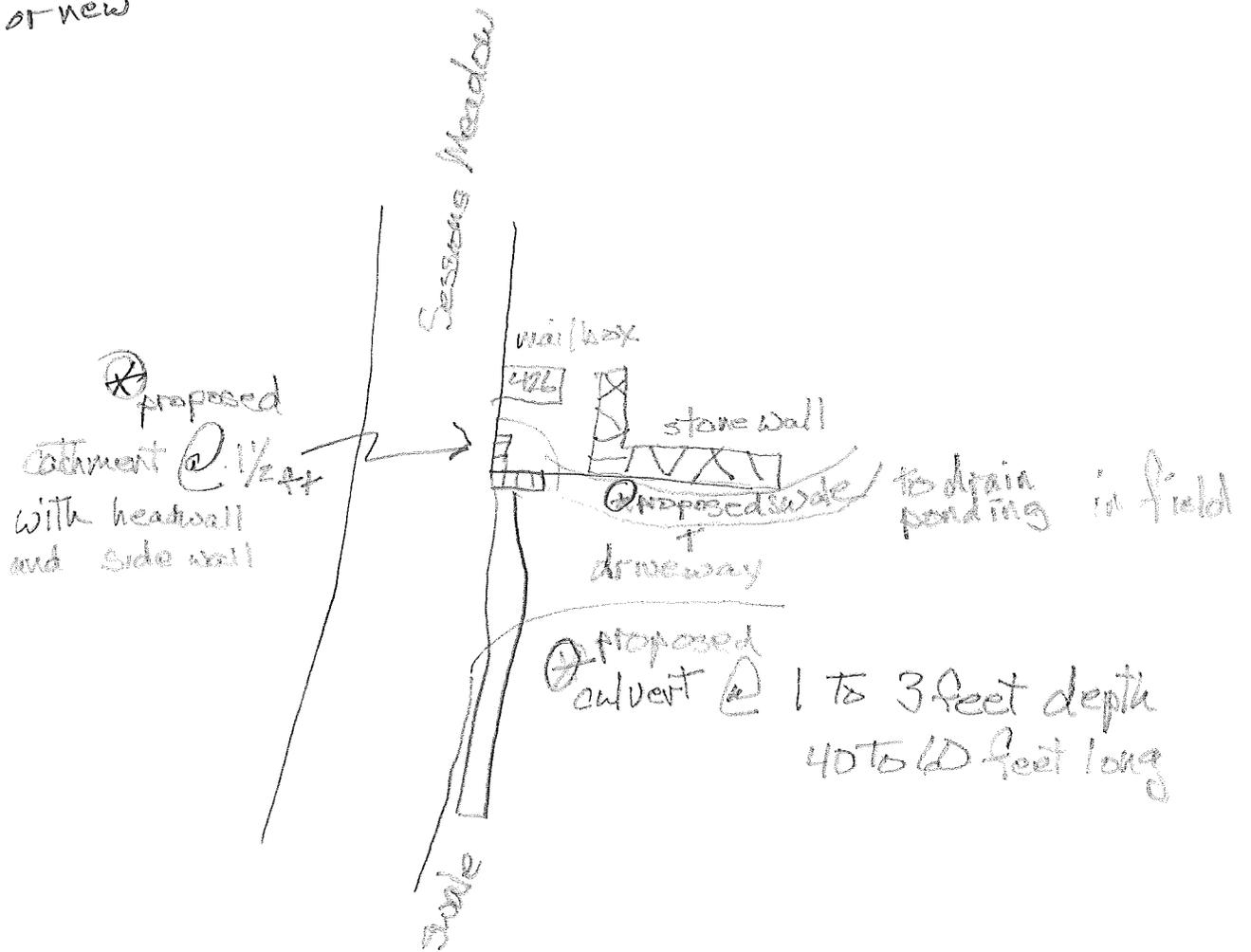
Received [ ] - [ ] - 20

Fee \$ [ ] - [ ] - 20 Paid or deposited

Application deemed complete [ ] - [ ] - 20

An applicant and/or interested person (as defined in 24 VSA §4464) may appeal any decision of the Administrative Officer to the Zoning Board of Adjustment (ZBA) within 15 days of the date of the decision. Said notice shall be in writing, mailed or delivered to the Clerk of the ZBA, and give the reasons for the appeal. Failure to appeal this decision may prevent any party from arguing against its elements in a future hearing or appeal. 24 VSA §4472.

