

**Town of Pomfret
Selectboard Meeting Agenda
Town Offices
5218 Pomfret Road, North Pomfret
June 5, 2024, 7:00 pm**

Zoom instructions below

Business Items	
1. Call to Order	7:00 pm
2. Agenda Review	
3. Public Comment	
4. Possible Executive Session (personnel matters)	7:05 pm
5. Road Foreman's Report	7:45 pm
6. Items for Discussion or Vote a. Highway Access Permit (Labounty Road) b. Public Road Use Permit (Vermont 100 Endurance Race) c. Large Event Permit (Vermont Symphony Orchestra at S6) d. T.H. 24 (Hewitt Hill Road) Relocation Report e. Investment Policy (non-trust funds) f. Town Hall Maintenance g. Delinquent Dog Licenses h. Appointment of Public Officers i. Warrants j. Approval of May 15, 2024 Minutes	8:15 pm
7. Meeting Wrap Up a. Correspondence b. Review of Assignments c. Agenda for Next Meeting	8:45 pm
8. 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

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: Bernard Strong and Julie Ramsey Phone: [Redacted] Email: [Redacted]

Applicant Mailing Address: 17 Maple St. Woodstock State: VT Zip: 05091

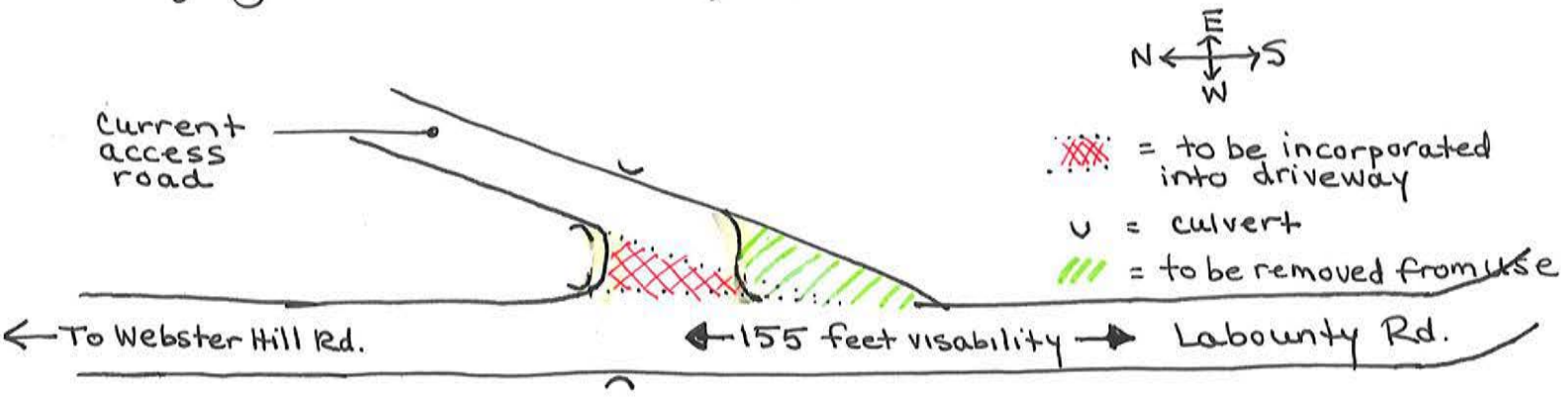
(Complete only if Applicant is not the Landowner)
Landowner Name: (Same) Phone: Email:
Landowner Mailing Address: State: Zip:

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

Access Road Location: on the East (cardinal direction) of Labounty Road (town highway name)
at approximately 2000 (feet) from the intersection of Webster Rd. / Highway # 35 (nearest town highway intersection).

Please provide a brief description of the work to be done: Construct driveway to access parcel ID

#1100-L which will meet visibility requirement from Labounty Road, by redesigning current access road, as follows:



(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 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.
4. Noncompliance. Any work deemed not in compliance with the permit shall be corrected and reinspected for approval.
5. Final Approval. Work shall be approved by the Selectboard or its designee before any use of the access may be started.

* Each residence is limited to one driveway access.

Design Standards[†]

1. *Intersection Angle.* Access roads shall be constructed at a 90 degree angle to the town highway.
2. *Minimum Sight Distance.* Sight distances shall be at least as shown in the table below in both directions when viewed from a height of eye of 2.0 feet on the roadway to a height of eye of 3.5 feet on the drive at a point 15 feet back from edge of the traveled way (when entering upon paved portions of town highways) or 10 feet back from edge of the traveled way (when entering upon any other portion of a town highway). The "posted speed" shall be deemed to be 45 mph (when entering upon an unposted Class 2 highway) or 25 mph (when entering upon any other unposted highway).

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 changing the grade 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.

 <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> Applicant Signature	Bernard E. Strong Julie L. Ramsey <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> Applicant Printed Name	May 2, 2024 <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> 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.]

[†] 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.



May 27, 2024

Dear Town of Pomfret & Select Board,

This letter is to inform you of an upcoming event that will occur partially in the Town of Pomfret, pending approval of our application. The 33rd Annual Vermont 100 Endurance Race will be held on July 20th-21st, 2023. Our event runs from 4 a.m. on July 20th until 10 a.m. on July 21st, though our participants will only be in your area for part of the time.

The route taken through Pomfret will be:

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

Marking its 33rd year, the Vermont 100 Mile Endurance Race holds a special place in our community. It's the sole not-for-profit endurance run in the country, with all proceeds benefiting Vermont Adaptive Ski & Sports (VASS). VASS, a non-profit organization, offers recreational opportunities for individuals with disabilities, enabling them to experience the thrill of sports that many of us often take for granted. The VT100 is one of the largest fundraisers supporting VASS and remains the only combined 100-mile run & ride left in the US.

The VT100 Mile planning committee has meticulously planned for a successful race. The race committee and volunteer staff are dedicated to organizing a SAFE & enjoyable event, one that respects both property and individuals. We value your input and would appreciate hearing any comments or concerns you may have. I am always available to address any questions or concerns you may have. Your feedback is valuable to us and we look forward to hearing from you.

