

**Town of Pomfret
 Selectboard Meeting Agenda
 Town Offices
 5218 Pomfret Road, North Pomfret
 May 15, 2024, 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. Financial Policies and Goals b. Fraud Prevention Policy and Procedure c. Investment Policy d. Delinquent Dog Licensing e. ROW Crossing Permit Application (478 Hidden Ridge Road) f. T.H. 24 (Hewitt Hill Road) Relocation Report g. Appointment of Public Officers h. Warrants i. Approval of May 1, 2024 Minutes	7:30 pm
6. Meeting Wrap Up a. Correspondence b. Review of Assignments c. Agenda for Next Meeting	8:30 pm
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, then Meeting ID 953 9507 9923 and Passcode 306922

~~INTRODUCTION~~
~~DRAFT~~ FINANCIAL POLICIES AND GOALS

TOWN OF POMFRET, VERMONT

~~Revised 4/03/2022~~

Approved June [5], 2024

GOALS

1. To ensure compliance with laws and conformance with accounting standards.
2. To promote year-to-year consistency and efficiency in handling budgetary and financial matters and methodology regardless of change of personnel.
3. To help local officials make more informed financial decisions, safeguard the town's resources and capital assets, and promote financial stewardship (committed to responsible, moral, ethical, and prudent decision-making).
4. To support development of long and short term financial goals, which become a vital part of the planning process and the annual budget.
5. To maintain a stable tax rate while avoiding tax spikes and short-term debt.
6. To support the use of reserves for funding capital projects and special projects.
7. To clarify responsibilities for managing various facets of financial, capital, and budgetary planning and oversight.
8. To review and manage the budget on a monthly basis with the goal of ending the fiscal year with a balanced budget. If one line-item looks like it will exceed budget by the end of the year, compensate by identifying and underspending other line items.
9. To promote positive working relationships between the town's elected and appointed officials.
10. To require that new staff and public officials, who are responsible for town finances, familiarize themselves with these policies, and comply with their intent.
11. To Inform municipal officials without financial background and provide tools to properly manage the town's finances.
12. To ensure that the goals set for all financial policies together express how to reach the above goals.

ADOPTED POLICIES

- 1. Accounting, Audit, and Financial Reporting Policy &and Procedures, ~~(~~adopted 1/January 20/22,
2022)

- 2. Balanced Budget Policy, Management and Procedures for Town Funds (adopted 5/May 18/22, 2022)
- 3. Capital Program and Balance Budget Policy (adopted 4/3/24 April 2, 2024)
- 4. Credit and Debit Card Policy (adopted 3/July 17, 2021, modified 7/17, 23 2023)
- 5. Fraud Prevention ~~Under discussion~~ Policy and Procedure (adopted May [15], 2024)
- 6. Income, Expense, and Cash Policy and Procedures (adopted 3/March 24/22, 2022)
- 7. Investment Policy (adopted by Trustees of Public Funds [June 5, 2024])
- 8. Purchasing Policy (adopted April 2, 2014, amended 2018 and 5/7/23 October 4, 2023)
- 9. Rainy Day Reserve Funds Policy (adopted 11/5/23 November 15, 2023)
- 10. Reserve Fund Policy (adopted 11/November 15/23, 2023)

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APPROVED by the Selectboard this [15th] day of May, 2024, and effective until amended or repealed.

Benjamin Brickner, Chair

John Peters Jr., Vice-Chair

Meg Emmons

Steve Chamberlin

Emily Grube

**FRAUD PREVENTION POLICY AND PROCEDURE
TOWN OF POMFRET, VERMONT**

4/17, 2024

~~VLTC WORDING 2019~~

Approved May 15, 2024

POLICY PURPOSE. The purpose of this policy is to provide a mechanism for employees and officers to bring to the attention of the ~~[Insert the name and contact information for at least two people with whom internal complaints may be filed]~~Selectboard or any member thereof any complaints regarding the integrity of the Town's internal financial controls or the accuracy or completeness of financial or other information used in or related to the Town's financial statements and reports. Town employees and officers shall not be discharged, demoted, suspended, threatened, harassed, or discriminated against in any manner for raising reasonable questions concerning the fair presentation of town financial statements in accordance with this policy.

