

**Town of Pomfret
Selectboard Meeting Agenda
Town Offices
5218 Pomfret Road, North Pomfret 05053
May 3, 2023, 7:00 pm**

Zoom instructions below

Business Items	
1. Call to Order	7:00 pm
2. Agenda Review	
3. Public Comment	
4. Road Foreman's Report	7:05 pm
5. Items for Discussion or Vote a. Eydt Estate Request to Remove Trees and Vegetation b. Draft Local Hazard Mitigation Plan (LHMP) c. Extension of Two Rivers LHMP Services Contract d. Delinquent Tax Liens e. Fall Foliage Traffic Management f. Library Street (TH 60) Right-of-Way g. Town Hall Renovation Feasibility Study h. Town Office Accessible Entry Proposal i. Vermont 100 Endurance Race Permit j. Bicycle and Pedestrian Program Grant k. Warrants l. Approval of 4/19/2023 Minutes	7:30 pm
6. Meeting Wrap Up a. Correspondence b. Review of Assignments c. Agenda for Next Meeting	
7. Deliberative Session – Quasi-Judicial Proceeding	9:00 pm
8. Items for Discussion or Vote a. Eydt Estate Request to Remove Trees and Vegetation	9:30 pm
9. 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, followed by Meeting ID 953 9507 9923 and Password 306922

Via First Class Mail and E-Mail

March 28, 2023

Pomfret Selectboard
c/o John Peters Jr., Chair
5218 Pomfret Road
North Pomfret, VT 05053
john.peters@pomfretvt.us

RE: Estate of Fred J. Eydt Request for Consent to Remove Tree and Perform Vegetation
Clearing in Town Right of Way Along Pomfret Road

Dear Mr. Peters,

By this letter, the Estate of Fred J. Eydt (“Estate”) seeks consent from the Town of Pomfret Selectboard pursuant to 19 V.S.A. § 901(2), to the extent such consent is required and was not previously given,¹ to i) remove a certain ash tree within the Town right of way on the easterly side of Pomfret Road in the area immediately to the south of the Estate’s proposed Driveway Access Location (as hereinafter defined) and ii) to conduct vegetation clearing within the Town right of way on the easterly side of Pomfret Road in the area to the south of the Estate’s proposed Driveway Access Location for a distance of approximately 280 feet. This request is in response to the Selectboard’s March 6, 2023 Decision (“Decision”) conditionally granting the Estate a driveway access permit in the location shown on the plans submitted with the Estate’s Driveway Access Permit Application dated January 5, 2023 (said location hereinafter, the “Driveway Access Location”).

Under 19 V.S.A. § 901(2), “A person, other than the abutting landowner or municipality, shall not cut, trim, remove, or otherwise damage any grasses, shrubs, vines, or trees growing within the limits of a town highway without first obtaining the consent of the legislative body.” As a person who is not the abutting landowner, the Estate makes this request for the Selectboard’s consent as it is unclear whether the Selectboard’s Decision provided such consent.

The Estate notes that a separate process is established by statute and by the Town’s Tree Policy for the removal of shade trees in the public right of way. *See, e.g.* 19 V.S.A. § 901(1), 24 V.S.A. § 2501 et seq., Pomfret Tree Policy. Based on the information of which we are aware, the ash tree adjacent to the Estate’s Driveway Access Location has not been designated by the Town as a shade tree pursuant to a municipal tree preservation plan, nor does it otherwise meet the

¹ To the extent the Selectboard intended its March 6, 2023 Decision to include consent for the Estate to conduct vegetation clearing within the Town right of way along Pomfret Road, the Estate requests the Selectboard clarify that such consent has already been given.

Pomfret Selectboard

March 28, 2023

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statutory definition of a shade tree. *See* 24 V.S.A. § 2501a. Additionally, the location is not a public place as defined by the Pomfret Tree Policy or applicable statute. *See id.* Thus, the Estate understands that the Pomfret Tree Policy is inapplicable to this request.²

The work described herein is anticipated to be completed as soon as weather and contractor availability should permit. The Estate will coordinate with the Town Road Foreman regarding a specific date and time for the tree removal and vegetation clearing once known. The Estate will perform all tree removal and vegetation clearing within the Town right of way in accordance with the applicable standards set forth in the form Town of Pomfret Application for Town Highway Right-of-Way Crossing Permit. Should an application fee be required for this request, please notify me of the amount.