Sincerely,

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

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

TOWN OF POMFRET
5218 POMFRET ROAD
NORTH POMFRET, VT 05053

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

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

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

APPLICANT / ORGANIZATION Vermont 100 Endurance Race

PHONE [REDACTED]

ADDRESS 27 Graves Street, South Deerfield, MA

CONTACT PERSON Amy Rusiecki PHONE [REDACTED]

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


ROUTE ON PUBLIC HIGHWAYS (attach map showing route) _____

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

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

EVENT DATE(S) July 20th, 2024 HOUR (start) 9:00 am (end) 2:00 pm

ESTIMATED NUMBER OF PARTICIPANTS 450

 4/27/2024
Authorized Representative Date

CONDITIONS:

Approved Denied Town Representative Date

Town of Pomfret
5218 Pomfret Road
North Pomfret, VT 05053


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

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

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

Date: 5/27/2024

Print Name: Amy Rusiecki

Sign Name: 

Witness: 

CERTIFICATE OF INSURANCE

PRINT DATE: 1/9/2024

CERTIFICATE NUMBER: 202401091021414

AGENCY:

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

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

NAMED INSURED:

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

INSURERS AFFORDING COVERAGE:

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

EVENT INFORMATION:

VT100 Endurance Race (7/20/2024 - 7/21/2024)

POLICY/COVERAGE INFORMATION:

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

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	1-TRE-IN-17-01338542-01	11/1/2023 12:01 AM	11/1/2024 12:01 AM	GENERAL AGGREGATE (Per Event) \$4,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				EACH OCCURRENCE \$2,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$2,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$2,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
A	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	1-TRE-IN-17-01338543-01	11/1/2023 12:01 AM	11/1/2024 12:01 AM	EACH OCCURRENCE \$3,000,000
					AGGREGATE \$3,000,000
B	OTHER				
	<input checked="" type="checkbox"/> EXCESS LIABILITY	0313-1301	11/1/2023 12:01 AM	11/1/2024 12:01 AM	EACH OCCURRENCE \$7,000,000
					AGGREGATE \$7,000,000

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

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

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

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

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

Excess policy follows form of underlying General Liability.

CERTIFICATE HOLDER:

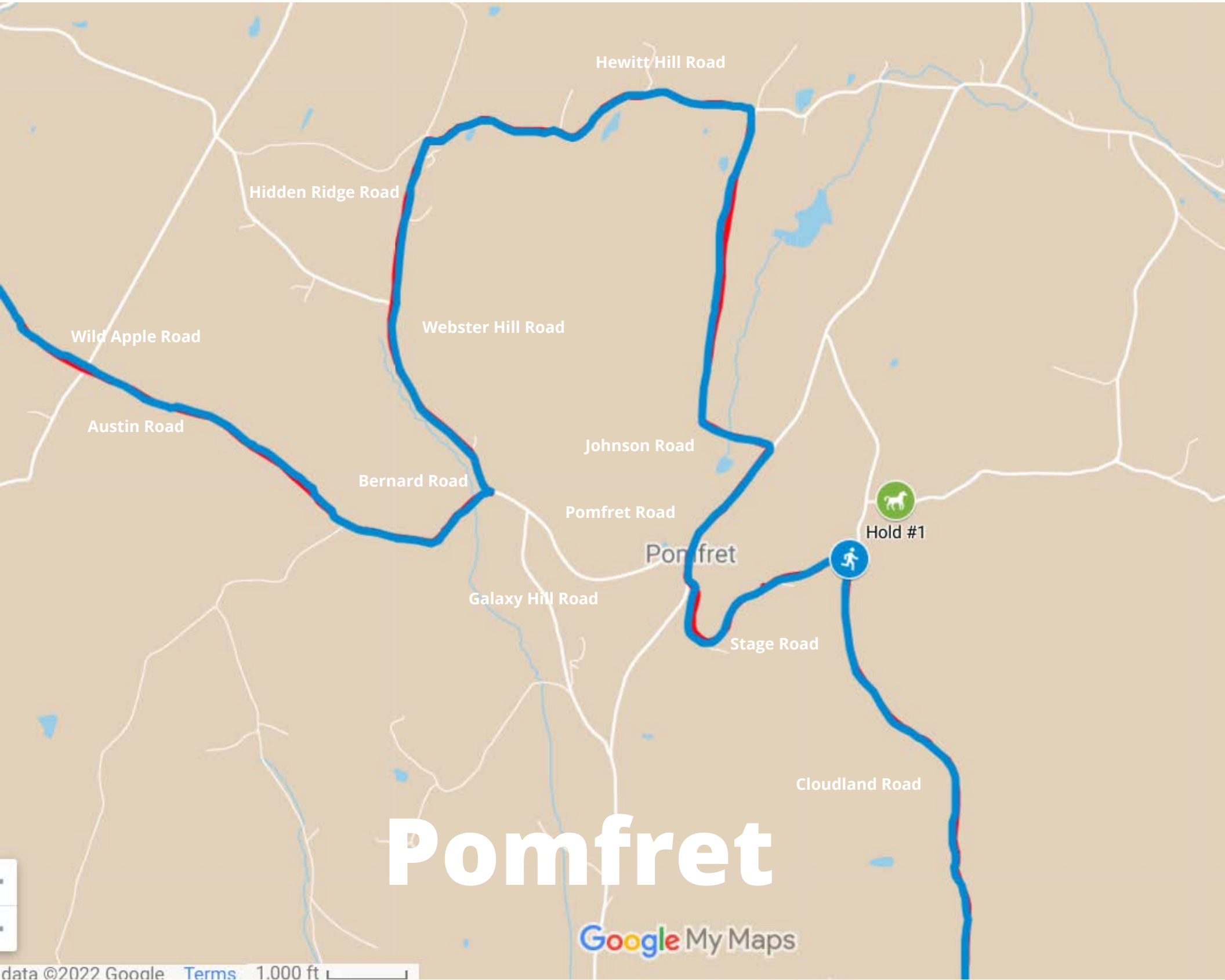
Town of Pomfret
5218 Pomfret Road
North Pomfret VT 05053

