

Town of Pomfret Selectboard
Meeting Minutes
August 19, 2026

Present: Benjamin Brickner, John Peters, Eric Chase, Emily Grube

Public: Mariel Luna, Frank Rogers, Kelly Hull, Greg Olmstead, Greg Hartford, Jake Astbury, AJ Stevens, Kyle Hansen, Becky Fielder, Ellen DesMeules, Michael Reese, Katherine Jones Wimmer, Tom Sander, Michael Miller, Alison Sander, Jim Potter, Jack Peters, Evan Giniger, Lauren Lavoro, Leslie Tarkington, Marcus Tarkington, "Fred"

1. **Call to Order** – Ben called the meeting to order at 7:01 pm.
2. **Agenda Review** – Emily moved and Eric seconded that (1) Item 6A (Town Garage Land Acquisition) be postponed to the September 2 meeting at the request of Mr. Kellogg, who was traveling and unable to attend, and (2) an update to the legal trail permit form be added before Warrants. Unanimous.
3. **Executive Session**
 - a. Ben moved and Eric seconded that the Selectboard enter executive session pursuant to 1 V.S.A. 313(a)(3) to discuss the employment of public employees. Unanimous. The Selectboard entered executive session at 7:04 pm.
 - b. Ben moved and Emily seconded that the Selectboard exit executive session. Unanimous. The Selectboard exited executive session at 7:36 pm.
4. **Public Comment** – Jim Potter raised concerns regarding John Peters' departure from the previous Selectboard meeting prior to adjournment. John Peters responded.*
5. **Road Foreman Report** – Frank reported that the town office parking lot will be closed over the weekend of August 22 and 23 for seal coating and asked that residents be notified to avoid parking in the area. Mowing has been completed up to the town garage, and town office pavement maintenance work is progressing on schedule. Frank reported that nine road signs have been stolen from locations around town, including signs on Wild Apple Road, Twin Pond Road and Bunker Hill Road; he will contact Bob Crean to discuss deterrence measures. Frank also reported that Truck 4, a 2015 vehicle, required approximately \$26,000 in repairs over the past year, and the Selectboard discussed whether continued investment in the vehicle remains cost-effective. Frank will provide a rough estimate of anticipated costs and necessary repairs before the September 2 meeting.
6. **Items for Discussion or Vote**
 - a. **Town Garage Land Acquisition** – Postponed during Agenda Review.
 - b. **Right-of-Way Crossing Permit Application (37 Maxham Road)** – It was moved and seconded that the right-of-way crossing permit application submitted by Sugar Brook Farm be approved. Unanimous.
 - c. **Road Salt Purchase** – The Selectboard reviewed two quotes from Cargill for the coming winter. It was moved and seconded that the purchase of 350 tons of white salt at \$106.00 per ton be approved. Unanimous. It was moved and seconded that the purchase of 800 tons of ClearLane salt at \$125.25 per ton be approved. Unanimous.

* **Editor's Note:** The meeting recording did not capture Items 4 through 6E, nor Item 6G; those items are minuted here from contemporaneous notes and records.

- d. **SFY27 Municipal Road Grant-in-Aid Grant Agreement** – The Selectboard reviewed the grant agreement (GA1332) for state fiscal year 2027 Municipal Road Grant-in-Aid funding, which provides \$23,000 in state funding and requires an in-kind match of \$5,750 from the town. It was moved and seconded that the agreement be approved, subject to final review of the match requirement and project scope. Unanimous.
- e. **Wild Apple Road/Legal Trail 2 Access** – The Selectboard took up the letter from Michael Reese, attorney-in-fact for Joan Reese, which had been received shortly before the August 5 meeting and deferred to this meeting. The letter asked the Selectboard to confirm the limits of the authorized overhead line work, the treatment of the Class 4 section of Wild Apple Road and Legal Trail 2, and the scope of permitted vehicular use of Legal Trail 2. The Selectboard noted that it had addressed certain of these matters on the record on August 5, as reflected in the minutes of that meeting. The letter also asked the Selectboard to authorize, without a further application, work within the town highway right-of-way to connect Joan Reese's property to the new underground line. The Selectboard suggested that Mr. Reese submit an application for a right-of-way crossing permit so that the request could be reviewed in the normal course.

