

**Town of Pomfret
Selectboard Meeting Agenda
Town Offices
5218 Pomfret Road, North Pomfret
May 21, 2025, 6:00 pm**

Zoom instructions below

Business Items	
1. Call to Order	6:00 pm
2. Possible Executive Session – <i>Employment of Public Employees</i>	
3. Agenda Review	7:00 pm
4. Public Comment	
5. Road Foreman Report	7:05 pm
6. Items for Discussion or Vote a. Road Crew Uniforms b. Excavator Operator Proposals c. Replacement Highway Truck (Truck 3) d. Paving Methods Discussion e. Open Town Office Parking Lot Paving Bids f. Award Pomfret Road and Wayside Road Bridge Paving g. Capital Planning Committee Report h. Due Process Resolution i. Warrants j. Approval of May 7 and May 13, 2025 Minutes	7:15 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

Highway Employee Evaluation Form

Employee Name: _____

Position Title: _____

Department: _____

Evaluation Period: _____ to _____

Supervisor: _____

Performance Ratings

Evaluate the employee for each performance characteristic listed below. Base each rating on the employee's demonstrated performance. Comments may be provided to explain a particular rating and are required when a "Needs Improvement" or "Unsatisfactory" rating is given.

5 = Outstanding | 4 = Exceeds Expectations | 3 = Meets Expectations | 2 = Needs Improvement | 1 = Unsatisfactory

Job Knowledge & Skills

- Ability to develop and execute a work plan: _____
- Knowledge of techniques and procedures: _____
- Equipment operation proficiency: _____
- Safety protocol adherence: _____
- Technical problem-solving ability: _____

Comments: _____

Work Quality & Productivity

- Thoroughness of road repairs: _____
- Efficiency of snow removal operations: _____
- Timeliness of completing assignments: _____
- Attention to detail: _____

Comments: _____

Teamwork & Communication

- Cooperation with crew members: _____
- Communication with supervisors: _____
- Communication with subordinates: _____
- Responsiveness to public concerns: _____

Comments: _____

Overall Performance Rating: _____

Identify the employee's areas of strength and areas for improvement, including any developmental or training activities the employee has completed.

Areas of Strength: _____

Areas for Improvement: _____

Development Goals for Next Period: _____

Employee Feedback

Please share your thoughts on your work experience, challenges faced, and suggestions for improvement.

What additional resources or support would help you perform your job more effectively?

Employee Signature: _____ **Date:** _____

Supervisor Signature: _____ **Date:** _____

Becky Fielder

From: Kyle Cardillo <k.cardillo@blaktop.com>
Sent: Tuesday, May 6, 2025 4:01 PM
To: Becky Fielder
Cc: Frank Rogers
Subject: 2025 Paving Proposal
Attachments: 2025 Paving Proposal.pdf

Attached is bid forms for the projects on Pomfret Road and Wayside Bridge. These bid forms were a little confusing to fill out, if there are any questions I can answer them. I can also provide a proposal from our system that clears up everything the Town of Pomfret was requesting for this work.

Introduction

The Town of Pomfret, Vermont, ("Town") is accepting proposals from paving companies ("Proposers") for paving work. Proposers are to include detailed specifications including any options, warranties, and timeframe for completion of work. The Town is exempt from the Vermont State Sales Tax. All pricing shall be good through the 2025 season. A bid form has been included for completion.

Proposal Schedule

Activity	Date
RFP Issue & Publication	4/2/2025
RFP Questions Due	4/16/2025 noon
Proposals Due	5/7/2025 noon
Selectboard Bid Opening	5/7/2025
Anticipated Selectboard Decision	5/21/2025

Instructions to Bidders

Delivery of Bids

As required by the Town of Pomfret Purchasing Policy (see attached), 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 dated stamped on the outside of the envelope immediately upon receipt. Any bid may be withdrawn in writing prior to the schedule time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned. Bidders shall bid to specifications and any exceptions must be noted. A bidder shall bid to specifications and any exceptions must be noted. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or any kind with any other bidder for the same work, and that the bidder is competing solely on his/her/its behalf without connection with or obligation to any undisclosed person or firm.

Sealed proposals, clearly marked "2025 Paving Proposal" on the outside, must be received no later than Noon, May 7, 2025 at the following address: Pomfret Town Offices, attn.: Pomfret Selectboard Chair, 5218 Pomfret Road, North Pomfret, Vermont 05053. Complete electronic proposals can also be emailed to the town clerk, clerk@pomfretvt.us. Emailed proposals must contain "2025 Paving Proposal" in the subject line and must be emailed

prior to the noon, May 7, 2025 deadline. Proposals shall be opened at the subsequent Selectboard meeting.

Evaluation of Bids

As provided by the Town's Purchasing Policy, in evaluating bids, the Selectboard will consider the following criteria:

- Price
- Bidder's ability to perform within the specified time limits;
- Bidder's experience and reputation, including past performance for the Town;
- Quality of the materials and services specified in the bid;
- Bidder's ability to meet other terms and conditions, including insurance and bond requirements;
- Bidder's financial responsibility;
- Bidder's availability to provide future service, maintenance, and support;
- Nature and size of bidder; and
- The degree to which the proposals respond to all requirements of the requested specifications.

The Selectboard reserves 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, and 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 responsibility of any bidder to determine its ability to assure service throughout the term of the contract.

RFP Questions

Any questions regarding the RFP shall be emailed to Pomfret Road Foreman, Frank Rogers, highway@pomfretvt.us. Questions are due by April 16, 2025. Responses to questions can be made available to all potential bidders by email on or before April 23, 2025.

Change Orders

As provided in the Town's Purchasing Policy, 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 bidder who already submitted a bid and a new bid process will be initiated. 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.

Delivery

Paving shall be completed before September 15, 2025.

Insurance & Indemnification

The proposer shall maintain full casualty insurance and worker's compensation coverage and shall indemnify the Town for any claims.