NOTICE OF CANCELLATION:

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

AUTHORIZED REPRESENTATIVE:





Hewitt Hill Road

Hidden Ridge Road

Wild Apple Road

Webster Hill Road

Austin Road

Johnson Road

Bernard Road

Pomfret Road

Pomfret



Hold #1



Galaxy Hill Road

Stage Road

Cloudland Road

Pomfret

Google My Maps

TOWN OF POMFRET

APPLICATION FOR LARGE EVENT PERMIT

Pursuant to 24 V.S.A. 2291(14), in order to prevent and abate public nuisances, organizers of events having one hundred (100) or more anticipated attendees must first obtain a Large Event Permit from the Town of Pomfret. A completed application must be submitted no less than thirty (30) days before the proposed event begins.

Applicant Name: VERMONT SYMPHONY ORCHESTRA Phone: 802 864 5711 Email: elise@vso.org

Mailing Address: 2 CHURCH ST, MEZZANINE, BURLINGTON, VT 05401 State: VT Zip: 05401

* * * * *

Event Name: VERMONT SYMPHONY ORCHESTRA SUMMER FESTIVAL

Event Date(s): JULY 5, 2024

Event Hours: 6:30 PM - 10 PM Anticipated Attendees: 600

Event Contact Name: ELISE BRUNELLE Phone: 612 417 4948 Email: elise@vso.org

Has the event been held in Pomfret before? [X] Yes [] No If yes, when? PREVIOUS 4th OF JULY WEEKS

Please provide a brief description of your event and its location: ORCHESTRA PERFORMANCE SAKADENA SIX, SOUTH POMFRET

Will your event involve any of the following?

- Use of a Town Highway or Right of Way [] Yes [X] No
Use of other Town Property [] Yes [X] No
Catering of Alcoholic Beverages [] Yes [X] No

Additional Requirements

- Zoning: Some zoning requirements may still apply to events that otherwise do not require a zoning permit. Please contact the Zoning Administrator at karen.hewitt@pomfretvt.us.
Sanitation: Sufficient sanitation facilities and waste removal must be provided. Compliance with the Vermont Universal Recycling Law is required.
Parking: Sufficient off-street parking must be provided. No parking is permitted that interferes with ordinary roadway maintenance (including winter plowing) or otherwise reduces the usable travelled way to less than twelve (12) feet.
Safety: Upon request, organizers may be required to have a medic on site and/or provide traffic control. Adequate emergency vehicle access must be maintained for the event duration.
Nuisance: Organizers are responsible for preventing public nuisances that create dangerous, injurious or noxious conditions that adversely affect the reasonable use of adjoining or nearby properties.

Applicant agrees to adhere to the specifications, requirements and conditions forming a part of this permit. Applicant acknowledges that this permit is issued in accordance with 24 V.S.A. 2291(14) and may be voided in the event of misrepresentation, substantial inaccuracy or failure to hold the event in accordance with the specifications, requirements and conditions indicated herein.

Patrick LeBlanc
Applicant Signature

PATRICK LEBLANC
Applicant Printed Name

05/15/2024
Date

Please mail or email completed application to: Town of Pomfret
5218 Pomfret Road
North Pomfret, Vermont 05053
Attention: Town Clerk, clerk@pomfretvt.us

OFFICIAL USE ONLY

Date Received: _____ By: _____

Zoning Permit Required? Yes No Unknown If yes or unknown, referred to Zoning Administrator on: _____

Condition(s) of Approval: _____

PERMIT APPROVED this _____ day of _____, 20____.

Selectboard Chair

Copies of approved permits to:
Chief, Pomfret-Teago Volunteer Fire Department
Head of Service, Pomfret FAST Squad



~~TOWN OF POMFRET, VERMONT~~
SELECTBOARD



TOWN OF POMFRET, VERMONT
SELECTBOARD

Draft – May 13~~29~~, 2024

To:	Town of Pomfret Clerk
From:	Town of Pomfret Selectboard
Date:	June 13 , <u>15</u> , 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 is 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, May 20, 2024 [and revised May []], 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 ~~[]~~, March 13, 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 [REDACTED] Town Clerk's Office, North Pomfret Post Office, and Teago General Store[REDACTED].

Present at the site visit were [REDACTED] Nicola Auriema, Benjamin Brickner, Steve Chamberlin, Meg Emmons, Emily Grube, Jim Potter and James Rattigan. Present at the hearing were [REDACTED] Benjamin Brickner, Steve Chamberlin, Meg Emmons, Emily Grube, John Moore, John Peters, Jim Potter and James Rattigan. At the hearing the following testimony was heard:

• [REDACTED]

- John Moore would like the Town to ensure that the entryway to Legal Trail 1 (at the north end of Hidden Ridge Road) is not obstructed with snow as a result of the relocation.

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 (Hewitt Hill Road) 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.

[Remainder of page intentionally blank. Signature page follows.]

ORDERED and **APPROVED** by the Selectboard this 5th 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.]

Petition to Alter/Relocate Town Highway #24August 2, 2006

A petition to alter a portion of Town Highway #24 (also known as Hewitt Hill Road) was received from Priscilla Deane. A map prepared by Bruno Associates, dated 1/3/05 was also received. The petition stated the alteration would be paid for entirely by Ms. Deane and would have no fiscal impact on the Town of Pomfret.

September 6, 2006

Memo sent by certified mail to all property owners who access their property from Town Highway #24.

October 18, 2006

Site visit at the Deane property – 6:00 P.M.

Present: Bob Harrington, Jim Havill, Miller Hewitt, Jim Deane, Priscilla Deane, Charles Powell, Margaret Powell, Andy Raubvogel – the Deane's attorney, Emily Grube, Loie Havill, and John Moore.

Hearing called to order at the Town Clerk's Office – 7:00 P.M.