⊗ proposed or new





**Application ID:** DLL - Application - 31605  
**Application for:** Request to Cater Permit  
**Category of Business:** Caterer

### Business/ Entity Information

**Business/ Entity Name:** Monkey Hospitality, LLC  
**Business ID:** 0019249  
**Business Address:**  
,  
,  
**Entity Type:** Limited Liability Corporation  
**Management Type if LLC:**  
**Phone:** 802-324-3395  
**Email:** fluidbarservicevt@gmail.com

### Foundational License (if applicable)

**License Type:** Caterer  
**License Number:** LP-015519  
**Licensee Name:** Monkey House  
**License Status:** License issued-new application  
**Licensee Address:** 30 Main Street ,  
Winooski, Vermont 05403  
**License Start Date:** 2023-04-30  
**License End Date:** 2024-04-29

### Event Contact/s

**Person:**  
RYAN SMITH

**Business Role:**  
Business Principal

**Phone:**  
8022335928

**Business Address:**  
30 Main,  
Winooski, Vermont, 05404

**Email:**  
monkeyhousevt@gmail.com

Violations:

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

**Location Name:**  
Private Residence, McKenna Wedding

**Start date and time of event**  
September 30 2023 15:30

**Location Address:**  
1560 Joe Ranger Road,  
Woodstock, Vermont 05091

**End date and time of event**  
September 30 2023 23:59

**Local Jurisdiction/ Town Clerk:**  
Pomfret

**Approximate Number of Persons Expected**  
250

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

Wedding reception

**Documents Attached**

Name	Document Type	Assosicated With
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**Payment and Acknowledgement**

**Signed by:**  
Ali Nagle

**State of Vermont / DLL Application Fee:**  
20.00

**Date and time of Submission:**  
2023-08-29 15:52:54

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

**Local Application Fee:**  
0

**Local Control Payment Status:**  
false

# **Item 5D**

## **Final South Pomfret Scoping Study Approval**

See <https://pomfretvt.us/index.php/boar/sel/south-pomfret-scoping-study/>

Town of Pomfret Selectboard  
Draft Meeting Minutes  
August 16, 2023

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

Public: Jim Potter (Road Foreman), Jason Crance, Hillary White, Ian MacKenzie, Cy Benoit (Tree Warden), Scott Pearce, Doug Tuthill (Constable), Herb Hohl, Cathy Emmons, Betsy Rhodes (Library Trustee), Glenn Morley, Ellen DesMeules (Treasurer), Nancy Matthews (Auditor), Ted Matthews, Nick Mahood, Gerry Fields, Bill Emmons (Planning Commission), Andy Mann, Mike Doten, Amy Robb, Greg Hartford, John Moore (Planning Commission), Becky Fielder (e911 Coordinator), Annie Abbott, Thistle Cone

1. John called the meeting to order at 7:01 pm.
2. Review of Agenda – Add executive session (confidential attorney-client communications) after approval of minutes; move 5(i) to after executive session; add selection of VLCT annual meeting voting delegate after 5(n). Ben moved and Emily seconded the foregoing. Unanimous.
3. Public Comment – Herb Hohl, trustee and treasurer of the North Pomfret Church, asked if a permit was required to install a backup generator at the church. Mr. Hohl was referred to Karen Osnoe, Zoning Administrator.
4. Road Foreman’s Report – Jim will order a new radio for the Ford 550. Kevin Rice reports that the repeater antenna leaning and needs a lightening protector; John has had the same conversation with Jake Astbury; both issues will be addressed. Jim will work with the owners of Abracadabra Coffee to ensure attendees at future events will not block the traveled way or park on VT-12. Brook Field will install the new propane generator at the Garage in September; the highway crew, with direction from Green Mountain Power and Brook Field, will install and bury the conduit. The garage furnace needs to be replaced, Jim suggested a propane replacement be procured and thus, a larger propane tank installation. Road repair, resurfacing, regrading, ditching, etc. following the historic July floods is ongoing and being performed in accordance with FEMA guidelines. The Town of Hartford contacted Jim about discontinuing a portion of Old River Road in both towns (Pomfret TH #51; Hartford TH #64).
5. Items for Discussion or Vote
  - a. In re: Henry T. LaBounty Trust – Ben moved and Emily seconded that the Summary of Account of Trustee and Motion to Allow Account in respect of the Henry T. LaBounty Trust be approved. Unanimous. Ben noted that the terms of trust require the income of trust assets be spent in furtherance of the trust’s purposes, and that the Selectboard should bear this in mind during the upcoming budget season.
  - b. Foliage Traffic Management – Meg disclosed that she is a resident of Cloudland Road, employee of Cloudland Farm restaurant, and immediate family member of a Cloudland Road resident who has been advocating the closure of Cloudland Road during the 2023 foliage season. Meg indicated she did not believe these facts would prevent her from reaching an impartial decision on this matter.