REPORTS OF IRREGULARITY. Any employee who has a complaint regarding the integrity of the Town's internal financial controls or the accuracy or completeness of financial or other information used in or related to the Town's financial statements and reports, or who observes any questionable accounting practices, should report such complaint to ~~[Insert the name and contact information for at least two people with whom internal complaints may be filed]~~the Selectboard or any member thereof.

The report should include a description of the matter or irregularity, the period of time during which the employee observed the matter or irregularity, and any steps that the employee has taken to investigate the matter or irregularity, including reporting it to a supervisor and the supervisor's reaction. The report may include, at the employee's option, the employee's contact information if additional information is needed. However, a report shall not be deemed deficient because the employee did not include contact information.

Examples of reportable actions include any indication of fraud, misappropriation of Town resources, substantial variation in the Town's financial reporting methodology from prior practice or from generally accepted accounting principles, and the falsification, concealment, or inappropriate destruction of Town financial records.

INVESTIGATION. Upon receiving such a report, the Selectboard shall investigate the issues identified in the report. The Selectboard may consult with the town auditors, ~~town manager,~~ treasurer, any other Town employee, officer, legal counsel, ~~independent auditors~~certified public accountant, or any other person or entity as part of their investigation. At the conclusion of the investigation, the Selectboard shall prepare a written response to the report, which shall be a public document.

In accordance with 24 V.S.A. § 1686(c), any town officer who willfully refuses or neglects to submit his or her books, accounts, vouchers, or tax bills to the auditors after five business days following his or her receipt by certified mail of a written request by the auditors or public accountant that is approved and signed by the Selectboard, or to furnish all necessary information in relation thereto, shall be ineligible for reelection for the year ensuing and be subject to the penalties otherwise

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prescribed by law.

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~~[Different first page setting changed from off in original to on in modified.]~~

The foregoing Policy is hereby adopted **APPROVED** by the Selectboard of the Town of _____, Vermont, this ___ day of _____ and is effective as of this date this [15th] day of May, 2024, and effective until amended or repealed.

Benjamin Brickner, Chair

John Peters Jr., Vice-Chair

Chairperson _____ Selectboard Members

Meg Emmons

Steve Chamberlin

Emily Grube

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**INVESTMENT POLICY
TOWN OF POMFRET
May, 2024**

PURPOSE. In accordance with 24 V.S.A. § 1571(b), moneys received by the treasurer on behalf of the Town of Pomfret may be invested by the treasurer with the approval of the Selectboard. The purpose of this Investment Policy is to establish the investment objectives, standards of investing prudence, eligible investments and transactions, internal controls, reporting requirements, and safekeeping and custodial procedures necessary for the proper management and investment of the funds of the Town of Pomfret.

This Policy does not apply to funds held by the Town of Pomfret's Trustees of Trust Funds, which are managed under a separate investment policy for trust assets, adopted by the _____ trustees of public funds in accordance with 24 V.S.A. § 2432. Nor does this policy apply to bond fund investments made in accordance with applicable bond debenture requirements.

OBJECTIVES. The primary objectives in priority order of investment of the funds of the Town of Pomfret shall be safety, liquidity, yield, and local investment.

CURRENT STATUS: All the town's funds are on deposit at Mascoma Bank. The operating fund has a minimum balance requirement between \$35,000 and \$40,000 to offset handling costs, and avoid service charges. The remainder of the balance earns .05% in a sweep account. A significant portion of the reserve funds are in a similar sweep account, though the minimum balance is just \$100, and the interest rate is 2%. The swept funds are divvied out in amounts under \$250,000 to various participating banks, thus ensuring FDIC coverage on the entire balance. These funds are immediately available.

Certificates of deposit are not currently used, so there is no match between investment terms and anticipated need of funds. The capital plan could identify funds to accumulate, which might be invested separately from the sweep.

SAFETY AND LIQUIDITY: Safety of principal shall be the foremost objective of Town funds. To the extent that some reserve funds are intended for projects a few years in the future, investing these balances makes sense, to keep pace with inflation, and to earn a return that ensures the preservation of capital in the overall portfolio.

Investing the Town's funds beyond the current sweep arrangement with Mascoma Bank adds complexity and requires Selectboard input. It is recommended that the Selectboard and the Treasurer discuss annually whether it is appropriate to consider other safe investment options.