Please contact me should you need any additional information to process this request and please notify me at your earliest convenience of the Town's consent to the above-described work.

This request is made subject to a full reservation of rights and without waiver of the Estate's right to seek judicial review of the Selectboard's March 6, 2023 Decision on the Estate's Driveway Access Permit Application.

Sincerely,

SHEEHEY FURLONG & BEHM P.C.

/s/ Peter G. Raymond

Peter G. Raymond, Esq.

PGR/mak

cc via email only:

Jim Potter
Pomfret Road Foreman
5218 Pomfret Road
North Pomfret, VT 05053
jim.potter@pomfretvt.us

Benjamin Brickner
Pomfret Selectboard Vice-chair
5218 Pomfret Road
North Pomfret, VT 05053
benjamin.brickner@pomfretvt.us

² To the extent the Town disagrees, the Estate asks that the Town please clarify the process the Town believes is required before the Estate may remove the ash tree.

AGREEMENT

Between the

TWO RIVERS-OTTAUQUECHEE REGIONAL COMMISSION

And the

TOWN OF POMFRET, VERMONT

For

LOCAL HAZARD MITIGATION PLAN SERVICES

Project #: 10-619

CFDA #: 97.047

November 2, 2022

I. AGREEMENT FOR SERVICES

- a. It is agreed by and between the TWO RIVERS-OTTAUQUECHEE REGIONAL COMMISSION (hereinafter called the Regional Commission) and the Town of Pomfret (hereinafter called the Town) that the Regional Commission shall assist the Town in providing Local Hazard Mitigation Plan Services for the Town in accordance with the steps outlined in Attachment A (hereinafter called the Scope of Services).
- b. This Agreement consists of the body and the following attachment which is incorporated herein:

Attachment A – Scope of Services

II. GENERAL TERMS AND CONDITIONS

- a. Whenever feasible, local labor can be used to assist professionals in the gathering and compilation of data, thus minimizing expenses.
- b. The maximum dollar amount for all services performed under this Agreement shall not exceed **\$7,612.50**, unless amended.
- c. The period of performance under this Agreement shall commence **November 3, 2022** and run through **April 30, 2023**.
- d. Ownership of all data and materials collected under this Agreement shall remain with the Town and the Regional Commission.
- e. Changes, modifications, or amendments in the terms, conditions and fees of this Agreement shall be written and signed by the duly authorized representatives of the Regional Commission and the Town.
- f. The parties agree that the Regional Commission, and any agents and employees of the Regional Commission, shall act in an independent capacity and not as officers or employees of the Town.
- g. The Town, by any authorized representative, shall have the right at all reasonable times, to inspect or otherwise evaluate the work performed or being performed under this Agreement.
- h. Reasonable extensions of time for completing the work may be granted in writing by the Town, if the Regional Commission can demonstrate that it was unavoidably delayed by circumstances beyond its control.
- i. The Town shall appoint one person as the principal contact for the project as outlined in the Scope of Services.

- j. If, through any cause, the Regional Commission shall fail to fulfill in a timely and proper manner its obligations under this Agreement, the Town shall have the right to terminate this Agreement by giving written notice to the Regional Commission and by specifying the effective date thereof at least thirty days prior to the date of termination. All expenses incurred by the Regional Commission prior to the notice of termination shall be reimbursed by the Town.
- k. The fees charged for services to the Town for the duration of this contract are actual labor, fringe, indirect, and mileage. The Town is responsible for match funds. No additional fees will be charged.