Minimum Specifications for Project 1 (Pomfret Road)

Location: Pomfret Road from Rudge Road (*T.H. 41*) north to Johnson Road (*T.H. 26*) intersection, approximately 2.3 miles. Pavement to be 22 feet wide overall. 3/4-inch shim of 3/8-inch top for full 2.3 miles. Top coat 1-1/4-inch of 1/2-inch top for entire length. This will include aprons at the intersection of Rudge Road, Labounty Road, Galaxy Hill Road, Webster Hill Road, town offices, town hall and Johnson Road.

- Asphalt type – Spot shim then 3/4" inch Type IV shim, then 1-1/4" inch Type III overlay;
- Paving shall be done in accordance with applicable latest VTrans specifications;
- Liquid Binder shall be PG 58-28 with an alternate bid provided for PG 70-28;
- Gyration shall be 65;
- End joints shall be milled;
- Intersecting town highways shall have 20-foot paved aprons or as directed by the Town;
- Intersecting driveways shall receive four-foot aprons;
- Traffic control;
- Shoulder fill to be installed, at a separate and optional price – which shall be broomed and roller packed; and
- Please provide estimates of amount material and prices per ton for installing both the asphalt and shoulder fill.

Additional Information

- Paving width shall match existing paving. Standard paving width is 22'.
- Shoulders shall be 1.5 ft.
- Emulsion on existing pavement shall be applied at an application rate of 0.06 gal per square yard or as otherwise directed by the Town.
- Budget for project will be finalized once bids are received.
- Should the lowest bid be more than available funds and prior to selecting a proposer the Town reserves the right to negotiate downward with any proposer by reducing scope of work as necessary.

- Inspection and Quality Control
 - The Town may at its discretion assign an inspector to act on behalf of the Town to monitor quality control during paving operations, and track quantities.
 - The Contractor shall work with the inspector to perform this work and address any issues that arise.
- Compaction Testing
 - Pavement shall be compacted to 92.5% min. to 96.5% max.
 - Pricing shall include as a separate item, a third-party tester to verify compaction requirements are being met.
 - Compaction Tests on wearing course shall be performed on a daily basis or as directed by the Town. The first test shall be performed as soon as possible with the Inspector at agreed upon locations.
 - Compaction results shall be provided to the Inspector as requested.
 - If compaction does not meet requirements, all work shall be stopped until the necessary corrections are made.
- Refer to attached measurement and payment section for payment of items.

Minimum Specifications for Project 2 (Wayside Road Bridge)

Location: Replace Deck pavement on bridge at beginning of Wayside Road:

- Bridge #36 surface is 30' long by 25' wide;
- Remove existing pavement (about 2" thick) and replace;
- Remove existing moisture membrane and replace;
- Pave apron flush to Route 12.
- Pave on west side of ridge to match that which is already paved.

Additional Information

- Emulsion on existing pavement shall be applied at an application rate of 0.06 gal per square yard or as otherwise directed by the Town.
- Budget for project will be finalized once bids are received.
- Should the lowest bid be more than available funds and prior to selecting a proposer the Town reserves the right to negotiate downward with any proposer by reducing scope of work as necessary.
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 - Pricing shall include as a separate item, a third-party tester to verify

**Town of Pomfret, Vermont
Request for Proposals**

Pomfret Road & Wayside Road Bridge

BID FORM

LEVEL AND OVERLAY- BASE BID					
Pay Item No.	Item of Work	Unit	Estimated Quantities	Unit Price	Total Bid Amount
1	Asphalt Paving – PG 58-28 – shim and overlay	TON			
2	Cold Planing – bridge	SY			
3	Traffic Control	LS			
4	Mobilization	LS			
TOTAL BASE BID AMOUNT					

LEVEL AND OVERLAY – ALTERNATE BID					
Pay Item No.	Item of Work	Unit	Estimated Quantities	Unit Price	Total Bid Amount
1A	Super Pave PG 70-28 Asphalt Mix – Adjustment Unit Price	TON			
2*	Cold Planing – bridge	SY			
3*	Traffic Control	LS			
4*	Mobilization	LS			
TOTAL ALTERNATE BID AMOUNT					
* Items 2, 3 and 4 to be copied from “Base Bid” section above					

LEVEL AND OVERLAY – OPTION BID ITEMS					
Pay Item No.	Item of Work	Unit	Estimated Quantities	Unit Price	Total Bid Amount
1B	Aggregate Shoulders	TON			
2B	Compaction Testing	LS			

**Town of Pomfret, Vermont
Request for Proposals**

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Pay Item No.	Item of Work	Unit	Estimated Quantities	Unit Price	Total Bid Amount
1	Asphalt Paving – PG 58-28 – shim and overlay	TON			
2	Cold Planing – bridge	SY			
3	Traffic Control	LS			
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TOTAL BASE BID AMOUNT					

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Pay Item No.	Item of Work	Unit	Estimated Quantities	Unit Price	Total Bid Amount
1A	Super Pave PG 70-28 Asphalt Mix – Adjustment Unit Price	TON			
2*	Cold Planing – bridge	SY			
3*	Traffic Control	LS			
4*	Mobilization	LS			
TOTAL ALTERNATE BID AMOUNT					
* Items 2, 3 and 4 to be copied from “Base Bid” section above					

LEVEL AND OVERLAY – OPTION BID ITEMS					
Pay Item No.	Item of Work	Unit	Estimated Quantities	Unit Price	Total Bid Amount
1B	Aggregate Shoulders	TON			
2B	Compaction Testing	LS			

- compaction requirements are being met.
- Compaction Tests on wearing course shall be performed on a daily basis or as directed by the Town. The first test shall be performed as soon as possible with the Inspector at agreed upon locations.
- Compaction results shall be provided to the Inspector as requested.
- If compaction does not meet requirements, all work shall be stopped until the necessary corrections are made.
- Refer to attached measurement and payment section for payment of items.

