

Minutes of the May 7, 2007 Special Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Eric Benson, Delbert Cloud, Geneva Gaiko, Jim Bennett, John Dutton, John Coons, Tim Mills, Derrick Wright, Richard Adams, and Jeff Bedell.

This meeting was held in lieu of the meeting routinely scheduled for May 14, 2007 in order to avoid holding a meeting on Memorial Day, as will be observed on Monday, May 28, 2007. The next meeting of the Selectboard will be held on May 22, 2007.

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 Constable's reports of April 29, 2007 and May 6, 2007 were reviewed and placed on file. Given that an appointment is scheduled later in the evening with individuals prepared to serve on the Class 4 Roads Study Committee, the Board briefly discussed the charge to be given to that committee.

The minutes of the April 23, 2007 meeting of the Board of Selectmen were approved by motion of Eric Benson, seconded by Bill Richards and unanimously carried. In association with the subject minutes, a letter of appreciation was received and placed on file from the Central Vermont Quad Runners, this stemming from the Board's approval of certain Town Highways as part of the ATV trail system for the ensuing year. Peter Nikolaidis has asked if the Farmers' Market could be set up at the Church Street Common on Mondays from 2:30 to 5:30 PM from June 4, 2007 through October. After due discussion, motion was made by Eric Benson, seconded by Bill Richards and unanimously carried, to approve the request on a trial basis; the concern in the Board's approval on a trial basis is that the Rotary Club has historically utilized the parking lot on Mondays at 6:00 PM, and the Board does not wish to infringe upon the Rotary's schedule. A revised "Public Notice" was signed by the Board members re. a site inspection and Public Hearing for consideration of reclassification or discontinuance of a portion of highway right-of-way in the vicinity of the Royalton Town boundary and lands of Bethel Mills, Inc., the subject inspection and Hearing to be held on June 11, 2007. It was also agreed that the next Selectboard meeting would be held on Tuesday, May 22, 2007; a portion of this meeting will be a joint meeting with the Royalton Selectboard to discuss Solid Waste Program business, and any other matters of business of common interest between the Towns.

The following minutes/reports were then reviewed by the Board and placed on file: (1) the Development Review Board minutes of 3-13-07, (2) Planning Commission minutes of 3-14-07 and 4-18-07, (3) the Health Officer's first quarterly report, (4) the Town Hall Finance Committee's 3-29-07 minutes, and (5) the regional planning commission minutes of 3-14-07 and 3-28-07. No action was required or taken by the Board on these matters, they being informational only at this time.

The "Budget Status Reports" for the Town General Fund and the "Enterprise Funds" (Water, Wastewater, and Solid Waste) were next reviewed and discussed. The close-out of the fiscal year will be on June 30, 2007 for the first time under the change from a calendar year financial year, and all budget intervals coming to a close are for the 18 month window commencing on January 1, 2006. It was noted that some budget over-runs have occurred in such areas as fuel costs, weather-related line items such as salt and chloride, and equipment repair costs. However, most line items have been very close to projections.

The vacancy on the Board of Listers, arising from Ella Mae Grady's resignation has been publicly announced as required by Vermont Statutes, but no one has indicated interest in taking the office other than Jason Ballou. The Chairperson of the Board of Listers, Louise Burt, has confirmed that Mr. Ballou would accept an appointment if one were offered. By motion of Bill Richards, seconded by Eric Benson and unanimously carried, Jason Ballou was appointed to succeed Mrs. Grady until an election can be held, this being envisioned to be at the forthcoming Annual Town Meeting in March 2008.

Several concerns have been raised by Janice Punger regarding details of the completion of the Church Street Bridge project: (1) the fence at the top of the retaining wall from her house toward the bridge has only rails and no balusters, (2) there may be a problem with the pitch of the storm drain discharge line at the foot of the bridge near the corner of her house, and (3) there needs to be consideration given toward maintaining/planting the open space by the end of the bridge adjacent to her house. On these matters, the Board members agreed respectively: (1) Mrs. Punger should take up the matter of the rail design with the Agency of Transportation officials since the retaining wall has thus far been addressed in that fashion, (2) the Town Manager will ask the resident engineer to confirm the design and function of the catch basin and discharge line, and (3) the Board will not approve plantings having any height at the approach to the

bridge due to concerns over sight visibility, but will take appropriate care of the open space which will be Town-owned.

