

Minutes of the April 7, 2008 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Joe De Freitas, Delbert Cloud, Geneva Gaiko, Heidi Nikolaidis, Heidi Edmunds, James Bennett, Justin McCoart, John Fago, Victoria Weber, Matt Washburn, and Mary Anderson for the "Herald of Randolph."

The meeting was called to order by Chairman Neal Fox at 6:00 PM. As the local Board of Liquor Control Commissioners, the Board recommended issuance of a first class liquor license to the Creek House Diner, LLC. The minutes of the March 24, 2008 meeting of the Board of Selectmen were approved by motion of Bill Richards, seconded by Joe De Freitas and unanimously carried. Delbert Cloud provided the Board with a corrected understanding of the Planning Commission's position regarding wood fired boilers within potential amendments presently being discussed for the Zoning Bylaw, specifically that a motion to ban such units within the "village" did not carry. The Constables' reports of March 30, 2008, and April 6, 2008 were reviewed and placed on file, as were the Development Review Board minutes of December 15, 2007.

The Board next reviewed a petition from Verizon New England for permission to place poles and wires within the highway right-of-way of Dartt Hill Road, for the purpose of providing service to property of Mark Steele at 957 Dartt Hill Road. Randy Chapman, Verizon Engineer, has confirmed that the adjoining property owners are agreeable with the pole locations, and the road foreman, Gary Slack, has confirmed that the locations will not interfere with road maintenance. Motion to approve the petition was made by Bill Richards, seconded by Joe De Freitas and unanimously carried.

As business of the Board of Water Commissioners, the Board then read and discussed an application for financial assistance to be submitted to the Vermont Water Supply Division for "Planning and Design" funds, for relocation of a water main presently suspended on the River Street Bridge. The following "Resolution" was then approved, by motion of Bill Richards, seconded by Joe De Freitas and unanimously carried:

"WHEREAS, at a regular meeting of the Board of Selectmen of the Town of Bethel, at which a majority of the Board of Selectmen was present and voting, which meeting was duly called and held on April 7, 2008; and

WHEREAS, it was unanimously found and determined at said meeting that the public interest and necessity requires the construction of certain public improvements more specifically described as relocation of a water main river crossing and associated connections thereto; and

WHEREAS, it was further found and determined that the cost of planning and completing said improvements would be too great to be paid out of ordinary annual income and revenue of the Town,

IT IS THEREFORE RESOLVED that an application for financial assistance in the amount of \$23,000.00 for Planning and Final Design costs shall be submitted to the State of Vermont Water Supply Division DWSRF Loan and Grant program, this action being taken per authority of Vermont Statutes Annotated Title 24, Chapter 120, Section 4756(e)."

The Water Department rate schedule was certified as to current charges, and the application form itself was endorsed by the Board members. As additional business associated with the Water Department, the March 24, 2008 "Sanitary Survey" received from the Water Supply Division was reviewed; Delbert Cloud will provide response to the survey prior to the May 23rd response deadline.

Budget Status Reports for the Town General Fund and the Enterprise Funds were reviewed and placed on file. Reference was made in the discussion to the impacts of the flood event of July 11, 2007 upon the highway department line items. It was also noted that the meeting of May 12, 2008 will in part be devoted to a review of water and wastewater business with input from the engineering firm of Forcier Aldrich & Associates, and that the second meeting of the month will be held in joint session with the Royalton Board of Selectmen regarding the solid waste program, subject to confirmation of scheduling with the Royalton Board on the latter.

The Board then discussed the need to make new appointments and re-appointments in the near future to various Town committees. Since it is known that David Aiken is willing to accept re-appointment to the Stagecoach Board of Directors for an additional year's term, motion to re-appoint Mr. Aiken to the subject Board was made by Bill Richards, seconded by Joe De Freitas and unanimously carried. The Board expressed its appreciation for Mr. Aiken's willingness to serve in that capacity.

The following communications were next reviewed and placed on file: (1) a March 20, 2008 letter from the Vermont Division for Historic Preservation advising that Old Christ Church is now officially entered on the

National Register, (2) an April 2, 2008 scheduling notice re. mediation for Ronald Poulson with the Emergency Watershed Protection program, (3) an April 3, 2008 notice of a workshop being held by the Royalton Planning Commission, (4) a "Budget Progress Report" dated April 3, 2008 re. the Accessibility Modifications project at the Town Office, (5) a pamphlet entitled "Understanding Flood Insurance in Vermont" provided by the regional planning commission, (6) a March 24, 2008 "project solicitation" from the East Central Vermont CEDS, (7) the Spring 2008 newsletter from the White River Partnership, and (8) a March 25, 2008 project review notice for James and Clara Abbott from the District Environmental Office.

At 7:20 PM Chairman Fox welcomed Heidi Edmunds of the Lucy Mackenzie Humane Society, who explained an "Animal Cruelty Response System" which is being developed, and for which she would welcome the Town's support. First Constable James Bennett joined in discussion of the subject. It was concluded that the response system described appears to be workable and desirable, and Chairman Fox asked that the Town be kept apprised of matters as they continue to develop. Ms. Edmunds and Mr. Bennett both departed at approximately 7:45 PM.

Chairman Fox then welcomed the members of the public to offer comment on the next matter of business, this being the ECFiber communications project.

Justin McCoart said he is working for Paradigm Consulting, and has amassed a great deal of knowledge in the communications technology field. He volunteered his assistance whenever it might be needed to better understand technical aspects of the matter. He also noted that Peter Nikolaidis will be Stockbridge's representative to ECFiber meetings, and since he works for Peter, it would be convenient to attend meetings with him.

John Fago spoke of what a great benefit the ECFiber program would be to educational systems, and how the possibility of service being provided to every household is fantastic. He also cited the increasing need of small businesses for this service.

Neal Fox acknowledged the benefits spoken of, and advised that the Selectboard is reviewing the contractual document(s) as part of its "due diligence" role to ensure that the effort is undertaken properly.

Both Justin McCoart and John Fago spoke of the fact that fiber optics is the emerging technology for multiple applications and is expected to play a significant role in the expansion of communication capabilities. John Fago stated that there is nothing else around that compares, and that models of "systems" are already "out there."

Heidi Nikolaidis said she has had unfavorable experience with present technology and service providers, and hopes the project will provide for better service in the future.

Victoria Weber requested the Board to approve participation in the project. She does not believe there are other options for providing the service, which she would really like to have available. She referenced the present provisions to be increasingly inadequate.

Chairman Fox thanked the members of the public for the input, and said the Selectboard would take up the provisions of the contract and the associated points of negotiation. Motion to enter executive session to discuss the contract was made by Bill Richards, seconded by Joe De Freitas and unanimously carried. Delbert Cloud and Matt Washburn were the only people remaining with the Board during the executive session, which commenced at 8:15 PM. No minutes were kept of the executive session. The Board returned to open meeting at 9:40 PM, and Mary Anderson re-joined the meeting at that time. The Board provided the following statement, derivative from the executive session: "After reviewing the legal advice on the subject contract, the Board finds that additional time is needed to address questions brought forth by the legal consultant. The Board feels strongly that the initiative to provide broadband services should be moved forward, first by addressing questions as have been raised, and resolving the most appropriate means by which to proceed in a timely fashion."

At 9:45 PM the motion to adjourn was made by Bill Richards, seconded by Joe De Freitas and unanimously carried.

Neal Fox

Bill Richards

Joe De Freitas