Each of Project 1 and Project 2 should be bid separately: Town reserves right to proceed or decline to proceed with any or all of Project 1 or Project 2 due to monetary constraints.

Compliance with Instructions

I have read the above Instructions in its entirety and fully understand all the requirements requested by the Town of Pomfret, Vermont. I have completed the attached bid form and included as the basis for my bid price estimate.

Signature Kyle Cardillo

Date May 6, 2025

Print Name & Company: Kyle Cardillo



PIKE INDUSTRIES, INC.

A CRH COMPANY

3 Eastgate Park Road, Belmont, NH 03220

An Equal Opportunity Employer

Established 1872

Phone: (603) 527-5100

Fax: (603) 527-5101

To: Town Of Pomfret	Contact:
Address: POBox 286	Phone: (802) 457-2767
Pomfret, Vt. 05053	Fax:
Project Name: T.O Pomfret, VT 2025	Bid Number:
Project Location:	Bid Date: 5/7/2025

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Machine Pave- Project 1		TON		
2	Shoulder Gravel- Project 1		TON		

Total Bid Price: [REDACTED]

Notes:

- Prices for products containing aggregate, cement, liquid asphalt, and/or steel are subject to equitable adjustment to account for any change in the prices of those materials, including any change in tariff rates, if the price changes are not covered by a specific index.
- AC Price Adjustment shall be paid in its entirety to Pike Industries, Inc. per the Construction Contract. \$626.00
- Worldwide energy and petroleum markets continue to be volatile, consequently Pike Industries Inc. reserves the right to withdraw this quote if not accepted within 7 days. If we do not receive a response (acceptance subject to project award) to this quote in 7 days, it will become null and void.
- Pike Industries, Inc. reserves the right to adjust unit prices based on total revenues awarded.
- Price is valid through 10/31/25
- Pike Industries, Inc. is not responsible for liquidated damages, or any disincentives associated with the work as quoted.
- Hot Mix Asphalt (HMA) as quoted is free of Refined Engine Oil Bottoms (REOB's). For more information regarding REOB's, a listing of states that have currently banned their use and potential detriments to HMA please go the following website:
<http://commonwealthmagazine.org/transportation/004-laying-it-down-testing-it-later/>
- Price is for Project 1

Payment Terms:

Net 30 Days

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

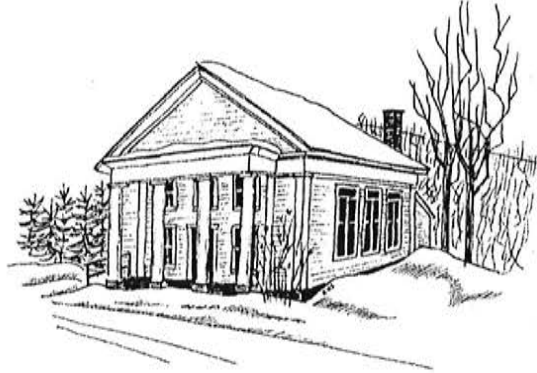
CONFIRMED:

PII - NH (Belmont)

Authorized Signature: 

Estimator: Caleb Connor
603-556-2869 cconnor@pikeindustries.com

Town of Pomfret, Vermont



REQUEST FOR PROPOSALS

Paving

April 2, 2025

Proposals due by
Noon on May 7, 2025

Mail responses to:
Town of Pomfret
Attn: Chair, Pomfret Selectboard
5218 Pomfret Road
North Pomfret, VT 05053

Contact Information:
Frank Rogers, Pomfret Road Foreman
highway@pomfretvt.us
(802) 457-2767

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Compliance with Instructions

I have read the above Instructions in its entirety and fully understand all the requirements requested by the Town of Pomfret, Vermont. I have completed the attached bid form and included as the basis for my bid price estimate.

Signature

Date 05/06/25

Print Name & Company:

Caleb Connor Pihe

**PURCHASING POLICY
TOWN OF POMFRET, VERMONT**

Approved October 4, 2023

PURPOSE. The purposes of this Purchasing Policy are:

- To obtain the highest quality equipment, supplies and services for the Town of Pomfret at the lowest reasonable price;
- To exercise financial control over the purchasing process;
- To authorize and direct purchasing agents of the Town;
- To facilitate fair and equal opportunity among qualified suppliers; and
- To encourage public confidence in the purchasing process.

PURCHASING 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.

Purchasing agents (as defined below) may exercise a preference for local, businesses for purchases made exclusively with Town funds, provided that the does not result in unreasonable prices or rates due to a lack of competition. No local preference may be given for purchases made with federal funding.

CONFLICTS OF INTEREST AND PROHIBITED CONDUCT. All purchases of equipment, supplies and services with Town funds are "official actions" as defined in the Town of Pomfret Conflict of Interest Policy and subject to the terms thereof, including enforcement procedures. The Conflict of Interest Policy is available at the Town Offices, 5218 Pomfret Road, North Pomfret, and on the Town's Website, <https://pomfretvt.us>.

In addition to the prohibitions described in the Conflict of Interest Policy, no purchasing agent may solicit or accept gratuities, favors or anything of value from contractors, potential contractors, subcontractors or potential subcontractors. Nor may purchasing agents divide purchases into smaller amounts or quantities for the purpose of avoiding the requirements of this Purchasing Policy.

RECORDKEEPING AND DOCUMENTATION. Records documenting the purchasing process shall be retained for the longer of three years and the period in which the purchased good or service is in the Town's use.

Records for purchases that are subject to litigation or audit shall be retained at least until such litigation or audit is completed. Purchases made with federal funding may be subject to more stringent recordkeeping requirements, in which case those requirements must be satisfied.

Documentation required for incidental purchases (as defined below) shall include the related invoice in the name of the Town (not in the name of an individual or business) or an itemized receipt or order confirmation.