John and Ben reported that the Woodstock Select Board approved closing their portion of Cloudland Road from September 23 through October 15. The Woodstock Select Board postponed a decision on whether to provide any financial or in-kind assistance with patrolling the Old River Road intersection until a later meeting.

Doug Tuthill believes the closure will benefit a few residents at the expense of many. Jim Potter is also against the closure as a taxpayer, and fears it will set a precedent that roads can be closed elsewhere in town. The neighborhood working group countered that this is an extraordinary situation requiring an extraordinary solution and they hope closing the road will not need to occur every year once word gets out.

Much consideration was given to signage and barriers (including substitution of 8-foot barricades for a movable gate at Old River Road), the extent of the closed area and no parking zones. Ben noted this was the sixth meeting this year at which foliage traffic management had been discussed, not including the several Woodstock meetings that Selectboard members had also attended. John felt it was time for the Selectboard to make a decision.

*Original Motion.* Ben moved and Meg seconded that from September 23 through October 15: (1) all of Cloudland Road be closed from Galaxy Hill Road to the Pomfret town line; (2) all of Barber Hill Road be closed from Pomfret Road to Cloudland Road, in each case with exceptions made for residents of the closure area, their guests and contractors; agricultural use; emergency vehicles; and a limited exception for Cloudland Farm restaurant patrons to travel on Cloudland Road between the restaurant and Galaxy Hill Road; (3) the town redirect its existing Sheriff's patrols during this period to the closure area; (4) the highway crew be asked to install and remove the temporary signage and barriers at the start and end of the closure period; (5) a summary of the foregoing be published in public places as required by state law, in the *Vermont Standard* and on the Vital Communities' list serves for Pomfret and Woodstock; and (6) other details be as specified in the draft "2023 Foliage Season Traffic Management" plan included with the Selectboard meeting agenda.

*Amendment No. 1.* John moved and Meg seconded that the original motion be amended to (1) include an additional exception to allow Pomfret residents to enter the closure area and (2) exclude Cloudland Road north of Barber Hill Road from the closure area and make Barber Hill Road one-way westbound only.

Ben asked (and it was informally agreed by the Selectboard) that the amendment be divided so that each part could be voted upon separately.

*Amendment No. 1, Part 1.* As to the additional exception, the vote was unanimous.

*Amendment No. 1, Part 2.* As to the closure area changes, the vote was 4-1 (Peters, Emmons, Chamberlin, Grube in favor; Brickner opposed) and the motion carried.

*Amendment No. 2.* Ben moved and John seconded that the original motion (as amended by Amendment No. 1) be further amended to prohibit parking from September 23 through October 15, (1) on both sides of Cloudland Road from immediately north of the driveway to 3655 Cloudland Road to immediately south of the driveway to 2763 Cloudland Road, and (2) on both sides of Barber Hill Road from immediately east of the driveway to 1178 Barber Hill Road to the intersection with Cloudland Road. Emily asked (and it was informally agreed by the Selectboard) that the amendment also (3) authorize and required that the neighborhood working group direct the existing Sheriff's patrols within the closure area. Unanimous.