The Selectboard also received a letter from Katherine Jones Wimmer, written on behalf of the owners of 2395 Wild Apple Road and the extended Jones family, and a letter from Dan and Julie Kenary of 1415 Wild Apple Road, each asking that the Selectboard hold a meeting this fall devoted to the potential development of, and access to, Parcel 3312-L Wild Apple Road.

Tom Sander, who stated that he is a co-owner of 2395 Wild Apple Road, addressed the Selectboard and said he was speaking on behalf of several property owners, including his own family. He described the long-standing use of Legal Trail 2 and the Class 4 section of Wild Apple Road for hiking, horseback riding, sleigh riding, snowshoeing and cross-country skiing, asked how the property owners' plans would affect traffic on those ways, and supported the request for a meeting devoted to the subject in September or October.

Leslie Tarkington, participating remotely, read a statement on behalf of herself and Marcus Tarkington of 133 Skyline Drive. The statement asked that the Selectboard hold the matter open until its next regular meeting or a special meeting to allow neighbors additional time to review and comment, noted that no site plan had been submitted, stated that in their view the proposed access would interrupt the Skyline Trail, and asked whether the Selectboard was taking that effect into account.

Evan Giniger and Lauren Lavoro stated that they plan to construct a single-family home, that they intend to minimize construction impacts, and that they remain in the early stages of planning and are not yet prepared to file applications with the town.

The Selectboard noted that no application concerning Parcel 3312-L was then pending before it, and no action was taken. The Selectboard further noted that an application to develop the property would be subject to review under the Zoning

Ordinance, that a request to improve or otherwise alter the Class 4 section of Wild Apple Road or Legal Trail 2 would be considered under the Highway Ordinance, and that the operation of motor vehicles on Legal Trail 2 is governed by the Ordinance Pertaining to Travel on Trails. The request for a meeting devoted to this subject was taken under advisement.

- f. **Replacement for Engine 1 (RFP)** – Greg Hartford explained that the Fire Department had received four proposals from three manufacturers for a basic replacement truck and had selected the E-ONE unit, which is the least expensive of the proposals and matches apparatus the department already operates. The current Engine 1 is 33 years old. Greg explained that the department proposes to purchase through Sourcewell, a unit of government created by the State of Minnesota that conducts competitive solicitations on behalf of participating municipalities, which yields a discount of approximately \$30,000 on this vehicle. He noted that 24 V.S.A. § 4901 permits municipalities to enter into such agreements, that the same terms and specifications are available to other Vermont municipalities, and that the quoted price is less than the amount forecast in the town's capital plan.

The Selectboard discussed whether the Sourcewell process satisfies the town's purchasing policy, and identified the threshold question as whether the Sourcewell solicitation is a suitable substitute for a request for proposals originated by the town. Greg Hartford will compare the Sourcewell process against the requirements of the purchasing policy and email his analysis to the Selectboard before the September 2 meeting, and will also prepare a purchase agreement so that both matters may be considered at that meeting. It was noted that a delay past the 2027 emissions standards could increase the cost by approximately \$85,000, and that with other inflationary increases the total increase could approach twenty percent. Any action on this item was deferred to the September 2 meeting.

- g. **Labounty Trust Probate Documents** – It was moved and seconded that the Summary of Account and Motion to Allow Account be approved for filing in the Probate Division. Unanimous. Ellen will complete and file the documents.
- h. **Employee Overtime Policy** – Ben reported that the town's personnel policy, adopted in 2017, follows the Fair Labor Standards Act and requires time and a half after 40 hours actually worked in a week; holidays count toward the 40 hours, but vacation, sick and compensatory time do not. He noted that the consultant-prepared revision drafted in 2022 (but never adopted) would have carried the same standard forward. Neil Lamson offered the example of an employee who takes a week of leave and is then called in overnight during a storm, and who receives no overtime because he has not worked 40 hours. Neil described the Town of Strafford's policy, which he said compensates all hours worked outside normal work hours by non-exempt employees at time and a half, and stated that such a policy does not violate federal law. Frank noted that overtime practice bears on recruitment and retention and encouraged a holistic review of the personnel policy. The Selectboard agreed that the town is following its current personnel policy, that any change should be made as part of a comprehensive review rather than in isolation, and that review of the personnel policy should be an early priority for the new Town Administrator. Cynthia prepared a summary of overtime provisions, which Ben will forward to the Selectboard.