Documentation required for minor purchases, medium purchases and major purchases (each as defined below) shall include, as applicable, record of the Selectboard's approval, competitive quotes, request for proposal, proposals received, an explanation of the basis for the proposal selected, and records of any other significant decision that was part of the purchasing process.

Records shall be maintained by the Town in accordance with the retention and disposition schedules as set by the Vermont State Archives & Records Administration.

PURCHASING AUTHORITY AND RESPONSIBILITIES. Only individual employees, public officers and agents who have been explicitly authorized by the Selectboard as "purchasing agents" may purchase equipment, supplies or services with Town funds. The Selectboard hereby authorizes the following purchasing agents: Selectboard, Treasurer, Clerk, Road Commissioner(s), Road Foreman, Cemetery Commission, Trustees of the Abbott Memorial Library, designee of the Pomfret-Teago Volunteer Fire Department, and designee of the Pomfret FAST Squad. The Selectboard may from time to time authorize or deauthorize purchasing agents and shall keep a written record of such actions.

Upon their authorization and before making any purchases, purchasing agents shall review this policy and the Credit and Debit Card Policy to understand how to comply with their requirements, sign the Acknowledgement below, and submit the signed version to the Treasurer.

Purchasing agents shall:

- Ensure optimal price and quality for equipment, goods and services are obtained by utilizing pricing agreements and contracts;
- Review each purchase to avoid unnecessary or duplicative purchases;
- Select vendors based on:
 - Cost;
 - Quality of the goods and services offered;
 - Compatibility with existing equipment;
 - Ability, capacity and skill of the vendor (as demonstrated under prior contracts with the Town or references from other customers); and
 - The purchasing preference described above;
- Ensure competition is not limited by geographic location of vendors (subject to the purchasing preference described above), unreasonable requirements or qualifications, restricted with limits on the geographic location of vendor, or anticompetitive pricing practices; and
- Confirm that vendors doing work on Town premises carry adequate general liability and workers' compensation insurance.

CREDIT AND DEBIT CARD PURCHASES. Purchasing agents who have been authorized to use a Town credit or debit card may utilize their card solely to purchase equipment or supplies for the Town. Such purchases are subject to this Purchasing Policy and the Credit and Debit Card Policy. A purchasing agent's failure to follow these policies is grounds for cancellation of the purchasing agent's credit or debit card.

PURCHASING PROCEDURES. Purchases of equipment, supplies or services with Town funds are classified by their monetary cost. The procedures for such purchases are described below. The Selectboard shall consult with individuals or entities on purchases of equipment, supplies or services to be used by their respective department or organization.

All purchases are limited to the amount of the applicable line item of the approved budget then in effect. When in doubt, the Selectboard should be consulted on the applicability of a line item to a proposed purchase, and the Treasurer should be consulted on the availability of funds in the applicable line item.

Incidental Purchases (up to \$2,500.00). Purchasing agents may make incidental purchases without prior approval.

Minor Purchases (from \$2,500.01 to 15,000.00). Purchasing agents may make minor purchases only upon approval at by the Selectboard at a public meeting and as documented in the minutes thereof. When feasible, minor purchases will be approved only on the basis of at least two competitive, written quotations from qualified vendors.

Medium Purchases (from \$15,000.01 to 50,000.00). Purchasing agents may make medium purchases only upon approval by the Selectboard at a public meeting and as documented in the minutes thereof. Subject to the exceptions described below, medium purchases may be approved only on the basis of at least two competitive, written quotations from qualified vendors.

Major Purchases (greater than \$50,000.00). Purchasing agents may make major purchases only upon approval by the Selectboard at a public meeting and as documented in the minutes thereof. Subject to the exceptions described below, major purchases may be approved only on the basis of sealed bid process meeting the requirements described below.

Purchases Made with Federal or State Funding. Purchases made with federal or state funds may be subject to more stringent procedural requirements for their approval, in which case those requirements must be satisfied. See in particular, the Davis-Bacon and Related Acts, <https://www.dol.gov/agencies/whd/government-contracts/construction>.

Federally funded non-competitive purchases of \$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.

Federal and state requirements are subject to change and purchasing agents must ensure they are familiar with the current requirements before approving a purchase made with federal or state funds.

PURCHASING PROCEDURE EXCEPTIONS. The purchasing procedures described above may altered for any of the following reasons, provided that any such exception be made in a public meeting and documented in writing. Not all exceptions below may be available for purchases made with federal or state funding.

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

Recurring Purchases. If the total value of a recurring purchase of a good or service is anticipated to exceed \$25,000 or \$50,000 during one or more fiscal years, the quote or sealed bid process (as applicable) shall still be utilized and shall specify the recurring nature of the purchase. Once a quote or sealed bid has been accepted, future purchases may be made from the same bidder without first obtaining quotes or sealed bids as long as the quote or bid price remains the same.

Emergency Purchases. The Selectboard may approve purchases in the event of a public emergency without first obtaining quotes or sealed bids. Such purchases must be deemed necessary to address an ongoing emergency such that any delay would endanger persons or property or result in substantial impairment of the delivery of Town services.

Professional Services. The quote or sealed bid process need not apply to the selection of providers of services (including without limitation engineering and architectural services) that are characterized by a high degree of professional judgment and discretion including without limitation legal, financial, auditing, risk management, and insurance services.

State of Vermont Equivalent Terms. The quote or sealed bid process need not apply to purchases of equipment, goods and services from vendors who offer substantially the same terms and pricing to the Town as are provided the State of Vermont.

SEALED BID PROCESS. The sealed bid process begins with the a request for proposals (RFP) prepared by the Selectboard or its designee and sent to qualified providers.

RFPs shall be published on the Town's website and on the Vermont Business Registry and Bid System, <http://www.vermontbusinessregistry.com/>. RFPs may also be published in a newspaper of general circulation in the region and/or sent to providers believed to be eligible for selection.