POOLING: Except where prohibited by law, cash and reserve balances may be consolidated to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping, and administration. Investment income will be allocated to various funds based on

their respective balances, and processed in accordance with generally accepted accounting principles.

COLLATERALIZATION: When bank deposits are not covered by FDIC insurance, then collateralization documents are required. As this is not currently required, more detail is provided at the end of this document.

OTHER INVESTMENTS: Investments with brokerage or mutual fund companies are uninsured, so great care must be taken in considering these as appropriate investment vehicles.

STANDARD OF CARE: The standard of care to be used by the treasurer and Selectboard shall be the prudent person standard and shall be applied in the context of managing an overall portfolio. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

CONFLICTS OF INTEREST: The Selectboard and treasurer shall refrain from personal business activity that could conflict with the proper execution and management of the Town's investments or that could impair their ability to make impartial decisions. They shall disclose any material interests in financial institutions with which the Town conducts business, and further disclose any personal financial or investment positions that could be related to the performance of the Town's investments. Selectboard members and the treasurer shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Town.

REPORTING: The Board of Auditors shall confirm all reserve balances monthly and report activity in the annual report. The Treasurer shall provide monthly reports to the Selectboard of all Town funds.

INTERNAL CONTROLS: The Treasurer will establish a system of internal controls, based on guidance from VLCT, the Town's public accountant, and from generally accepted accounting standards. These controls apply to all town funds, and are reported annually to the Selectboard. The Town's auditors are a vital part of this control and oversight. Appropriate internal controls, effective policies, and routine reconciliations to bank records are necessary to prevent the loss of invested funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the Town.

The foregoing Policy is hereby adopted by the selectboard and the treasurer of the Town of _____, Vermont, this ___ day of _____ and is effective as of this date until amended or repealed.

_____ Chairperson

Selectboard members:

Treasurer:

****COLLATERALIZATION.** Collateralization using obligations fully guaranteed by the full faith and credit of a Vermont municipality, the State of Vermont, and/or the United States Government will be required on bank certificates of deposit and repurchase agreements. The current market value of the applicable collateral will at all times be no less than 102% of the sum of principal plus accrued interest of the certificates of deposit or the repurchase agreement secured by the collateral. Collateral will always be held by an independent party, in the Town's name, with whom the Town has a current custodial agreement. Evidence of ownership must be supplied to, and retained by, the Town.



TOWN OF POMFRET, VERMONT

SELECTBOARD

Draft – May 13, 2024

To: Town of Pomfret Clerk
From: Town of Pomfret Selectboard
Date: June [REDACTED], 2024
Subject: Relocation of T.H. 24 (Hewitt Hill Road)

This report summarizes the Selectboard’s decision regarding a minor relocation of Town Highway 24 (Hewitt Hill Road). This report is made pursuant to 19 V.S.A. 711(a) and copies have been sent by certified mail to the individuals listed in *Attachment 1* pursuant to 19 V.S.A. 709.

I. Procedural History

The physical location of a short (+/- 300-foot) section of Town Highway 24 at the intersection of Town Highway 62 (Hidden Ridge Road) was relocated about twenty years ago. At that time the Selectboard also took steps to formally relocate the road. Those formal steps were never completed, however. A record of the Selectboard’s incomplete proceedings in 2005–07 are included in *Attachment 2*.

To complete this process, the Selectboard reinitiated these proceedings on its own motion pursuant to 19 V.S.A. 708. The proposed relocation is depicted on the Road Relocation Survey dated January 7, 2024 [and revised May [REDACTED], 2024], by Holt Gilmour Survey Associates LLC and included in *Attachment 3*.

II. Site Inspection and Hearing

The Selectboard held a site inspection and hearing on April 17, 2024, pursuant to 19 V.S.A. 709. Notice of the same was given by certified mail on [REDACTED], 2024 to the individuals listed in *Attachment 1* and was published on April 5, 2024 in *The Valley News*, a newspaper of general circulation in Pomfret. Notice also was posted at the [Town Clerk’s Office, North Pomfret Post Office, and Teago General Store].

Present at the site visit were [REDACTED]. Present at the hearing were [REDACTED]. At the hearing the following testimony was heard:

- [REDACTED]

III. Findings of Fact

The Findings of Fact made by the Selectboard in 2006 and included on the last two pages of *Attachment 2* are incorporated by reference herein. In addition, [REDACTED].