Present: Bob Harrington, Jim Havill, Miller Hewitt, Jim Deane, Priscilla Deane, Charles Powell, Margaret Powell, Andy Raubvogel, Emily Grube, Loie Havill, John Moore, Dick Randall, Nancy Randall, and Tom Zonay – Attorney for the Town of Pomfret, and JoAnn Webb, Town Clerk.

Discussion: Priscilla Deane gave a brief summary of the history of the property, which her family has owned since 1940. It is an historical building and site and deserves to be left serene. She noted there was never a road there when they bought it. The road now has become a major burden because vehicles go zooming past the house and safety is a real issue. (She admitted this only happens occasionally.) Andy Raubvogel reiterated that the cost of relocating the road will be entirely on the Deane's and it will be properly engineered and on the Deane's property. Bob Harrington brought up concerns regarding convenience, grading and conforming to standards. Charles Powell stated the Deane's current proposal would only benefit the Deanes, not the public, and would also lower the value of his property. He argued that the state statute isn't satisfied here. John Moore and Emily Grube want to make sure the road is not "thrown up" in the process; that the road right-of-way isn't lost. Nancy Randall pointed out that the proposed changes of removing the 4-way intersection would make the road more hazardous than it is now. She would like the road to look like it is not an outlet. Jim Deane noted that the public good must embrace all its residents, whether or not they are here only in the summer. The intrusion of trucks and vehicles affects the value of the property and is only asking for a little shift away from the house to lessen the burden. Margaret Powell's main concern is for safety and wants to keep the road the way it is now. The Powell's are not opposed to the existing detour that is there now. Miller Hewitt asked about other alternatives and after a short discussion, Tom Zonay suggested the hearing be continued to give the Deane's more time to go back to the drawing board and come up with other engineering plans. All parties agreed to this suggestion and were willing to forego making a decision until a later date. The hearing will reconvene on November 29, 2006 at 7:00 P.M. at the Town Clerk's Office. Hearing adjourned at 8:20 P.M.

November 16, 2006 and November 22, 2006

Legal notice in "The Vermont Standard" regarding the November 29, 2006 hearing.

November 29, 2006

Hearing reconvened and called to order at 7:00 P.M. at the Town Clerk's Office.

Present: Bob Harrington, Jim Havill, Miller Hewitt, Jim Deane, Priscilla Deane, Charles Powell, Margaret Powell, Andy Raubvogel, Dick Randall, Nancy Randall, Andrew Mann, John Moore, Tom Zonay, and Loie Havill, who recorded the minutes.

Letters/notes reviewed from: Deane, Leith, and DesMeules

Discussion: Priscilla Deane explained the new plan – it will be straighter and at an improved grade. Bruno Associates assured her that no lights would shine on the neighbor's house, which was a concern. Jim Deane supported his sister's proposal and stated they have made a "good faith effort" to make it acceptable to all. Miller Hewitt stated he believes this new plan is the most reasonable one to work with. Chip Powell said the Deanes did not submit a suitable plan – there is no "re-connect" to the 4-way intersection and people would be required to make a turn to go onto Windy Lane. Trees would be lighted by traffic coming up the road and the grassed-in area would be a problem for drivers. He felt this does not serve the public good. He also stated he had an appraisal regarding how the change would negatively affect his property value. Jim Havill questioned why the 4-way intersection is so important. Nancy Randall stated there needs

to be a "straight-through", and also questioned why it needs to be done at all. She pointed out that once the road is changed, it would be for all time. John Moore handed out a letter noting the farm road has been there since the early 1950's and finds it safer and more usable. The new plan will make it even better. Andy Mann requested his name be removed from the petition as he had signed it in error, noting he mistakenly thought both houses were owned by one entity. He also cautioned against setting precedents – referring to the appraisal letter which the Powell's had submitted. Bob Harrington clarified that the Selectmen are not involved in property value issues. Bob Harrington also brought up the following questions:

1. Is the existing road in the same location as the farm road? Yes.
2. Is the road affected by septic and water? No.
3. Is there ledge in the area? Priscilla Deane stated the ground slopes up and is rocky closer to the road. Bob Harrington reiterated the slope makes it difficult to move the road near the stonewall.
4. Is the road a VAST trail and how many use it? Nancy Randall said snowmobiles are there mostly at night and on weekends.

Chip Powell asked about the stipulation regarding septic. Bob Harrington said the Selectmen and the Board of Health would issue stipulations and enforce them. The Town will not upgrade the road to Class 3 standards. Andy Raubvogel stated the Deanes do not agree with the Powells and asked the Board not consider issues which are not a part of the issue of this hearing. He said the new proposal provides screening for both houses and the 4-way does not necessarily need to stay "as is". Tom Zonay advised the Selectmen not to make a decision with everyone present; rather, to adjourn the meeting and go into deliberations. Hearing adjourned at 7:40 P.M. and deliberations began with Tom Zonay, Bob Harrington, Jim Havill, Miller Hewitt, and Loie Havill present.

Decision: See attachment from Selectboard dated January 5, 2007.

Respectfully submitted,

JoAnn Webb

JoAnn Webb
Town Clerk

TOWN OF POMFRET

POMFRET, VERMONT

January 5, 2007

JoAnn Webb, Town Clerk
Town of Pomfret
PO Box 64
South Pomfret, VT 05067

Dear JoAnn,

Attached you will find the decision of the Board of Selectmen regarding the Priscilla Deane hearing requesting a slight change in the location of a portion of Town Highway 24. Copies of this decision have been sent to Priscilla Deane, Charles and Margaret Powell, Dick and Nancy Randall and John Moore by certified mail.