Bid Specifications. A list of bid specifications shall be included in each RFP and made available for inspection at the Town office. Bid specifications shall include:

1. Bid name.
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. 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.
6. Specifications for the project or services including quantity, design, and performance features.
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 projects, 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 an RPF has been issued, the bid specifications will be made available at the Town Offices, 5218 Pomfret Road, North Pomfret, and on the Town's Website, <https://pomfretvt.us>.

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; and the nature and the amount of security furnished with the bid if required.

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

by the 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, the bidder's acceptance of wages in the current wage determination provided as part of the RFP.
12. Any other factors that the Selectboard determines are relevant and appropriate in connection with a given project or service.

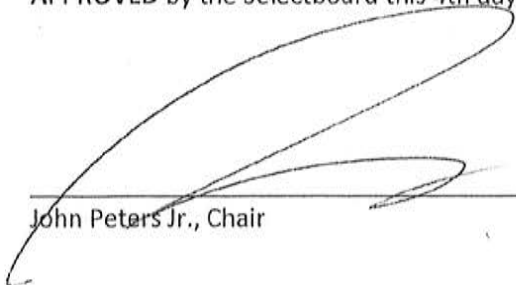
For purchases made with federal funding, the following criteria also apply:

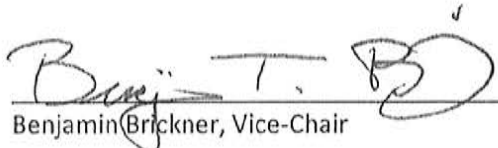
13. There shall be no preference exercised for local contractors or suppliers.
14. Minority and women-owned businesses must be included in the solicitation list for the request for proposal.
15. The Selectboard may not select a bidder who is listed on the Excluded Parties List System website (<https://www.sam.gov>).

Specification Changes. If specification changes are made before the bid submission deadline, the RFP will be amended and notice shall be sent to any known bidder and bidders who already submitted a bid. If the amendment is substantial, the Selectboard may restart the bidding process. 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 for written approval by the bidder and Selectboard.

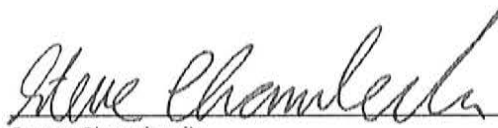
[Remainder of page intentionally blank. Signature page follows.]

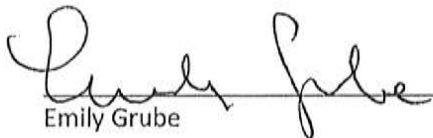
APPROVED by the Selectboard this 4th day of October, 2023, and effective until amended or repealed.



John Peters Jr., Chair

Benjamin Brickner, Vice-Chair

Meg Emmons

Steve Chamberlin

Emily Grube

[Remainder of page intentionally blank. Purchasing Agent Acknowledgement follows.]

**PURCHASING POLICY
PURCHASING AGENT ACKNOWLEDGEMENT**

TOWN OF POMFRET, VERMONT

I have read the Purchasing Policy approved on October 4, 2023, and the Credit and Debit Card Policy approved on July 17, 2023, understand these policies, and agree to comply with their requirements.

Purchasing Agent (*print name*)

Purchasing Agent (*signature*)

Date

Honorable Members of the Select Board of the Town of Pomfret,

My name is Peter G. Franzoni. I am a Rutland City citizen and a U.S. Army Veteran.

As I am not one of your constituents, and realizing that it may be a demand upon the time spent on your good town's other affairs, I humbly ask you to please still make the effort to consider the following, as I believe it is of the utmost importance to your constituents and the people of the Town of Pomfret at large.

I still hold very true to my Oath of Enlistment to "support and defend the Constitution of the United States". The responsibilities we share to holding that Oath are what I wish to discuss with you all here.

On behalf of the concerned people of the City of Rutland, I recently made a demand upon our Board of Alderman to honor their Oaths of Office to "support and defend the Constitution of the United States". In response to this demand, **on Monday, April 21, the said Board passed, by unanimous vote, "A Resolution Condemning Attacks on Due Process and Affirming the Constitutional Rights of All People in Rutland"** (copy attached herewith, link to article below).

I am urging you as the governing body of the Town of Pomfret to pass a similar Resolution to show your own constituents and the people of the Town of Pomfret at large that you value the protection of their constitutional rights, and in particular, everyone's right to the Due Process of Law as guaranteed to us ALL by the Fifth and Fourteenth Amendments to the United States Constitution.

Let us be clear on the fact that the United States Constitution provides equal protection under the law to **all persons** within the jurisdiction of the United States: not just citizens, but **all persons**¹.

Recently, we have been witnessing the arrests of immigrants across the U.S., and now right here in Vermont, that have blatantly violated the Due Process Clause guaranteed to *all* persons in the United States by the Fifth¹ and Fourteenth Amendments¹ of the United States Constitution, as many of these individuals are being detained without any legal representation

and/or the use of detainers without sufficient evidence, or even the application of any criminal charges what-so-ever beyond not being a U.S. citizen.

Unfortunately, President Trump, the Department of Justice, and the Department of Homeland Security under the current Federal Administration have *wrongfully* claimed, multiple times, that being an illegal immigrant disqualifies you from being afforded Due Process Under the Law by the United States Constitution. **That is a blatant lie**, and it should terrify each and every one of us.