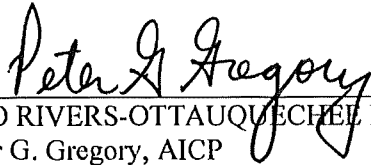
III. OBLIGATIONS OF THE REGIONAL COMMISSION

- a. The Regional Commission staff will work with, and be responsible to, the Selectboard in providing the services listed in Attachment A.
- b. The Regional Commission shall maintain all books, documents, payrolls, papers, accounting records and other evidence pertaining to costs incurred under this Agreement and make them available at reasonable times during the period of this Agreement.
- c. The Regional Commission shall invoice the Town on a periodic basis (usually monthly) for costs incurred on this project. A Progress Report will be provided to the Town upon request.
- d. The Regional Commission shall provide to the Town copies of all documents generated under this project.

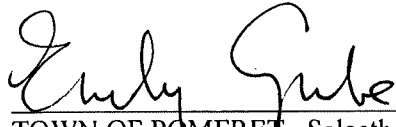
IV. OBLIGATIONS OF THE TOWN

- a. In consideration of the services to be provided by the Regional Commission, the Town shall pay the Regional Commission after review and approval of invoices submitted in accordance with the provisions of Section III.C.
- b. The Town agrees to participate in meetings with Regional Commission staff, as necessary.
- c. The Town will make available any information, data, reports, plans, maps, or drawings to the Regional Commission to carry out the tasks in this project. All materials belonging to the Town will be returned.
- d. The Town agrees to cooperate with and administratively assist the Regional Commission, without charge, in carrying out its tasks.
- e. The Town is responsible for meeting and hearing notices.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this second day of November, 2022 at Pomfret, Vermont.



TWO RIVERS-OTTAUQUECHEE REGIONAL COMMISSION
Peter G. Gregory, AICP
Executive Director



TOWN OF POMFRET – Selectboard Chair

Attachment A

Pomfret 2022-2023 LHMP Timeline and Scope of Work

Time	Task	Connor Rigney Hours (\$80.95/hour)	Total Task Cost
<i>November</i>	<ul style="list-style-type: none"> • Assemble planning team • Conduct kick-off meeting & hazard risk assessment • Review the planning process and confirm outreach strategy • Establish work plan with deliverables, timelines for completion • Confirm roles and responsibilities 	10.5	\$850
<i>December</i>	<ul style="list-style-type: none"> • Complete vulnerability assessment to quantify the extent of each hazard in a public meeting • Review and identify mitigation strategies based on best available data • Review mitigation strategies in a public meeting 	23	\$1862
<i>January</i>	<ul style="list-style-type: none"> • Submit draft plan to Pomfret Selectboard for a joint review with the planning team 	9	\$729
<i>January-February</i>	<ul style="list-style-type: none"> • Finalize Plan • Submit Plan to VEM for review and revise accordingly • Submit revised plan to FEMA, revise if necessary • Attend SB meeting for adoption if requested 	13	\$1052.50
<i>Ongoing</i>	<ul style="list-style-type: none"> • Update data and text • Conduct research • Format plan • Prep for meetings • Track volunteer and paid staff in-kind hours 	38.5	\$3,117
Total Project Cost		94	\$7,612.50

This contract will be billed at cost, not to exceed \$7,612.50. Regional Commission staff hours are expected to be approximately 94. If additional meetings are needed beyond this scope, they will be mutually agreed upon as change orders prior to work being undertaken and charged for.



STATE OF VERMONT
DIVISION OF ENGINEERING AND CONSTRUCTION
133 State Street, Montpelier, Vermont 05602



December 4, 1981

Chairman, Board of Selectmen
Town of Pomfret
c/o Hazel B. Harrington, Town Clerk
North Pomfret, Vermont 05053

Gentlemen:

In accordance with Title 19, V.S.A., Section 15, as amended, all the traveled highways in your town were measured in 1981 by Mrs. Moore, Selectwoman, and Mr. Chabot, Road Inventory Chief of this office.

The resulting changes in highway mileage and any changes in classification are indicated on the enclosed map and explained on the attached sheets.