IV. Conclusion of Law and Decision

Based on information presented, the findings described above, and subject to the conditions specified below, the Selectboard judges that the public good, necessity, and convenience of the inhabitants of Pomfret require that Town Highway 24 be relocated as depicted on the Road Relocation Survey included in *Attachment 3* and hereby orders the same.

The Town Clerk is directed to record this report, together with the Relocation Survey included in *Attachment 3*, in the Pomfret Land Records pursuant to 19 V.S.A. 711(a).

V. Conditions

The decision described above is subject to the following conditions:

- The record owner of Parcel 5705 shall bear one-half the costs associated with this matter including (but not limited to) preparation of the Road Relocation Survey included in *Attachment 3*, certified mail fees, and reasonable, out-of-pocket attorney fees actually incurred by the Town of Pomfret. Payment of such costs will be due within thirty (30) days following receipt of an invoice for the same.
- Within sixty (60) days of the date hereof, the record owner of Parcel 5705 shall obtain a right-of-way crossing permit from the Town of Pomfret, subject to customary and appropriate conditions, in regard to the existing septic system crossing under Town Highway 24.

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ORDERED and **APPROVED** by the Selectboard this [redacted] day of [June], 2024.

Benjamin Brickner, Chair

John Peters Jr., Vice-Chair

Meg Emmons

Steve Chamberlin

Emily Grube

[Remainder of page intentionally blank. Attachments follow.]

ATTACHMENT 1

NOTIFICATION LIST

James Rattigan and Nicola Aurema
478 Hidden Ridge Road
South Royalton, VT 05068

Sean P. McCormick and Katherine E. Bouteiller
408 Hidden Ridge Road
South Royalton, VT 05068

Matthew Jean and Kelly Ann St. Cyr
489 Hidden Ridge Road
South Royalton, VT 05068

Jennifer P. Emerson
1061 Monument Street
Concord, MA 01741

Teraalta, LLC
421 Hewitt Hill Road
North Pomfret, VT 05053
Attention: John S. Moore, Manager

Town of Pomfret
Planning Commission
5218 Pomfret Road
North Pomfret, VT 05053
Attention: William B. Emmons III, Chair

ATTACHMENT 2

**SELECTBOARD 2005-07
ROAD RELOCATION RECORD SET**

[Attached.]

ATTACHMENT 3

ROAD RELOCATION SURVEY

[Attached.]

Town of Pomfret Selectboard
Draft Meeting Minutes
May 1, 2024

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

Public: Jim Potter, Cynthia Hewitt, Michael Mezzacapo, Ashley Wojnarowski, Betsy Rhodes, Pam Pickett, Kelly Barger, Jeff Barger, Bill Emmons, Bailey Markwell, Nancy Matthews

1. Ben called the meeting to order at 7:00 pm.
2. Agenda Review – Emily moved and Steve seconded deleting Item 6D (ROW Crossing Permit Application (478 Hidden Ridge Road)) and Item 6I (T.H. 24 (Hewitt Hill Road) Relocation Report). Neither is ready and both will be included on the May 1, 2024 agenda. Unanimous.
3. Public Comment – Michael Mezzacapo and Ashley Wojnarowski inquired about the fallen chain link fence on the wing wall of the large culvert near their home at 8133 Pomfret Road. The Road Foreman will remove the old fence; replacement of same to be determined. Betsy Rhodes thanked the town for allowing the library to “piggy back” on the Stage Road and Library Street repaving project. She also inquired about the Bicycle and Pedestrian Program grant.
4. Executive Session
 - a. Ben moved and Steve seconded that the Selectboard enter executive session pursuant to 1 V.S.A. 313(a)(3) to discuss the employment of public employees and the appointment of public officers. Unanimous. The Selectboard entered executive session at 7:13 pm.
 - b. The Selectboard exited executive session at 8:07 pm, with no decisions having been made therein.
5. Ben called the meeting back to order at 8:08 pm.
6. Road Foreman’s Report – Road grading continues. Jim asked that the Maple Ridge Drive homeowner be informed that he will be asked to repair any damage caused to the road or right-of-way occurring during the construction of his home. Pike has arrived one month early for the Stage Road and Library Street repaving project. Repaving is expected to continue through Friday. Pike is unable to pave adjacent to Teago Store due to the custom curbing and ADA accessibility issues. This area will be repaved at a later date. Jim is working with a Labounty Road land owner regarding a driveway access matter. Jim is also working with ANR regarding maintenance and repair of Legal Trail 2 and Legal Trail 3.
7. Items for Discussion or Vote
 - a. Road Crew Position Description and Advertisement – John presented the updated job description and newspaper ad. The job description will be posted on the town website and Jim will request that it be posted on the state’s Local Roads list serve. Cynthia will submit the ad for publication in the May 9, 2024 edition of *The Vermont Standard*, the May 9, 2024 edition of *The White River*