By that reasoning, *any* law enforcement official could claim someone was not a citizen as their sole reason for arresting and detaining that person, and that person would then not have any legal standing or recourse to be afforded the Due Process of Law that would allow them the ability prove otherwise. **It's a "Catch-22": If the current federal government claims that you are not a citizen, then under *their* definition of the law, you don't have any rights to even attempt to prove that you are. This is in direct violation of the Fifth and Fourteenth Amendments to the United States Constitution.**

And immigrants are not the only ones who are vulnerable:

On his first day in office, President Trump issued an executive order³ stating that the federal government recognizes only two sexes, male and female. The State Department was then directed to eliminate the X gender as an option and to suspend its policy allowing transgender, intersex, and non-binary people to update the sex field on their passports, *or any other federal documents*. This effectively leaves them in a limbo of legal definition, where it is unclear whether the federal administration would even recognize their rights as United States Citizens or their continued protection under the United States Constitution. Because of this, we now have as many as 5 million American citizens, or more, that have just effectively been disenfranchised from their constitutional protections with the stroke of a pen. **Some of those citizens may be your constituents. And 5 million is a holocaust-sized number that certainly warrants trepidation from us all.**

I ask you all to consider:

Is it unreasonable to be concerned of the possibility that the newly established White House Faith Office may advise President Trump to issue an Executive Order declaring that only marriage between a male and female would be recognized as legal from now on by the federal government? Or perhaps that it should be illegal to marry someone of another race? Or perhaps that being anything other than heterosexual should be illegal? Or perhaps it should be illegal to be an atheist or to be of *any* faith other than Christian? Or perhaps all women who have an abortion should lose their rights as citizens? Perhaps they might suggest that President Trump issue an Executive Order saying that it is illegal for any unmarried women to own any property or even be about in public without a man present?

Is it unreasonable to be concerned that the new Secretary of Health and Human Services may advise the President that he should issue an Executive Order declaring that physically disabled and mentally disabled people should not be allowed to legally advocate for themselves, or to have rights towards the same freedoms afforded to the rest of us, as he has already suggested?²

Based upon the actions already taken by President Trump and his administration to violate the Due Process of Law and negate the rights of immigrants within the jurisdiction of the United States as they are protected by the Constitution, the cause for concern is very real and warranted: **President Trump and the Federal Administration are currently suggesting that *any* people within the jurisdiction of the United States are not to be afforded Due Process of Law under the United States Constitution if they are deemed by them to be “illegal”.**

If you took an Oath of Office as an elected representative, then each of you have not just an obligation, *but a SWORN DUTY* to do everything in your power to make sure that the right to the Due Process of Law as guaranteed by the United States Constitution is protected and upheld for *every single person* within the jurisdiction of the Town of Pomfret: Citizen, immigrant, illegal immigrant, visitor, and even criminal; whether they are a man, a woman, a trans-gender, inter-sex, or non-binary person; whatever their race, creed, spiritual beliefs or lack thereof; their sexual preferences, choice of dress, or political affiliations notwithstanding: If they are within the jurisdiction of the Town of Pomfret, **YOU ARE SWORN AND DUTY-BOUND TO UPHOLD AND DEFEND THAT RIGHT.** I know, because it's the same I Oath I took, too.

So, I am sending this missive to remind you of your Oaths, and to plead with you to show solidarity not only with the people of the Town of Pomfret, but with All the People of these United States by passing a Resolution of your own.

I will be sending a similar missive to every municipality I possibly can within the State of Vermont in the days to come. I am also petitioning Rutland City's representatives to our State House to put more pressure on our Governor to take a stand, and I would greatly encourage you to pressure your representatives to do the same.

Never in my wildest imagination would I have thought that I would have to make more of an effort supporting and defending the Constitution of the United States against of some of my fellow citizens, more than I had to while in service to the U.S. Army. It is absolutely shameful.

I will remind you again of your Oaths, and I beg you to give this your most serious attention.

Respectfully, and thank you,

Peter G. Franzoni

(dtd 4/23/2025)

87 Edgerton Street
Rutland, VT 05701
802-779-3684

(Please feel free to contact me with any questions, comments, or concerns. Thank you again.)

LINK TO ARTICLE:

https://www.rutlandherald.com/news/local/rutland-aldermen-approve-due-process-resolution-after-argument/article_2fbd1de4-0dfe-4d37-b2d5-811fb1745c1b.html

SOURCES:

- 1- https://en.wikipedia.org/wiki/Fifth_Amendment_to_the_United_States_Constitution
https://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution
- 2- <https://www.teenvogue.com/story/rfk-wellness-farms-us-disabilities>
- 3- <https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/>

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steve.chamberlin@pomfretvt.us

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clerk@pomfretvt.us



A RESOLUTION CONDEMNING ATTACKS ON DUE PROCESS AND AFFIRMING THE CONSTITUTIONAL RIGHTS OF ALL PEOPLE IN RUTLAND

WHEREAS, the United States Constitution guarantees due process, equal protection, and fundamental rights to all persons—regardless of citizenship, immigration status, race, religion, or political belief; and

WHEREAS, recent actions by federal authorities, including the detention of legal residents in Vermont without clear justification or timely access to legal counsel, represent a dangerous escalation of government overreach and a violation of these constitutional protections; and

WHEREAS, history has shown that when the rights of any group are violated, it opens the door for similar abuses to be carried out against others—first against immigrants, then against dissenters, and eventually against anyone who does not conform to the views of those in power; and

WHEREAS, the silence of public officials in the face of such abuses amounts to complicity, and failure to act now will only embolden those who seek to dismantle the rule of law and divide our communities through fear;

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Rutland unequivocally condemns all violations of due process and the weaponization of government power any individuals;

BE IT FURTHER RESOLVED that the City of Rutland affirms its unwavering commitment to protecting the constitutional rights of all people in our city, regardless of citizenship status, national origin, political belief, or any other identity;

BE IT FURTHER RESOLVED that the Board of Aldermen pledges to oppose any policy or action—local, state, or federal—that targets individuals based on who they are, where they come from, or what they believe, and to defend Rutland as a community rooted in justice, accountability, and the equal dignity of all;

BE IT FURTHER RESOLVED that the Mayor, the Chief of Police, and the City Attorney shall review all relevant city policies, practices, and protocols to ensure that the City of Rutland actively upholds and protects the due process rights of all persons within its jurisdiction;

BE IT FINALLY RESOLVED that the Board of Aldermen formally invites the Chief of Police, commanders of the Rutland City Police Department, and leadership of the Rutland Police Union to sign this resolution in solidarity—affirming their shared commitment to constitutional rights, equal justice, and the safety and dignity of every member of our community.