Sincerely,

Robert S. Harrington
Robert S. Harrington, Chair
Pomfret Board of Selectmen

Dated January 5, 2007
Attest: Judith Webb 269.
Town Clerk

*Town of Pomfret
P.O. Box 286
North Pomfret, VT 05053*

Subject: Priscilla Deane Request for Relocation of Town Highway 24 by her Adjacent Home, in the Vicinity of Hidden Ridge; Draft of Findings of Facts, Conclusions, and Selectboard Decision

General

Over the past few months the Selectboard has given consideration to a partitioned request by Priscilla Deane to relocate Town Highway 24 near her historic residence in Pomfret. Town Highway 24 is a Class IV road that passes by her home at a distance of approximately 35 feet from the center of the existing right-of-way. Priscilla Deane wishes to move the existing right-of-way further to the south to coincide with an existing so called "farm road", that has been used by vehicular and foot traffic as the Class IV road, for the past 40 or more years. Priscilla Deane intends to pay for any and all costs associated with the relocation of the road, to include engineering, construction and appropriate deeds and surveys.

There was one site visit and two hearings conducted regarding this relocation. Subsequent to the second hearing, the Selectmen deliberated and made a decision, based on evidence presented and known facts regarding the issue.

Conclusion and Decision

After careful review and thought of all facts and evidence presented, the Selectboard unanimously agreed to approve the petition request for relocating Town Highway #24, as presented and displayed on Bruno Associates' map dated November 17, 2006. It is our belief that the relocation of this road meets the test of 19 VSA A709? and is a better location when evaluating public good necessity and convenience. The Selectboard applies the following conditions to this approval:

1. All costs associated with road relocation be borne by Priscilla Deane.
2. A row of 6 to 8 foot northern spruce trees at 10 feet on center be planted and perpetually maintained by the owners of Deane Property (now and in the future) along the southern boundary of the proposed relocated road, where transition is made from existing farm road to existing Town Highway 24 on east end. This row of northern spruce is intended to screen any and all headlights from proposed road towards the Powell residence and is intended as mitigation for evidence presented by Powells.
3. All construction to be reviewed and approved by the Road Commissioner and Board of Selectmen.

Our primary reasoning for the above decision is as follows:

- Safety – The public has been using the existing “farm road” location (which coincides with the proposed relocation), for the past 40 years as a more convenient, safer and easier road to negotiate when passing Priscilla Deane’s house at this point on Town Highway 24. The location is safer, primarily because it is a greater distance away from the house, thereby alleviating any potential of hitting a child or person in front of the house, or failing to negotiate the road and running into the house itself.

The Selectmen believe the relocated road is a necessity for the public in that the proposed relocation provides for better drainage, no ledge, and gradual grade that needs to be negotiated to pass by the Priscilla Deane’s residence in this location. Additionally, the cost of the right-of-way and reconstruction of the road is going to be borne entirely by the landowner. Town Highway 24 is a necessity for the town as shorter access point from Town Highway 1 to Hidden Ridge Road.

The Selectboard also feels the relocated road is much more convenient for the public as evidenced by the usage of this “farm road” for the past 40 years.

Findings of Facts

1. There were numerous letters presented in support of the relocated road (see exhibits).
2. There were also three primary parties in opposition of the road relocation as evidenced by the exhibits.
3. The relocated road as shown on Bruno's survey dated November 17, 2006 is in the exact location as the existing "farm road" that has been used by the public for the past 40 years, with a minor revision to lessen curve and grade on the eastern (downhill) side and transition back into existing Town Highway 24 right-of-way.
4. Safety; given the extremely low number of traffic counts on this road, the Selectboard does not feel that giving up the existing four way intersection (which is a better design for any intersection) is detrimental to the road relocation, given all parameters considered.
5. The Selectboard feels the revised road relocation is a much better design from a constructability point of view. The existing right-of-way being given up has ledge and drainage problems, whereas the relocated road has better soils and drainage for roadway construction.

- 6. The Selectboard feels that since the permanent road relocation to the existing farm road location is the same as has been for the past 40 years, and since this location is approximately 200 feet from the Powell residence, and since care has been taken in the proposed design to insure headlights do not point towards Powell residence, that there is an insignificant impact to same residence due to the road relocation.
- 7. The existing Priscilla Deane house is of historic significance in the town of Pomfret, since it is the first known house to be constructed in town, in the late 1700s.
- 8. This road is not a VAST trail, or a major snowmobile and/or ATV routing. Only occasional snowmobiles use this road as presented by the Randalls.

Town of Pomfret

PO Box 64
South Pomfret, VT 05067


February 21, 2008

Road Relocation of Highway #24

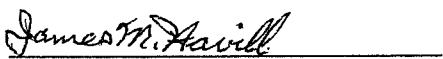
This road has been relocated in accordance with the drawings prepared by Bruno Associates dated 02-14-08.

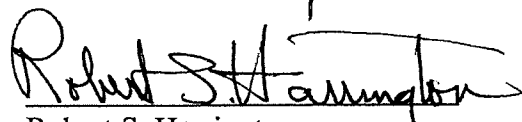
The new location is approved and accepted this 20th day of February, 2008.