We are also forwarding the Mileage Certificate for your town for the year ending February 10, 1982. For your convenience, we have entered the previous mileage and changes that were brought to our attention during the past year. Any other changes in Class 3 or Class 4 mileage must be entered by you and must be substantiated according to the requirements listed on the enclosed Certificate and as explained in the enclosure (ENCLOSURE 1).

Please refer to the second form (ENCLOSURE 2) for specific instructions relative to the "SCENIC HIGHWAY MILEAGE" portion of your Mileage Certificate.

All copies of the Certificate must be completed and sworn to before a Notary Public. One white and two yellow copies of the signed and completed Certificate should be returned to this office no later than February 15, 1982. The designated representative of the Agency of Transportation will approve the town's copy, which will then be returned to the Town Clerk. The Town Clerk should retain the third yellow copy for the town's records until the "APPROVED" copy has been returned.

If you have any questions or need assistance, please contact either Mr. Edward Chabot, Road Inventory Chief (828-2568), Mr. John Gilligan, Business Manager (828-2671), or myself at 828-2675.

Sincerely,

A handwritten signature in cursive script that reads "J. E. R. Landry".

J. E. R. Landry
Project Planning Engineer

Enc.

OLD TOWN HIGHWAY CHANGES
ON YOUR TOWN HIGHWAY SYSTEMS

Mrs. Moore, Selectwoman, stated that the following Town Highways are classified as Old Town Highways. Before we can include these roads in your system, it will be necessary for you to submit a Certificate signed by the entire Board of Selectmen that these roads have been considered and maintained by the town as public highways for "X" number of years.

<u>Map Ident. Letter</u>	<u>Town Highway Number</u>	<u>Miles Added</u>	<u>Explanation</u>
F	T-58 (Prov.)	0.050	Old Town Highway (Brett Road)
G	T-59 (Prov.)	0.070	Old Town Highway (Willey Road)
H	T-60 (Prov.)	0.060	Approach from Class 2 #1 to Class 2 - no documentation required

CERTIFICATE OF HIGHWAY MILEAGE

For Year Ending February 10, 1982

Fill out in quadruplicate and file with your Town Clerk on or before February 10, 1982
 (Note section of Vermont Statutes Annotated on reverse side of this sheet)

We, the Selectmen of the town of Pomfret, on oath state that we have carefully measured all the traveled highways in this town and find that the total mileage of traveled highways according to Title 19, V.S.A. Sec. 15, amended 1973, Act No. 63, not including class 4 town highways, in this town for the year ending February 10, 1982 is as follows:

	TOWN OF <u>POMFRET</u>					TOTAL TRAVELED HIGHWAYS NOT INCLUDING CLASS 4
	TOWN HIGHWAYS				STATE HIGHWAYS	
	CLASS 1	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE as shown February 10, 1981	---	14.730	47.400	10.780	1.383	63.513
HIGHWAYS ADDED Since February 10, 1981 according to statute. Explain under paragraph 1 below.			0.190 0.200 0.060	0.140 0.190		0.190 0.200 0.060
SUB-TOTAL			47.850	11.110		63.963
HIGHWAYS SUBTRACTED Since February 10, 1981 Those becoming class 4 or discontinued. Explain under paragraphs 2 and 3			0.120 0.140 0.190	0.200		0.120 0.140 0.190
TOTAL TRAVELED HIGHWAYS Feb. 10, 1982		14.730	47.400	10.910	1.383	63.513
SCENIC HIGHWAY MILEAGE <small>Included above (Reference 19 V.S.A. Section 101B)</small>	()	()	()	()	()	TOTAL SCENIC ROADS 13 63.643

1. We hereby certify that the following new highways, as substantiated by the attached "Selectmen's Certificate of Completion," have been added since February 10, 1981:

T 40 to 0.060, Class 3, Approach from Class 2 #1 to Class 2 #2, no documentation required.