Valley Herald (Randolph, Vermont), and the May 7, 8 and 9, 2024 editions of *The Valley News*. Steve moved and Emily seconded the foregoing.
Unanimous.

- b. River Road status and Update – John and Ben met with representatives from the Town of Hartford last week. It is expected that River Road will reopen to vehicular traffic in the next week or two. Longer term discussions will continue about whether to downgrade the road to Class 4 or Legal Trail status. Any such change will entail abutter notice, a public hearing and opportunity to comment in both towns.
- c. ROW Crossing Permit Application (740 Sessions Meadow) – Jim met with the landowner to view the site. He sees no problem running the electric line under the road in the proposed location. Emily moved and Steve seconded approval of the permit application with no additional conditions. Unanimous. Ben will notify the applicant of the approval.
- d. Cemetery Lawn Maintenance Contract – Cemetery Commissioner Bruce Tuthill found a sole proprietor to perform upkeep of the cemeteries but he may not have workers’ compensation insurance coverage. Ben will inquire of PACIF if such coverage is required of contractors who perform work for the town but who have no employees or subcontractors. In any case, given that mowing season is upon us, it was felt that the Cemetery Commission should proceed with the one interested vendor. John will inform Bruce accordingly.
- e. Fraud Prevention Policy and Procedure – Nancy Matthews provided an updated version of the Fraud Prevention Policy and Procedure. Ben will edit the document per the Selectboard’s discussion and will circulate the final form for adoption at the May 15, 2024 meeting.
- f. Financial Policies and Goals Introduction – Nancy Matthews provided an updated version of the Financial Policies and Goals Introduction. Ben will edit the document per the Selectboard’s discussion and will circulate the final form for adoption at the May 15, 2024 meeting. Ben also will confirm with Marge Wakefield, Trustee of Public Funds, as to the status of the town’s Investment Policy. Nancy requested that the Documents page on the town website be revised to display the town’s financial policies alphabetically in a separate category, with the Introduction listed first. Ben will make these changes.
- g. Bicycle and Pedestrian Program Grant – Meg reported that VTrans, via federal funding, has reopened this grant program; deadline for application is June 14. A 20% local match is required. Proceeds would fund some recommendations from the South Pomfret Scoping Study. John moved and Steve seconded that Meg be authorized to update last year’s application and resubmit the same. Unanimous.
- h. Appointment of Public Officers – None.
- i. Warrants – Emily moved and Meg seconded approval for payment of the following warrants:
 - 24090 \$ 2,519.63 Payroll

24094	8,488.99	Payroll
24095	13,976.63	AP

Unanimous.

- j. Approval of Minutes – John moved and Meg seconded approval of the April 17, 2024 meeting minutes as presented. Unanimous.
- 8. Meeting Wrap Up
 - a. Correspondence – Neil’s ARPA accounting was slightly different from Ellen’s. Meg will work with them to reconcile. John is in contact with VLCT and TRORC regarding Act 250 mapping questions. Bill Emmons is also working on this with TRORC.
 - b. Review of Assignments – Ben to revise financial documents and contact Marge re Investment Policy. Meg to complete and submit the Bicycle and Pedestrian Program grant application and reconcile ARPA spending. Ben to post job listing on the Town Web Site; Jim to post with the state; Cynthia to arrange ads in Valley News, Standard & Herald.
 - c. Agenda for Next Meeting – ROW Crossing Permit Application (478 Hidden Ridge Road), T.H. 24 (Hewitt Hill Road) Relocation Report, financial policies adoption, delinquent dog licensing.
- 9. Adjournment – John moved and Steve seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 9:53 pm.