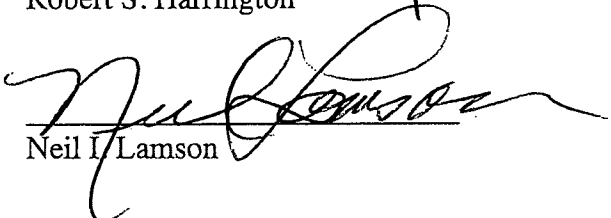
Land Owner


Priscilla Deane

Pomfret Board of Selectmen


James M. Havill, Chair


Robert S. Harrington

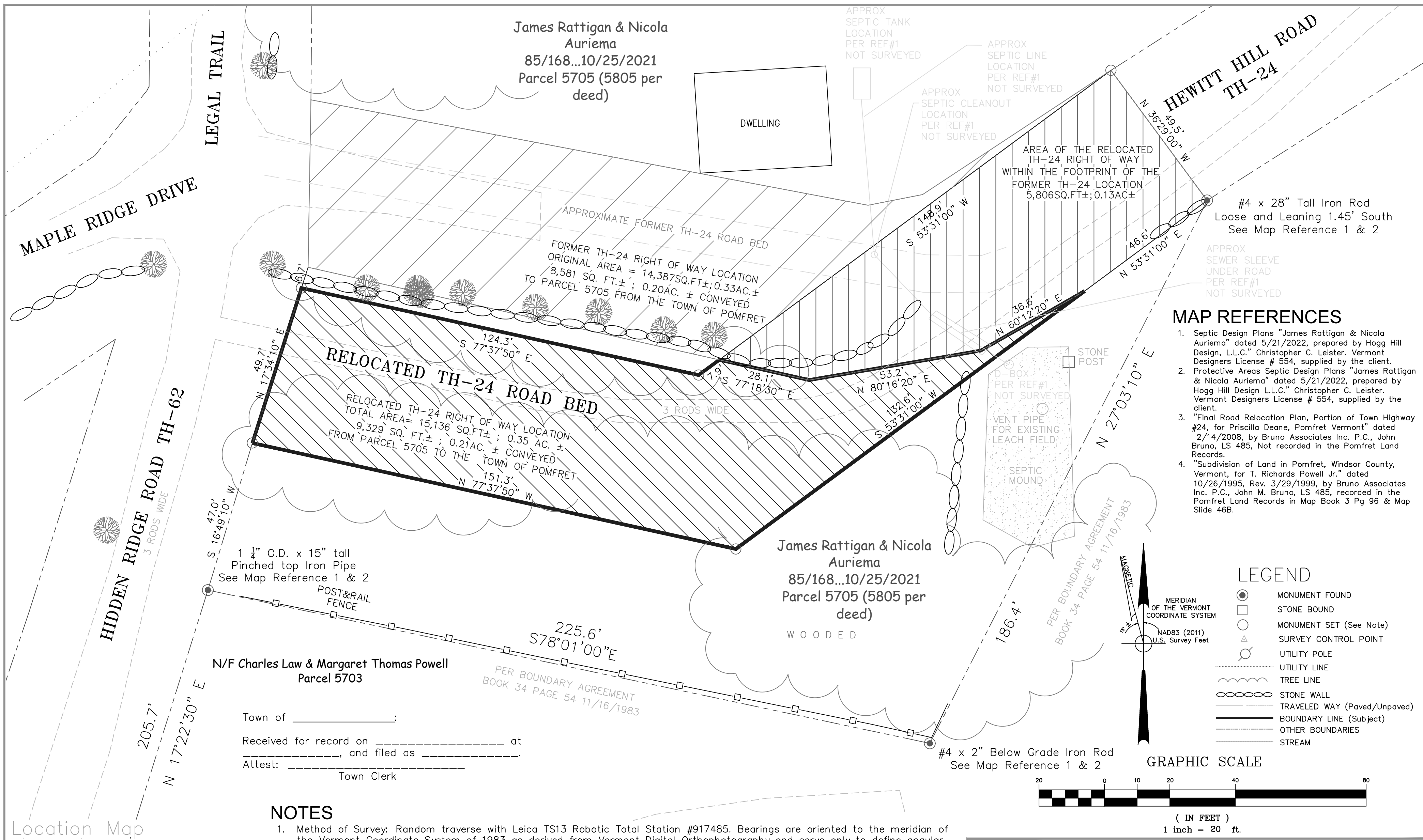

Neil I. Lamson

ATTACHMENT 3

ROAD RELOCATION SURVEY

[Attached.]

THIS IS AN ORIGINAL INK DRAWING - NOT A REPRODUCTION

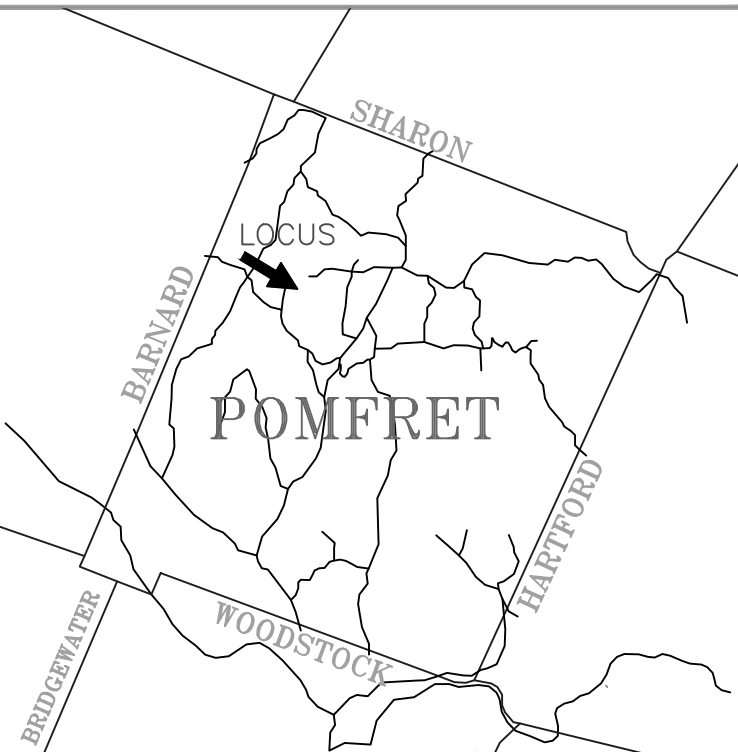


Town of _____;
Received for record on _____ at _____, and filed as _____
Attest: _____
Town Clerk