*Final Motion (as amended).* Ben moved and Meg seconded the original motion (as amended by Amendment No. 1 and Amendment No. 2), that from September 23 through October 15: (1) Cloudland Road be closed from Barber Hill Road to the Pomfret town line; (2) all of Barber Hill Road be made one-way to westbound traffic only, in each case with exceptions made for all town residents; guests and contractors of residents within the closure area; agricultural use; and emergency vehicles; (3) parking be prohibited (a) on both sides of Cloudland Road from immediately north of the driveway to 3655 Cloudland Road to immediately south of the driveway to 2763 Cloudland Road, and (b) on both sides of Barber Hill Road from immediately east of the driveway to 1178 Barber Hill Road to the intersection with Cloudland Road, (4) the town redirect its existing Sheriff's patrols during this period to the closure area, subject to more specific direction by the neighborhood working group; (5) the highway crew be asked to install and remove the temporary signage and barriers at the start and end of the closure period; (6) a summary of the foregoing be published in public places as required by state law, in the *Vermont Standard* and on the Vital Communities' list serves for Pomfret and Woodstock; and (7) other details be as specified in the draft "2023 Foliage Season Traffic Management" plan included with the Selectboard meeting agenda, except as modified herein. Unanimous.<sup>[1]</sup>

- c. Dinsmore Road Highway Access Applications – The Selectboard conducted two site visits prior to the meeting. A special meeting for hearings and a deliberative session on both applications will be held on Tuesday, September 12, 2023, at 7 P.M.
- d. Barber Hill Road Culvert and ROW – Removal of the culvert carrying the prior driveway was a condition of the Selectboard's approval of the new driveway in 2021. The landowner will be asked to remove the culvert as soon as conditions allow for placement of the necessary equipment. The same landowner also will be asked to move the two stone walls on either side of the upper driveway several feet back from

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<sup>1</sup> **Editor's Note:** For a concise summary of the approved traffic pattern changes, see [https://pomfretvt.us/index.php/download\\_file/view/2234/1/](https://pomfretvt.us/index.php/download_file/view/2234/1/). For a more fulsome description of the same, see [https://pomfretvt.us/index.php/download\\_file/view/2233/1/](https://pomfretvt.us/index.php/download_file/view/2233/1/).

- the traveled way to avoid interference with (and damage to) town snow removal equipment. Jim will follow up with the landowner directly on both points.
- e. Broad Brook ROW Crossing Permit – Jim has reviewed and found no issues with regard to the highway. He would like at least one week’s notice before work begins. Ben moved and Emily seconded approval of the ROW crossing permit, with the foregoing notice condition. The matter also will be referred to Karen Osnoe, Zoning Administrator, for review of the accessory dwelling unit indicated on the site plan.
  - f. Enhanced 911 Numbering – The state Enhanced 911 Board alerted Becky Fielder, e911 Coordinator, to a house numbering issue on Windy Lane. Becky presented options to address the same, including changing the name of the affected segment of Windy Lane. She will consult the affected landowners and come back to the Selectboard with renaming options.
  - g. Town Office Driveway Paving – Jim received two quotes for this job, for approximately the same scope of work and pricing. The amount exceeds the purchasing policy threshold where an RFP and sealed bids are required. The pending (and unrelated) purchasing policy update would increase this threshold above the quoted amounts. In addition, with all the post-storm road repairs to be done, Jim is not certain his team can prepare the area in time for paving this season. Jim will confirm whether the price quotes are good for work to be completed next spring. Discussion to be continued on September 6 after the purchasing policy has been updated.
  - h. Waiver of Late Homestead Declaration Filing Penalty – Ben moved and Meg seconded that the penalty for late filing of the Vermont Homestead Declaration (Form HS-122) be waived for the current tax year, as has been done in prior years. Unanimous.
  - i. Eastern States Cup Permit Applications – Ben moved and John seconded approval of the Application for a Permit to Hold an Event on Public Highway(s) submitted by WAMBA and the Woodstock Resort Corporation, subject to the condition that signage be placed on the affected roadways one week in advance alerting vehicular traffic to the anticipated increase in bicyclist traffic during the Eastern States Cup. Unanimous. Ben moved and John seconded approval of the Application for Large Even Permit submitted by WAMBA and the Woodstock Resort Corporation, subject to the condition that all activity (including lighting and noise) cease no later than one hour after sunset. Unanimous.
  - j. Fire Department Equipment Purchases – Scott Pearce sought revised approval to order five sets of turnout gear. The Selectboard previously approved the purchase of three sets, but the FY 2024 budget includes funding for all five and the Fire Department received better pricing if all five sets are purchased at the same time. Ben moved and Emily seconded approval of the same, to be paid for first from the related FY 2024 budget line item, with any balance to be paid from the Fire Dept Non-Vehicle Reserve. Unanimous.
  - k. Traffic and Parking Ordinance Amendment – Ben explained the revisions would (1) designate a speed limit of 45 mph on a portion of Stage Road, west of the bridge near 504 Stage Road to the Barnard town line, (2) extend the north, south and west limits of the existing 25 mph speed zone on Pomfret Road and Stage Road in the vicinity of South Pomfret village, and (3) extend the north limit of the existing 35