2. We hereby certify that the following highways have been discontinued according to statute, since February 10, 1981 as substantiated by the attached copy of the proceedings:

/or remeasured

3. We hereby certify that the following roads have been reclassified since February 10, 1981 as substantiated by the attached copy of the proceedings:

*T10 - 0.120, T11, + 0.190, Class 3, Remeasurement
 T13, + 0.200, T24 - 0.140, Class 3, Error Correction
 T43, - 0.190, Class 3, not maintained at class 3 standards*

4. We hereby certify that the following roads have been designated or discontinued as "Town Scenic Roads," since February 10, 1981 as substantiated by the attached copy of the proceedings:

SELECTMEN:

*Dorothy Moore
 Raymond A. Jillson
 Robert S. Moore*

At Pomfret in the county of Windsor
 the 3rd day of February, 1982

Dorothy Moore, Raymond A. Jillson and Robert S. Moore personally appeared.

Selectmen of Pomfret and made oath to the truth of the foregoing affidavit by them subscribed.

Before me,

Hazel B. Harrington
 Notary Public

(Write official title, as Notary Public)

(Town Clerk should fill out following and mail one white and two yellow copies to the Secretary of Transportation, Montpelier, Vermont 05602, on or before February 15th. Retain one yellow copy for town records until approved copy is returned).

I, Hazel B. Harrington

Clerk of the Town of Pomfret

hereby certify that the foregoing is a true copy of record of the certificate of the Selectmen of Pomfret

relating to highway mileage, filed and recorded at this office.

February 3, 1982

Attest *Hazel B. Harrington*
 Town Clerk

Approved *J.R. Lansing*
 Representative, Agency of Transportation

Feb 9, 1982
 Date



March 31, 2023

Dear Town of Pomfret & Select Board,

This letter is to inform you of an upcoming event, occurring partially in the Town of Pomfret. The 33rd Annual Vermont 100 Endurance Race will be held on July 15th-16th, 2023. Our event runs from 4am on July 15th until 10am on July 16th, though our participants will not be in your area for the entire 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 the intersection of Stage Road & Wild Apple Road. A map of the route is included, along with the permit application.

Celebrating its 33rd year, the Vermont 100 Mile Endurance Race is very special. It's the only not-for-profit endurance run in the country. The proceeds benefit Vermont Adaptive Ski & Sports (VASS). VASS, also a non-profit, provides recreational opportunities for individuals with disabilities. They offer basic skill lessons, as well as competitive programs, on a year-round basis. The success of the VT100 allows those with physical or mental disabilities to experience the thrill of sports that most of us take for granted. Skiing, sailing & horseback riding are just a few of their programs. The VT100 is one of the largest fundraisers supporting VASS. It's also the only combined 100 mile run & ride left in the US.

The VT100 Mile planning committee has been planning for a successful race. The goal of the race committee and volunteer staff is to organize a SAFE & enjoyable event. We strive to host an event that is respectful of both property and individuals. We appreciate hearing any comments or concerns you may have. Please feel free to contact me with any questions.

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 413.575.4491

ADDRESS 27 Graves Street, South Deerfield, MA

CONTACT PERSON Amy Rusiecki PHONE 413.575.4491

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


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 (pls see attached letter).

EVENT DATE(S) July 16th 2023 HOUR (start) 9:00am (end) 2:00pm

ESTIMATED NUMBER OF PARTICIPANTS 450

 3/31/2023
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: 3/31/23

Print Name: Amy Rusiecki

Sign Name: 

Witness: 

CERTIFICATE OF INSURANCE

PRINT DATE: 2/24/2023

CERTIFICATE NUMBER: 20230224960505

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 (7/15/2023 - 7/16/2023)

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-17-01338542-00	11/1/2022 12:01 AM	11/1/2023 12:01 AM	GENERAL AGGREGATE (Applies 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-17-01338543-00	11/1/2022 12:01 AM	11/1/2023 12:01 AM	EACH OCCURRENCE \$3,000,000
					AGGREGATE \$3,000,000
B	OTHER				
	<input checked="" type="checkbox"/> EXCESS LIABILITY	0313-1301	11/1/2022 12:01 AM	11/1/2023 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:

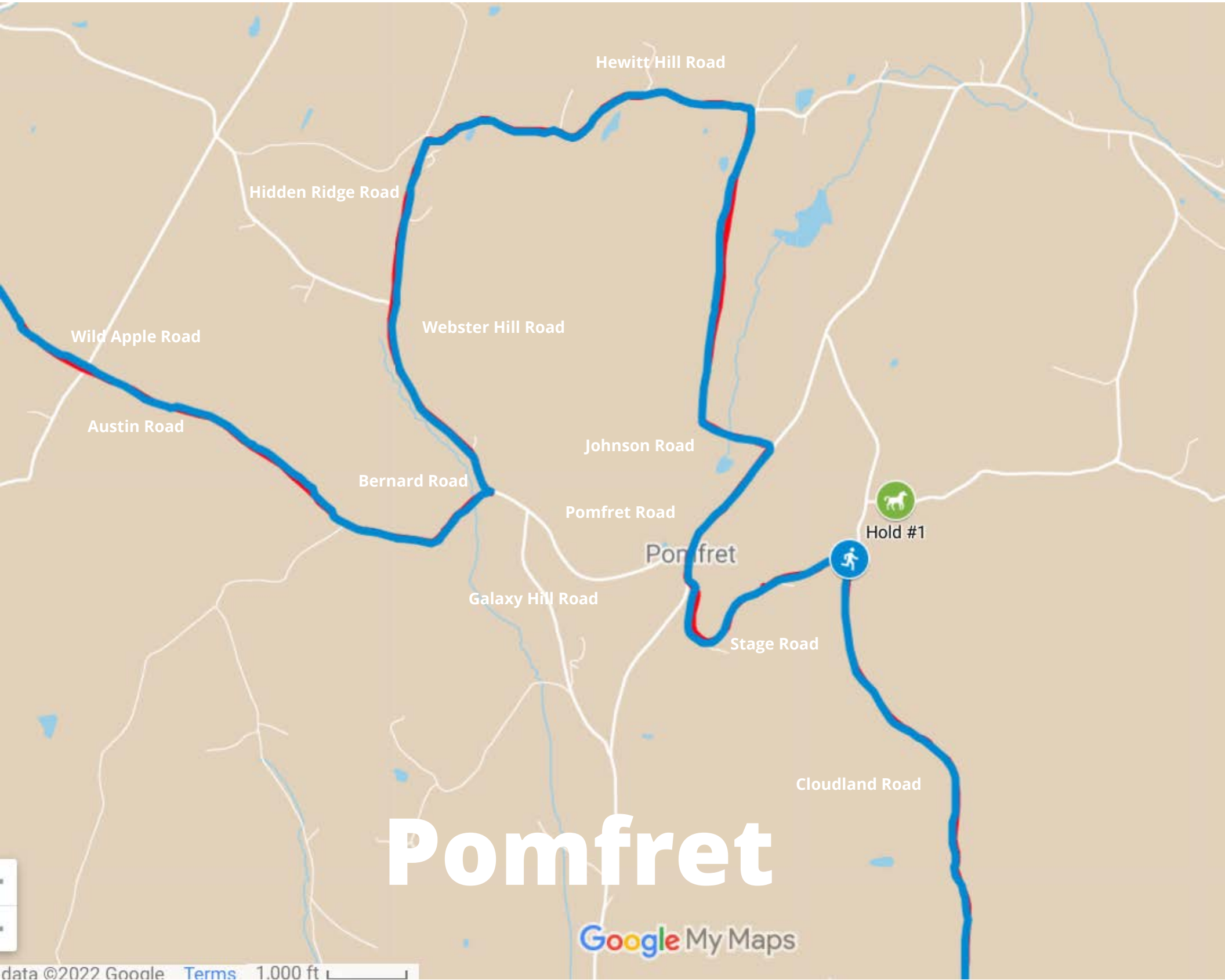
Town of Pomfret
5218 Pomfret Road
North Pomfret VT 05053

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 Selectboard
Draft Meeting Minutes
April 19, 2023