NOTES

- Method of Survey: Random traverse with Leica TS13 Robotic Total Station #917485. Bearings are oriented to the meridian of the Vermont Coordinate System of 1983 as derived from Vermont Digital Orthophotography and serve only to define angular relationships between courses. Distances are ground.
- This plat depicts a Road Relocation survey of TH-24 over the subject properties.
Current Owners: James Rattigan & Nicola Auriema
Current Deed: Pomfret Land Records Book 85, Page 168, dated 10/18/2021, recorded 10/25/2021.
Tax Map Parcel: 5705 (5805 per deed)
Total Area: 126,324 Sq. Ft. ±, 2.90 Acres ± Per Deed
Right of Way areas across Parcel 5705:
Area of Original TH-24 Right of Way: 14,387 Sq. Ft. ±, 0.33 Ac. ±
Area of Original TH-24 Right of Way to be conveyed to Parcel 5705 from the Town of Pomfret: 8,581 Sq. Ft. ±, 0.20 Ac. ±
Area of Relocated TH-24 Right of Way: 15,136 Sq. Ft. ±, 0.35 Ac. ±
Area of Relocated TH-24 Right of Way to be conveyed to the Town of Pomfret to Parcel 5705: 9,329 Sq. Ft. ±, 0.21 Ac. ±
Area of TH-24 unchanged between the Original and Relocated TH-24 (falls within the same footprint): 5,806 Sq. Ft. ±, 0.13 Ac. ±
- Title to these properties may extend to the centerlines of Hidden Ridge Road (TH-62) and Hewitt Hill Road (TH-24), subject to the public right of way. Area has been calculated to the right-of-way boundary only. The relocated portion of TH-24 does not affect the outbound boundaries of parcel 5705 shown on this survey.
- This survey is subject to the findings of a complete title search.
- Unless otherwise noted, monuments set are #5x30" Iron Rods with 2" aluminum cap stamped: Survey Marker, Do Not Disturb, Ethan Gilmour LS 024.0127787.

Location Map



ROAD RELOCATION SURVEY
Lands of
JAMES RATTIGAN, NICOLA AURIEMA,
& THE TOWN OF POMFRET

POMFRET WINDSOR COUNTY, VERMONT

Scale: 1" = 20'

ETHAN GILMOUR
No. 024.
0127787

HOLT GILMOUR
SURVEY ASSOCIATES LLC
Woodstock, VT
www.vtsurveyor.com

HOLT GILMOUR SURVEY
(802) 457-4649

DATE: MAY 20, 2024

INVESTMENT POLICY
TOWN OF POMFRET, VERMONT

Municipal Name

Approved [], 2024

POLICY PURPOSE. In accordance with 24 V.S.A. § 1571(b), moneys received by the ~~treasurer~~Treasurer on behalf of the Town of ~~_____~~Pomfret may be invested and reinvested by the treasurer with the approval of the ~~selectboard~~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 trust funds held by the Town of ~~_____~~Pomfret. ~~These trust funds~~which are managed under a separate investment policy for trust assets, adopted by the ~~_____~~Trustees of ~~public funds~~Public Funds in accordance with 24 V.S.A. § 2432. ~~This policy also~~ does not apply to bond fund investments made in accordance with applicable bond debenture requirements.

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

Safety. Safety of principal shall be the foremost objective of Town funds. Investments will be undertaken so as to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk (the risk of loss due to the failure of the security) and interest rate risk (the risk that the market value of securities in the portfolio will fall due to changes in market interest rates). Credit risk will be minimized by diversifying the Town's investment portfolio so that the impact of potential losses from any one type of investment will be minimized. Interest rate risk will be minimized by investing operating funds primarily in shorter term securities, money market mutual funds, or similar investment pools and limiting the average maturity of the Town's investment portfolio.

Liquidity. The Town's investment portfolio will remain sufficiently liquid to meet all reasonably anticipated operating requirements. This will be accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands. The portfolio will consist primarily of securities with active secondary or resale markets. A portion of the portfolio may

be placed in money market mutual funds to ensure even greater liquidity for short-term ~~funds~~needs.

Yield. The investment portfolio will be designed to attain a market rate of return throughout budget and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary~~lesser~~ importance compared to the safety and liquidity objectives described above. The core of investments will be limited to relatively low-risk securities in anticipation of earning a fair return relative to the risk being assumed. To the extent that some reserve funds are intended for capital projects beyond the current fiscal year, investing those funds in appreciating assets may be advisable to keep pace with inflation and earn a risk appropriate return.

Local Investment. Where possible, funds may be invested for the betterment of the local economy. The Town may accept a proposal from an eligible institution that provides for a reduced rate of interest, provided that such institution documents the use of deposited funds for community development projects. Local investment is of tertiary~~lesser~~ importance compared to the safety, liquidity, and yield objectives described above.

POOLING. Except where prohibited by law, cash and reserve balances from all funds ~~will~~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 participation and in accordance with generally accepted accounting principles.

STANDARD OF CARE. The standard of care to be used by the ~~treasurer~~Treasurer and ~~selectboard~~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.

All investments entail risk. The Treasurer and Selectboard will consult regularly (and no less often than annually) to determine whether investment of the Town’s funds remains consistent with the objectives described above.

CONFLICTS OF INTEREST. The ~~selectboard~~Treasurer and ~~the treasurer~~Selectboard 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. The Treasurer and ~~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.

~~INTERNAL CONTROLS. The selectboard and treasurer will establish a system of internal controls, which shall be documented in writing~~INTERNAL CONTROLS. The Treasurer and Selectboard will establish a system of internal controls based on guidance from the Vermont League of Cities and Towns, the Town's certified public accountant and generally accepted accounting principles for government entities. These controls apply to all Town funds and will be reported annually to the Selectboard. The Board of Auditors provides an additional layer of review and accountability concerning management of the Town's funds. 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.

AUTHORIZED INVESTMENTS AND INSTITUTIONS. Public deposits shall only be made in qualified public depositories as established by Vermont law. All financial institutions and broker/dealers who desire to become qualified for investment transactions with the Town must supply the following as appropriate:

1. Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines;
2. Proof of National Association of Securities Dealers (NASD) certification;
3. Proof of state registration;
4. Certification of having read and understood and agreeing to comply with the Town's investment policy; and
5. Evidence of adequate insurance coverage.

The ~~treasurer~~Treasurer and ~~selectboard~~Selectboard will conduct an annual review of the financial condition and registration of all qualified financial institutions and broker/dealers.