mph speed zone on Pomfret Road north of South Pomfret village. Change (1) above is based on the results of a speed study recently conducted by Two Rivers, with a 5-10 mph downward deviation to reflect the character of the road and its uses. The reasoning for this deviation will be documented in a memo to file. Changes (2) and (3) above are based in part on the same speed study and (as to the northbound changes) reflect the current location of speed limit signs. Ben moved and Meg seconded approval of the amendments. Unanimous. Ben will prepare the memo to file and the required summary for publication in the *Standard* next week. Emily also suggested that 35 mph advisory signs be installed on either side of the municipal complex to alert motorists of the need to slow down for pedestrians atop the blind hill. John will discuss this with Jim.

l. Delinquent Dog Licenses – John has provided the Sheriff with names of overdue dog licensees who have received multiple contacts from the town by email, mail and phone about their late status; the sheriff will now follow up with these residents. Those who have never registered their dogs will receive a second phone call communicating a final deadline of September 6 before the Sheriff is asked to follow up with these residents as well. Ben moved and Meg seconded the foregoing. Unanimous.

m. VLCT, PACIF and VERB Voting Delegate – As it is unclear who (if anyone) from Pomfret will attend the annual VLCT, PACIF and VERB annual meetings, the Selectboard did not appoint a voting delegate, but may do so at a later meeting.

n. Warrants – Ben moved and Emily seconded approval for payment of the following warrants:

24009	\$ 2,582.06	Payroll
24110	7,451.08	Payroll
24011	168,652.86	A/P

Unanimous. Emily suggested payment for Brick Building repair be paid from unallocated ARPA funds instead of the building reserve. Ben moved and Emily seconded the same. Unanimous.

o. Approval of Minutes – Ben moved and Emily seconded approval of the August 2, 2023, minutes as presented. Unanimous.

6. 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 10:07 pm.

b. The Selectboard exited executive session at 10:37 pm, with no decisions having been made therein.

7. Items for Discussion or Vote

a. Broad Brook Road Zoning Violation – Ben moved and John seconded that Stitzel Page & Fletcher, P.C. be authorized to file a complaint on the town’s behalf in regard to the zoning ordinance violation on Broad Brook Road. Unanimous.

8. Meeting Wrap Up

a. Correspondence – Meg reported we were not awarded a Bicycle/Pedestrian Grant this year; she will ask for a report outlining the reasons why. Jim reports an outstanding

grant application needs a signature page; John asked that the page be sent to him for signature.

- b. Review of Assignments – Meg to research Bicycle/Pedestrian Grant result; contact Two Rivers (Kevin Geiger or Sarah Wraight) re: LHMP status; schedule Town Hall Revitalization committee meeting. John to follow up with Ellen regarding brick Building payment, Cynthia re: dog licensing, Jon Harrington re: South Pomfret Scoping Study status, Jim re: stray signature page and 35 mph advisory signs. Ben to circulate as-approved permits, contact Stitzel Page, finalize traffic management plan and Traffic Ordinance update.
  - c. Agenda for Next Meeting – Purchasing Policy amendment, delinquent dog license update, South Pomfret Scoping Study follow up, municipal administrator job description, executive session to discuss personnel matters.
9. Adjournment – Emily moved and Ben seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 10:50 pm.