Lang Durfee has submitted pictures of the electrical conduits which were exposed by the bridge contractor when work was being done along the bank downstream of the bridge. Although there may not be any problem from the stressing the conduits experienced, Mr. Durfee wished to have the matter noted for the record; the Board members agreed that the matter would be documented by the Town as part of the close-out of the project. Mr. Durfee has also asked if the Board would wish to see a level area at the foot of the bridge as had formerly been present, where the "Child's Block" property is. Present plans for the sidewalk and slopes will not provide any level area. The Board members will look at the site, but initial thoughts are that the image shaping up of the approach/bridge is very aesthetic as it is being done, and the Town does not wish to have a significant liability concern with a drop-off from a grade change like used to be present at that site.

The following people were then present to discuss class 4 road matters, the time being 7:30PM: John Dutton, John Coons, Tim Mills, Derrick Wright, Richard Adams, and Jeff Bedell. Chairman Fox provided for introductions, and the tasks prompted by Vermont Legislative Act 178 were discussed. Criteria by which roads might be evaluated were set forth, these being in four categories:

**Public Benefits:** Historic Significance, Points of Interest, Value as Access.

**Property Analysis:** Proximity to Dwellings, Impact on Use / Productivity of Land, Potential for Damage to Surrounds.

**Ecological Impacts:** Vulnerability to Erosion, Habitat / Wildlife Corridor / Wetlands,

**Other Characteristics:** Length, Useful as an Alternative Route, Provides Continuity Within Road System, Duplication of Other Routes, Other.

Ultimately, the Selectboard delivered the following "Charge" to the Committee:

- 1) Familiarization with Act 178, Bethel files/records, Bethel's Research and Mapping Grant, and any other available information regarding class 4 roads.
- 2) Identify any roads that may exist and do not appear on the working class 4 roads map.
- 3) Research Bethel records to complete documentation of information for roads that are "in-process" or have not yet begun the process:
  - a. Copy description/survey of the road.
  - b. Research possibility of discontinuance.
  - c. Verify that the road is physically evident.
- 4) Complete physical evaluation of roads, using the Class 4 Roads Assessment, and verification of the location of the road as it is currently mapped.
- 5) Measure mileage for all completed roads, including the roads submitted to the AOT in February.
- 6) Suggestion to Selectboard to map, reclassify, or discontinue.

Chairman Fox then asked Tim Mills if he would serve as interim chair for the Committee, and to conduct an organizational meeting in the Town Clerk's research area. Those people interested in the class 4 roads subject then departed.

The following communications were then reviewed and placed on file: (1) notice of grant funding availability from the Agency of Transportation through the "Enhancement Program," and (2) the Bethel Business Association minutes of 4-19-07.

Delbert Cloud informed the Board that Rock of Ages Corp. would like to top dress Quarry Road (TH# 26) with an 8-10 inch lift of crushed material in order to provide better access for their operations. There would be no charge to the Town even though this is a class 3 highway, if the Board would approve the work and provide the Town grader/operator to finish grade. The crushed material would be procured elsewhere at this time. Rock of Ages also has offered to apply liquid chloride for dust control on Sanders Road when they are doing other such work for themselves, the likely application time being the first week of June. Both matters were approved per motion of Neal Fox, seconded by Eric Benson and unanimously carried.

On other matters of business, it was agreed that the Town does not presently have funds to do repair work on the Cherry Hill Cemetery stone wall at this time.

Matters pertaining to individual Town personnel were necessary to discuss next, and the motion to accordingly enter executive session was made by Bill Richards, seconded by Eric Benson and unanimously carried, the time being 8:50 PM. Delbert Cloud was the only person remaining with the Board during the executive session. No minutes were kept. Upon return to open meeting at 9:35 PM, the only motion was to adjourn, this being made by Bill Richards, seconded by Eric Benson and unanimously carried.

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Neal Fox

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Bill Richards

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Eric Benson