The following investments will be permitted under this policy:

1. U.S. Treasury obligations which carry the full faith and credit guarantee of the United States Government and are considered to be the most secure instruments available;
2. U.S. government agency and instrumentality obligations that have a liquid market with a readily determinable market value;
3. Certificates of deposit and other evidences of deposit at financial institutions;
4. Bankers acceptances;
5. Commercial paper, rated in the highest tier (e.g., A-1, P-1, F-1, D-1 or higher) by a nationally recognized rating agency;
6. Investment grade obligations of state and local governments and public authorities;

7. Repurchase agreements whose underlying purchased securities consist of the aforementioned instruments;
8. Money market mutual funds regulated by the Securities and Exchange Commission and whose portfolios consist only of dollar-denominated securities; ~~and~~
9. Local government investment pools, either state-administered or developed through joint powers statutes, and other intergovernmental agreement legislation; ~~and~~

10. The shares of an investment company, unit investment trust or exchange-traded fund that is registered under the federal investment company act of 1940, as amended, if such mutual investment or exchange-traded fund has been in operation for at least five years and has net assets of at least \$100 million].

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 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.

SAFEKEEPING AND CUSTODY. All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds. Securities will be held by an independent third-party custodian selected by the ~~treasurer~~ Treasurer as evidenced by safekeeping receipts in the Town's name. The safekeeping institution shall annually provide a copy of its most recent report on internal controls (Statement of Auditing Standards No. 70, or SAS 70).

REPORTING. The ~~treasurer~~ Board of Auditors will ~~prepare a quarterly investment confirm all reserve balances monthly and~~ report ~~that analyzes reserve activity in the status of the current investment portfolio and the individual transactions executed over the last quarter.~~ The annual report. The Treasurer will ~~include~~ provide monthly reports to the Selectboard of all Town funds including a listing of individual securities held at the end of the reporting period, ~~realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and the~~ market value of securities ~~over a one-year duration that are not intended to be held until maturity, average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks, listing of investment by maturity date, and percentage of the total portfolio which each type of investment represents~~ each at that time.

The foregoing Policy is hereby adopted [Remainder of page intentionally blank. Signature page follows.]



APPROVED by the ~~selectboard~~Selectboard and the ~~treasurer of the Town of _____,~~
~~Vermont,~~Treasurer this ~~_____~~ [redacted] day of ~~_____~~ [redacted], 2024, and ~~is effective as of~~
~~this date~~ until amended or repealed.

Treasurer _____ Chairperson

Selectboard Members:

SELECTBOARD

Benjamin Brickner, Chair

John Peters Jr., Vice-Chair

Meg Emmons

[Steve Chamberlin](#)

[Emily Grube](#)

[TREASURER](#)

[Ellen DesMeules](#)

Town of Pomfret Selectboard
Draft Meeting Minutes
May 15, 2024

Present: Benjamin Brickner, Meg Emmons, Emily Grube

Public: Jeff Barger, Ona Chase, Keith Chase, Bill Emmons, Cathy Emmons, Cynthia Hewitt

1. Ben called the meeting to order at 7:04 pm.
2. Agenda Review – The Selectboard scheduled a site visit on June 5, 2024, at 6:00 pm for the pending access permit application on Labounty Road.
3. Public Comment – Ona Chase had questions regarding the cemetery lawn maintenance and whether workers' compensation insurance coverage is required for sole proprietors. Jeff Barger thanked Jim, John and Ben for their efforts in reopening River Road.
4. Road Foreman's Report – Jim will meet with Rita Seto on Monday, May 20 to identify areas for the ditching grant. New speed limit signs on Stage Road and horse caution signs on Skyline Drive have been installed. Jim hopes to mark Library Street next week. The crew continues grading roads. Jim would like to run the Road Foreman position advertisements for another week. He is looking into the GMP easement requirements and pricing a hydraulic cooler for the mower.
5. Items for Discussion or Vote
 - a. Financial Policies and Goals – To be completed once all remaining policies are updated.
 - b. Fraud Prevention Policy – Meg moved and Emily seconded that the policy be adopted as amended. Unanimous.
 - c. Investment Policy – Ben will revise as discussed and circulate a draft for discussion at the June 5, 2024 meeting.
 - d. Delinquent Dog Licensing – There are 51 dogs owned by 35 residents that were registered in prior years but were not registered this year. Becky sent a reminder letter on April 19. Cynthia will make follow-up calls to confirm if the dogs remain in Pomfret and to remind owners that their dogs must be registered and a current rabies vaccination certificate provided to the town on or before each April 1. The next step will be to refer delinquencies to the town constable.
 - e. Right of Way Crossing Permit Application (478 Hidden Ridge Road) – The town's outside counsel recommends updating the permit form to include two additional provisions regarding removal and indemnification. Emily moved and Meg seconded approval of the application with the two conditions added. Unanimous.
 - f. Town Highway 24 (Hewitt Hill Road) Relocation Report – The Selectboard discussed gaps in the draft report. Ben will revise as discussed and circulate a draft for adoption at the June 5, 2024 meeting, which will be forwarded along with the final land survey to the Clerk for recording in the town land records. Certified copies of the same will be mailed to abutters thereafter.

- g. Appointment of Public Officers – Meg will prepare a draft email for Ben to post to the ListServe regarding vacancies on the Board of Auditors, Cemetery Commission and Zoning Board of Adjustment.
 - h. Warrants – Emily moved and Meg seconded approval for payment of the following warrants, with Check 6841 on Warrant 24099 held until the related vendor contract has been received and approved:

24098	\$ 7,530.69	Payroll
24099	974,354.05	A/P

Unanimous.
 - i. Approval of Minutes – Meg moved and Emily seconded approval of the May 1, 2024 meeting minutes as presented. Unanimous.
6. Meeting Wrap Up
- a. Correspondence – Becky prepared a list of maintenance items needed at the Town Hall including pest control and repair of the front steps. The Selectboard will perform a site visit on June 15, 2024, at 6:30 pm to review.
 - b. Review of Assignments – Meg to prepare ListServe notice of vacancies; Cynthia to call delinquent dog owners; Ben to update financial policies, prepare relocation TH-24 report; speak with Jim re: Labounty Road site visit, GMP easements; and speak with Becky re: pest control.
 - c. Agenda for Next Meeting – VSO large event permit, Labounty access permit, appointments.
7. Adjournment – Emily moved and Meg seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 8:49 pm.