

Minutes of the April 27, 2009 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Joe De Freitas, Delbert Cloud, Geneva Gaiko, Richard Adams, Mary Floyd, John O'Farrell, Chuck Lyman, and Robert Hyde.

The meeting was called to order at 6:00 PM by Chairman Neal Fox, the Board first reviewing and approving the weekly payroll and payables. The minutes of the April 13, 2009 meeting of the Board of Selectmen were approved by motion of Joe De Freitas, seconded by Bill Richards and unanimously carried. The Constable's report of April 12, 2009 was reviewed and placed on file. Delbert Cloud informed the Board of feed-back he has received to date on the amendment of the "Cemetery Rules and Regulations."

Joe Duncan, P.E. of Forcier Aldrich & Associates has advised that the plans and permit applications for the River Street Bridge water main replacement have been moving forward, but no clarification has been forthcoming on certain questions regarding the financing through the American Recovery and Reinvestment Act. The only new point of information is that Rural Development will not provide any form of grant assistance if that program is used for financing because the Town's water rates are very low compared to the typical rates charged by water systems around the State, even when the costs of amortizing the resulting loan are factored in. In lieu of attending the present Board meeting, Mr. Duncan has offered to attend the Board's next meeting in May, assuming there may be further information available to base decisions upon.

The Planning Commission minutes of April 15, 2009 were reviewed and placed on file, as were the regional planning commission minutes of March 11 and 25, 2009. Concerning abandoned buildings, the Board asked Delbert Cloud to speak with attorney Steven Stitzel to see if he might have advice on that issue, as to best methodologies for protecting the public's interests.

Delbert Cloud reported on the status of the Town Hall rehabilitation project, the most significant new development being that the Rural Development Office has confirmed that the project is eligible for financing through that program. A specific offering will be forthcoming. In the meantime, the Rural Development Construction Analyst is reviewing the project plans with the architect, Laz Scangas; the plans and specifications do need to be approved in advance of seeking bids, but the review is likely to be completed by mid-May. The Construction Analyst has approved the "rating system" submitted by Mr. Scangas whereby bidders can be pre-qualified for bidding; subject to the Board's approval of the "rating system," this process can be commenced during the interim. Mr. Scangas is also seeking Rural Development's approval for procurement of a "Clerk of the Works," and this can hopefully be undertaken also, in the very near future. Discussion ensued regarding the project, it being noted that several new people had attended the committee meeting on April 23, 2009. Mary Floyd provided an update on the status of sub-committees.

At 7:10 PM, Chairman Fox welcomed Richard Adams and Chuck Lyman of the Central Vermont Quad Runners ATV Club. During discussion, Chuck Lyman offered the Town some signs to use as would ban use of ATV's on the Branliere Town Forest, as that property and the access being used to it are not approved for such use; it was duly noted that the Club is not using this land. The trails and highways approved for use last year are the only ones the Club seeks approval to use for the current year, with the same conditions of use. After further discussion, motion was made by Neal Fox, seconded by Joe De Freitas and unanimously carried to approve the same highways for use by the Club as were used in 2008, subject to the same rules, to wit:

1. Charlie Wilson Road – commencing from a point approximately 4500 feet northerly from the intersection of Charlie Wilson Road and Camp Brook Road and running northerly to the Rochester Town line.
2. Dartt Hill Road – approximately 3000 feet along Dartt Hill Road running southerly commencing from the intersection of Dartt Hill Road and Pauls Peak Road.
3. Hooper Hollow Road – the entire class 3 portion of Hooper Hollow Road, and continuing along the class 4 extension to the Stockbridge Town line.
4. Olmstead Road – the entire class 3 portion of Olmstead Road.
5. Rindge Hill Road – the entire class 3 portion of Rindge Hill Road.

6. Lilliesville Brook Road – approximately 3000 feet running southeasterly along Lilliesville Brook Road commencing from the intersection of Lilliesville Brook Road and Rindge Hill Road.
7. Woodland Road – approximately 3000 feet running westerly along Woodland Road commencing at a point approximately 6700 feet from the intersection of Woodland Road and Sand Hill Road.

The class 4 highways specifically approved by the Selectboard are shown on the “Central Vermont Quad Runners” trail map as filed at the Town Office.

This approval was granted subject to the following conditions:

1. The Club will place signs meeting standards of the “Manual of Uniform Traffic Control Devices” at each end of the class 3 highway segments approved for ATV travel, at the Club’s expense, to advise other users of the highway that all terrain vehicles might be encountered on the highway.
2. The ATV’s will be operated in accordance with provisions of VSA Title 23, Chapter 31.
3. ATV’s shall travel class 3 roads in single file, to the right, with headlights on, with operators wearing proper head gear, at a rate of speed not to exceed 25 miles per hour.
4. Property owners’ rights on private lands shall be respected.
5. ATV travel shall be only between the hours of 9:00 AM and 8:00 PM.
6. A map of the entire trails system shall be submitted prior to the start of the season on May 1, showing the trails on private lands which connect with the trails which follow along class 3 or class 4 Town highways.

It was further agreed that the Club could use the described highways from May 15, 2009 through October 31, 2009.

The Board then reviewed bids received from two parties interested in acquiring the four-wheeled wagons previously used in the Bethel-Royalton recycling program for collection of plastic containers, the Royalton Selectboard having left final determination on the matter of sale to the Bethel Board. After due consideration, motion was made by Bill Richards, seconded by Joe De Freitas and unanimously carried, to sell all three wagons at the price of \$510.00 each to the high bidder, Couture & Sons of Royalton, Vermont.

It was not necessary to enter executive session regarding litigation issues. The Board reviewed the following communications: (1) the approved 2009 Certificate of Highway Mileage received from the Agency of Transportation, (2) the April 2009 newsletter of the regional planning commission, and (3) the April 2009 newsletter of the Resource Conservation and Development Program.

At 8:10 PM, Chairman Fox welcomed Road Foreman Robert Hyde, he being present per appointment to discuss equipment needs and potential trades for the Highway Department. Mr. Hyde offered information pertaining to the condition of the Town’s present equipment, and budget information regarding potential trades. He suggested that the crew is interested in the possibility of acquiring “wing” accessories to minimize the number of passes needed to clear snow from highways. Ultimately it was agreed that bids should be obtained to replace the “one ton” truck, the Sterling plow truck, and the front end loader. Alternates/costs will be obtained, and the information will be brought back to the Board when available. It was noted that the increasing cost of equipment will likely require corresponding increase in the annual appropriations being made to the “Highway Equipment Trust Fund.” The status of the subject fund’s balance over several years was evaluated.

Upon conclusion of discussion and finding no additional business to conduct, the motion to adjourn was made at 9:50 PM by Bill Richards, seconded by Joe De Freitas and unanimously carried.

Neal Fox

Bill Richards

Joe De Freitas