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

Public: Jim Potter (Road Foreman), Hunter Ulf, Gennie Lawrence, Tom Gubbins, Betsy Rhodes (Library Trustee), John Moore (Planning Commission), Bill Emmons (Planning Commission), Neil Lamson (Lister), Jack Pearsons, Lindsay Hyde, Karen Osnoe (Zoning Administrator and Delinquent Tax Collector), “Mary”

1. John called the meeting to order at 6:02 pm.
2. Public Comment – Betsy Rhodes asked for clarification of discussion of the Bicycle and Pedestrian Program Grant.
3. Hunter Ulf Consultation re: Town Hall – Mr. Ulf attended to offer insight and suggestions on the modernization and renovation of the historic Town Hall building. The Town is considering a roof-mounted solar system, bringing the building’s systems up to code, accessibility improvements and addressing other needs.

Meg researched available grants for energy efficiency projects. She presented three opportunities: (a) a \$4,000 “mini” grant to fund consulting work and community engagement, (b) midsize grants to fund energy use audits, and (c) larger grants up to \$500,000 for building renovation projects that promote energy resilience, a portion of which may be used for accessibility improvements. ARPA funds can be used as well.

Gennie Lawrence volunteered to coordinate public outreach to discuss future needs and uses for the Town Hall. Parking is a limitation. The kitchen is also nonfunctional at present. Mr. Ulf suggested refitting as a catering kitchen (where food is prepared for serving but otherwise made elsewhere). This would free up space for two ADA-compliant bathrooms and a required second egress.

Ben moved and Meg seconded that Meg submit applications for a mini-grant and energy audit grant, which are fully funded and require no matching fund. Unanimous.

Emily moved and Steve seconded the Mr. Ulf be asked to develop a scope and cost estimate for a preliminary evaluation of options for improving the Town Hall. Unanimous.

4. Agenda Review – Ben moved and Meg seconded adding permission for Two Rivers to set up a table outside the special town meeting to solicit information regarding the town plan, and deleting Vermont 100 Endurance Race for which we still have yet to receive any information. Unanimous.
5. Road Foreman’s Report – Jim and crew are busy restoring the roads after a relatively mild mud season. There is a major problem on Webster Hill Road, which the crew will work on this week finish early next week. Jim has two site visits scheduled for the Wild Apple Road culvert replacement project and wants to be sure we have easement agreements ready if needed. Ben will review the form the Town has used previously,

consulting with VLCT and, if necessary, Stitzel Page. Jim and John are scheduled to meet with the repeater/radio people later this week. Jim also suggested a limit be placed on the number of site visits per application as repeat site visits have been occupying a significant amount of his time lately.

6. Items for Discussion or Vote

- a. Eydt Co-Trustees Request to Remove Trees and Vegetation – This is postponed to May 3, at which time a hearing will be held if necessary.
- b. Two Rivers Request – Ben moved and John seconded that Two Rivers be invited to set up a table or display outside the special town meeting on May 20 to solicit resident input on the Town Plan revision. Unanimous. John Moore of the Planning Commission will coordinate with Connor Rigney of Two Rivers.
- c. Paving RFP – Emily prepared an RFP based on last year’s document. Acceptance of a proposal will be contingent on the Town receiving a state paving grant. Proposals will be due by noon on Wednesday, May 17. Ben moved and Steve seconded approval of the RFP publication with minor edits. Unanimous. Emily will post on the Vermont Business Registry and Bid System.
- d. SFY24 Grants-in-Aid Program Letter of Intent – Ben moved and Emily seconded approval of the Grants-in-Aid Program letter of intent for submission. Unanimous. John Peters will sign and submit.
- e. Local Emergency Management Plan (LEMP) – Emergency Management Director Kevin Rice prepared drafts of the 2023-24 LEMP and submission form. Ben moved and Emily seconded approval of the same with minor edits. Unanimous. Ben will forward the as-approved documents for Kevin to sign and submit.
- f. Delinquent Tax Account Update – Delinquent Tax Collector Karen Osnoe reports no response from her initial letters requesting payment plans from the owners of Parcels 2302-B, 4801-C and -D, 4801 and -B. Karen will try again. If no satisfactory payment plan is reached, these parcels will continue through the tax sale process. Ben moved and Meg seconded that Karen also be authorized to enter into a payment plan with the owner of Parcel 0702 to have that delinquent balance paid in full in 18 months or less. Unanimous.

