

Town of Pomfret Selectboard
Special Meeting Minutes
September 12, 2023

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

Public: Jim Potter (Road Foreman), Jason Crance, Ian MacKensie, Hillary White, Phil Dechert, Richard Dalton, Tim Rockwood, Andy Mann, Neil Lamson (Lister), Todd Nugent, Alison Sander

1. John called the meeting to order at 7:01 pm.
2. Review of Agenda – Ben moved and Meg seconded that a clarification about the ZBA size be added before the Mann hearing, and an executive session to discuss confidential attorney-client communications be added after the White-Dechert hearing. Unanimous.
3. Public Comment – None.
4. ZBA Size Clarification – The Selectboard clarified that its September 6, 2023, decision to enlarge the Zoning Board of Adjustment from five to seven members was to be effective upon the appointment of two new members, and that the minutes of the September 6 meeting should reflect the same.
5. Hearing re: Town Highway Access Permit (Mann)
 - a. John announced the hearing on the Highway Access Permit Application submitted by Andy Mann.
 - b. Ben disclosed several one-on-one emails and phone conversations he had with Andy in February, March and April, explaining these communications had been about the town's highway ordinance and municipal rights-of-way generally and not about the present matter, and stating that he did not believe these communications impaired his ability to render a fair and impartial judgment in the present matter.
 - c. John asked if anyone present wished to have interested party status. Richard Dalton indicated that he would. John then placed the applicant, witnesses and interested parties under oath.
 - d. Andy presented the details of his Highway Access Permit Application to the Selectboard. After discussion, questions from Selectboard members and interested parties, and the applicants' response to the same, Ben moved and Meg seconded that the hearing be continued until immediately after the White-Dechert hearing later in the meeting. Unanimous.
6. Hearing re: Town Highway Access Permit (White-Dechert)
 - a. John announced the hearing on the Highway Access Permit Application submitted by Hillary White and Phil Dechert.
 - b. Ben referred to the one-on-one emails and phone conversations he had disclosed earlier in the meeting.
 - c. John asked if anyone present wished to have interested party status. Alison Sander indicated that she would. John then placed the applicant, witnesses and interested parties under oath.
 - d. Jason Crance (attorney for the applicant), Ian MacKenzie (engineer for the applicant) and Tim Rockwood (surveyor for the applicant) presented the details of the White-Dechert Highway Access Permit Application to the Selectboard. After discussion,

- questions from Selectboard members and interested parties, and the applicants' response to the same, Ben moved and Emily seconded that the Mann hearing and the White-Dechert hearings be closed and that the Selectboard proceed to decisions in deliberative sessions. Unanimous.
7. Road Foreman's Report – Jim needs to buy a mulcher which had previously been approved for purchase, but the price has increased by \$2,000. This amount is available from the small tools budget. John moved and Emily seconded approval of this purchase at the higher price. Unanimous. Jim has been in touch with Brian Dost from Hartford's Public Works department regarding the Lower River Road closure. Jim anticipates Hartford will decide how to proceed by mid-October.
 8. Executive Session
 - a. Ben moved and Meg seconded that the Selectboard enter into executive session pursuant to 1 V.S.A. 313(a)(1)(F) to discuss confidential attorney-client communications. Unanimous. The Selectboard entered executive session at 9:53 pm.
 - b. The Selectboard exited executive session at 10:53 pm, with no decisions having been made therein.
 9. Meeting Wrap Up
 - a. Correspondence – Ben received email correspondence from Nancy Matthews regarding the revised Purchasing Policy; the Board will review the revised draft before the September 20 meeting.
 - b. Assignments – Ben to follow up with Nancy regarding the revised Purchasing Policy.
 - c. Agenda for Next Meeting – Raynolds driveway site visit, revised Purchasing Policy, Bartlett Brook Road large event permit, Joe Ranger Road large event permit, continuation of Town Administrator discussion, Dinsmoor Road deliberative session.
 10. Adjournment – Emily moved and Steve seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 11:04 pm.