Adopted this 21st day of April, 2025.

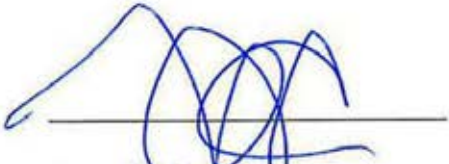
Board of Aldermen:



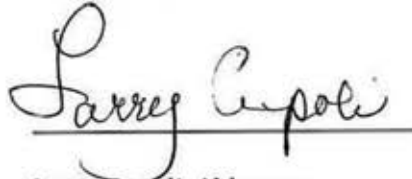
Dave Allaire, President



Michael Talbott, Alderman



Henry Heck, Alderman



Larry Cupoli, Alderman



Sharon Davis, Alderman



Bill Gillam Jr., Alderman



Tom Donahue, Alderman



Paul Clifford, Alderman



Kiana McClure, Alderman



Anna Tadio, Alderman

ABSENT

Matt Whitcomb, Alderman

Town of Pomfret Selectboard
DRAFT Meeting Minutes
May 7, 2025

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

Public: Frank Rogers, Tori Littlefield, Preston Bristow

1. Ben called the meeting to order at 7:01 pm.
2. Agenda Review – John moved and Meg seconded that a zoning matters discussion be added immediately before Item 7 (Possible Executive Session), and that PACIF grant application and disposition of anonymous donation funds be added immediately before Item 5C (Local Emergency Management Plan (LEMP) Update). Unanimous.
3. Public Comment – None.
4. Road Foreman Report – Frank reports that the grader was returned after four days following installation of a new blade and some warranty work. Frank would like to add road crew uniforms to the May 21 agenda; he will get price estimates in the meantime. The crew has cleaned up the “stump dump” on Joe Ranger Road. The equipment trailer needs a considerable amount of repair work; Frank will send it to Lucky's Trailer Sales for a repair versus replacement estimate. Emily reported that Dr. Hermann contacted her regarding a listing utility pole near Teago General Store; Frank will investigate. A resident contacted Ellen regarding a dumping issue at the pull-out near Kenyon Hill Road; Frank will install a “no dumping” sign in that location.
5. Items for Discussion or Vote
 - a. Small Tax Account Balances – Ben moved and Steve seconded that tax accounts for taxpayers who made de minimis ($\leq \$1.00$) under- or over-payments on their FY 2025 property taxes be reset to zero to avoid incurring the larger expense of collecting these small amounts or mailing paper refund checks. Unanimous. Taxpayers wishing to receive refunds of de minimis over-payments may still have paper checks mailed to them upon request to the town treasurer.
 - b. Labounty Trust CD Proceeds – Ben moved and John seconded that proceeds of the maturing certificate of deposit holding the Labounty trust funds be rolled into a new 3-month CDARS certificate of deposit at Mascoma Bank. Unanimous. In the meantime, Ellen will work with Marge Wakefield (citizen trustee of the Labounty trust) to open a new Vanguard account into which the Labounty trust funds will be moved when the new certificate of deposit matures.
 - c. PACIF Grant Application – Ben moved and John seconded submission of a PACIF grant application for funding of certain digital security improvements. Unanimous.
 - d. Disposition of Anonymous Donation Funds – Ben moved and Meg seconded that the annual donation proceeds of \$2,500 earmarked by the donor for town building improvements be transferred to the Moore fund, which is dedicated to that purpose. Unanimous. Meg will explore uses of these funds, including a replacement commercial refrigerator and accessible ramp.
 - e. Local Emergency Management Plan (LEMP) Update – Tori Littlefield (recently appointed Emergency Manager Coordinator) assisted Emergency Management Director Kevin Rice with preparing a revised Local Emergency Management Plan (LEMP). Tori reports the only change is to add her name to the contact list. Meg moved and Steve seconded approval of the revised LEMP as presented. Unanimous.

Ben will sign, scan, and return to Tori for submission to Vermont Emergency Management.

- f. Pomfret Road and Wayside Road Bridge Paving Bids – Sealed bids were received from Pike Industries, Inc. and Blaktop, Inc. The Selectboard will review, with an award anticipated at the May 21 meeting.
 - g. Replacement Highway Truck (Truck 3) – Discussion postponed to the May 21 meeting.
 - h. Municipal Employee Evaluation Process – Ben presented an updated version of the Municipal Employee Evaluation. Frank will use this form to conduct road crew member reviews. The Selectboard will conduct Frank’s review in executive session at the May 21 meeting.
 - i. Form of Town Hall Rental Agreement – Meg presented an updated Town Hall rental agreement, drawing from forms used by area towns. Becky previously reviewed and suggested edits. Meg moved and Steve seconded approval of the updated Town Hall rental agreement as presented. Unanimous.
 - j. Appointment of Public Officers – Fred Doten declined reappointment as Deputy Forest Fire Warden. As a result, Pomfret will no longer be eligible to have a deputy. Frank Perron has been reappointed by the Department of Forests, Parks & Recreation as Forest Fire Warden for a five-year term expiring June 30, 2030. Frank has accepted the same. John moved and Meg that Frank’s appointment be accepted pursuant to 10 V.S.A. § 2641. Unanimous. Ben will obtain the necessary signatures and return the completed appointment form to FP&R.
 - k. Warrants – John moved and Steve seconded approval for payment of the following warrants:

25098	\$ 2,097.09	Payroll
25100	9,636.85	Payroll
25104	60,225.70	A/P (incl. \$446.67 March 2025 debit expenses)