Karen also reported that she will seek to amend the existing tax lien on Parcel 0705 and place new tax liens on Parcel 0188, 1116 and 4604. She will request Selectboard approval for the same at the May 3 meeting. Karen also noted the special situation at Parcel 0124 where tax payments must be approved by a judge overseeing the property owner’s financial affairs. Parcel 0190-AL remains on the tax sale list.

- g. ARPA Funds Reporting – Neil Lamson will submit the Town’s annual ARPA report on or before the April 30 deadline. The Town has until the end of 2024 to commit to spending the remaining funds.
- h. Teago General Store Liquor Licenses – Ben moved and Meg seconded renewal of Teago’s Second Class liquor (sale of beer and wine for consumption off premises) and Tobacco licenses; and approval of the new First Class liquor (service of beer and wine for consumption on premises) license. Unanimous.
- i. Municipal Energy Resilience Grant – See Item 3 above.
- j. Municipal Planning Grant Extension – No extension is needed. Bill Emmons of the Planning Commission stated that the work funded by this grant is already complete.

- k. Bicycle and Pedestrian Program Grant – The draft Scoping Study Report prepared by VHB, including the preferred alternative, has been submitted to Vtrans for review and comment. Jon Harrington will forward to the Selectboard once the review is complete. Betsy Rhodes asked about paving and improvements to Library Street, parking and safety. There is uncertainty around the extent of the Town’s right-of-way in that location. Betsy will research the original deed and discuss with Jenn Conley at VHB.
 - l. Renewal of TPVS Use Agreement – Ben will correspond with the WCUUSD School Board about extending the Prosper Valley School Use Agreement for an additional five years.
 - m. Warrants – Ben moved and Meg seconded approval for payment of the following warrants:

23105	\$ 9,422.33	Payroll
23106	24,179.06	A/P
23107	10,738.41	A/P

 Unanimous.
 - n. Approval of Minutes – Emily moved and Ben seconded approval of the April 5, 2023 meeting minutes as presented. Unanimous.
7. Meeting Wrap Up
- a. Correspondence – The Selectboard received a complaint forwarded from the Zoning Administrator regarding a potentially abandoned property on Allen Hill Road. Meg received communication re: Sleepy Hollow Farm foliage traffic.
 - b. Review of Assignments – Emily will submit paving RFP to the Vermont Business Registry and Bid System; John will submit the Grants-in-Aid letter, follow up with Betsy; Meg will submit mini-grant and energy assessment grant applications; Ben will speak with VLCT or Stitzel Page re: form of easement, send revised LEMP to Kevin, correspond with the School Board re: Use Agreement extension, coordinate with Emily on the paving RFP.
 - c. Agenda for Next Meeting – Eydt Co-Trustees Request to Remove Trees and Vegetation, Bicycle and Pedestrian Program Grant, Vermont 100 Endurance Race, Town Hall renovation.
8. Executive Session
- a. Ben moved and Meg seconded that the Selectboard enter into executive session pursuant to 1 V.S.A. 313(a)(1)(F) and (a)(3) to discuss confidential attorney-client communications and public officer evaluations and appointments. Unanimous. The Selectboard entered executive session at 9:10 pm.
 - b. The Selectboard exited executive session at 9:54 pm, with no decisions having been made therein.
9. Eydt, et al. v. Town of Pomfret (23-CV-01398 Wrcv) – Ben moved that Stitzel Page be authorized to (a) file a notice of appearance, (b) return a waiver of service of summons, and (c) take other steps necessary to defend the Town in foregoing matter. Unanimous.
10. Public Officer Appointments – None.
11. Adjournment – Emily and Ben simultaneously moved and Meg enthusiastically seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 9:55 pm.