- i. **Selectboard Vacancy** – The Selectboard received four indications of interest, from Christie Crowe, Kyle Hansen, Doug Tuthill and Frank Perron. Kyle Hansen, who attended, introduced himself. He stated that he studied political science with a focus on state and local government, holds a master’s degree, has worked in planning and zoning, and serves on the Pomfret Zoning Board of Adjustment. He stated that he is a candidate for state representative but that the legislature sits only four or five months a year and that he would remain a Pomfret resident, and that he understands the appointment runs only through the next town meeting. The Selectboard deferred deliberation to the executive session later in the meeting.
 - j. **Town Administrator Position** – This matter was deferred to the executive session later in the meeting.
 - k. **Legal Trail Permit Form** – Ben explained that the existing permit form is old and does not conform to the Ordinance Pertaining to Travel on Trails, and that he had revised the form to follow the ordinance, including the requirement that each permit be signed by all members of the Selectboard. The permit approved on August 5 will be issued on the revised form. John moved and Eric seconded approval of the revised form. Unanimous.
 - l. **Warrants** – Emily moved and John seconded approval of the following warrants for payment:

27015	\$ 9,396.21	Payroll
27016	56,603.84	A/P

 Unanimous.
 - m. **Approval of August 5, 2026 Minutes** – John moved and Eric seconded approval of the minutes as amended, with the further amendment that the number of loads be struck from the description of the aggregate hauling proposal, the Selectboard having approved a price per load rather than a number of loads. Unanimous.
7. **Meeting Wrap Up**
- a. **Correspondence** – The Selectboard received letters from Katherine Jones Wimmer and from Dan and Julie Kenary regarding the Wild Apple Road/Legal Trail 2 matter. The Selectboard also received the letter from Michael Reese, taken up under Item 6E above.
 - b. **Review of Assignments** – Greg Hartford will compare the Sourcewell process with the town’s purchasing policy and email the Selectboard before the September 2 meeting, and will prepare a purchase agreement for the replacement engine. Ben will finalize and sign the right-of-way crossing permit, the salt purchase and the grant-in-aid agreement, issue the previously approved trail permit on the revised form, and will forward the summary of overtime provisions to the Selectboard. Ellen will complete the Labounty probate documents, notify Mariel Luna of her start date and paperwork, and process AJ’s bonus with the next regular payroll. Frank will provide cost estimates for Truck 5, contact Bob Crean regarding the sign thefts, and prepare schematics and options for Truck 1. Emily will obtain prices for fuel oil, heating oil, diesel and propane and solicit 24-hour quotes the morning of the September 2 meeting.
 - c. **Agenda for Next Meeting** – Town garage land acquisition, Engine 1 replacement and purchase agreement, fuel contracts, disposition of Truck 3, replacement of Truck 1, and possible amendment of the purchasing policy.

8. **Executive Session**
 - a. Ben moved and Eric seconded that the Selectboard enter executive session pursuant to 1 V.S.A. 313(a)(3) to discuss the employment of public employees and the appointment of public officers. Unanimous. The Selectboard entered executive session at 9:32 pm.
 - b. John moved and Emily seconded that the Selectboard exit executive session. Unanimous. The Selectboard exited executive session at 10:21 pm.
9. **Employee Bonus** – Ben moved and Eric seconded that AJ Stevens receive a one-time bonus of \$1,000, to be paid with the next regular payroll. Unanimous.
10. **Town Administrator Appointment** – The Selectboard announced that the offer of employment extended following the August 5 meeting had been accepted by Mariel Luna of South Strafford, who will begin as Town Administrator on Monday, August 24, 2026.
11. **Selectboard Vacancy Appointment** – Ben moved and John seconded that Kyle Hansen be appointed to fill the vacancy on the Selectboard, to serve until the next town meeting. Unanimous. Kyle will meet with Becky to take the oath of office.
12. **Adjournment** – John moved and Emily seconded adjournment. Unanimous. The meeting was adjourned at 10:24 pm.