Unanimous.
 - l. Approval of April 16, 2025 Minutes – Emily moved and Steve seconded approval of the April 16, 2025 meeting minutes as presented. Unanimous.
6. Meeting Wrap Up
- a. Correspondence – Ben and John met with VSP Sergeant Max Trenosky regarding town safety; Karen reports the executor of a deceased delinquent taxpayer’s estate has been located and will send a check; a Rutland resident contacted the Selectboard regarding adoption of a resolution concerning due process and constitutional rights; the Selectboard will consider whether to take this up at the May 21 meeting. Ben received a request from the Vermont Council on Rural Development to send a delegate to a community leadership summit in August. Ben moved and Steve seconded that Meg attend the summit as Pomfret’s delegate. Unanimous. Ben will forward this information to the Council.
 - b. Review of Assignments – Frank to obtain uniform pricing and arrange for a washer and dryer to be installed at the garage; Frank to check on the listing utility pole at Teago; Frank to install a “no dumping” sign near Kenyon Hill Road; Ben to send the signed LEMP to Tori, send the completed Forest Fire Warden appointment form to FP&R, and notify Vermont Council on Rural Development of Meg’s appointment.
 - c. Agenda for Next Meeting – Road crew uniforms, open town office parking lot paving sealed bids; award Pomfret Road and Wayside Road Bridge paving work; paving methods discussion; Truck #3 replacement, Capital Planning Committee report.

7. Zoning Matters Discussion – Preston Bristow reported on his early experience in his second stint as Pomfret’s zoning administrator and the Selectboard discussed the same.
8. Executive Session
 - a. Ben moved and John seconded that the Selectboard enter executive session pursuant to 1 V.S.A. § 313(a)(1)(A) to discuss contracts, the premature general public knowledge would clearly place the Town of Pomfret at a substantial disadvantage, and pursuant to (a)(1)(E) to discuss pending or probable civil litigation to which Town of Pomfret is or may become a party. Unanimous. The Selectboard entered executive session at 9:07 pm.
 - b. The Selectboard exited executive session at 10:03 pm, with no decisions having been made therein.
9. Adjournment – Steve moved and Meg seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 10:04 pm.

Town of Pomfret Selectboard
DRAFT Special Meeting Minutes
May 13, 2025

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

Public: Frank Rogers, Cynthia Hewitt, Jon Harrington, Jack Peters

1. Ben called the meeting to order at 7:00 pm.
2. Agenda Review – Steve moved and John seconded that Item 5B (Review/Approval of Construction Proposal) be deleted from the agenda as there were no construction proposals to review or approve at that time. Unanimous.
3. Public Comment – None.
4. Road Foreman Report – Frank described the landslide that occurred the morning of Saturday, May 10 between Caper Street and Pomfret Road immediately north of the North Pomfret post office. The road crew cleared one lane for fire and emergency traffic on Saturday. Chris Bump (Vtrans), Mike Avery (construction contractor), Jon Harrington (civil engineer), and Green Mountain Power were brought in to assess the situation and determine the remaining embankment's stability. Due to subsidence of the traveled way, Caper Street has been reduced to one lane at the slide location until repairs can be made. Pomfret Road was reopened to all traffic midafternoon Monday, May 12.
5. Items for Discussion or Vote
 - a. Review/Approval of Engineering Proposal – Jon Harrington of Harrington Civil Engineers, Inc. prepared a Professional Engineering Services Agreement and was present to walk the Selectboard through his proposal and answer questions. The scope of work is set forth in four stages: (1) conceptual design and drainage remediation to begin immediately and enable qualified construction contractors to quickly prepare construction proposals that include quantity and unit price information needed by Vtrans for emergency aid purposes, (2) field data collection and concept design, also to begin immediately and to enable preparation of complete contact plans, (3) preparation of complete contract plans, and (4) construction engineering service while construction occurs.

Steve moved and John seconded that the Professional Engineering Services Agreement be approved as presented. Ben amended the motion to also waive the Purchasing Policy requirement to obtain at least two competitive, written quotations from qualified vendors, due to the ongoing emergency such that any delay would endanger persons or property or result in substantial impairment of the delivery of town services. Unanimous, as amended.

It is anticipated that Harrington's conceptual design work will be completed in about a week, and that an additional week will be needed to solicit construction contractor proposals. As such, the Selectboard expects to hold another special meeting the week of May 25 to approve the construction work.

In the meantime, the road crew will perform ditching and underdrain work to redirect additional water from Caper Street to reduce the risk of additional subsidence or slide in the event of additional heavy rain. Frank also will solicit one or more proposals from

qualified construction contractors to address the embankment uphill from Caper Street, which will enable reopening both lanes of Caper Street while full remediation of embankment continues. These proposals will be reviewed for approval at the May 21 regular Selectboard meeting. The adjacent landowner will be consulted before this work begins.

- b. Application for Town Highway Emergency Aid Funding – With Chris Bump’s guidance, Ben prepared a letter on letterhead to Vtrans formally requesting assistance from the state Emergency Aid Fund. John moved and Meg seconded approval the letter as presented. Unanimous. Ben will sign and submit to Vtrans.

6. Meeting Wrap Up

- a. Correspondence – Ben has been in communication with Senators Alison Clarkson and Becca White regarding pending legislation regarding municipalities’ authority to maintain legal trails. A comment letter supporting the pending legislation will be sent to the House Transportation Committee. Anthony and Charlotte Lanahan recently expressed appreciation for the efforts of the Selectboard and road crew.
- b. Review of Assignments – Ben to sign and return the approved Professional Engineering Services Agreement to Harrington Civil Engineers; to sign and submit the request for emergency aid funding to Vtrans; to submit the legal trails comment letter to the House Transportation Committee.
- c. Agenda for Next Meeting – See Section 6(c) of the May 7, 2025 meeting meetings, plus construction contract proposals to address the embankment uphill from Caper Street.

- 7. Adjournment – John moved and Emily seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 8:13 pm.