

Minutes of the August 25, 2008 Meeting of the Board of Selectmen.

Present: Neal fox, Bill Richards, Joe DeFreitas, Delbert Cloud, First Constable James Bennett, Geneva Gaiko, David Toalston, and Julie Piper.

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 report of August 17, 2008 was reviewed and placed on file. Chairman Fox welcomed Constable Bennett and asked if he had particular matters he wished to discuss with the Board. Mr. Bennett said he and Second Constable Mason had been researching various options for replacing the present cruiser, and he believed a particular vehicle could be acquired from a wholesaler in Rutland that would serve the Town well. He provided the Board with his reasoning, and noted that the price for the vehicle (\$2,750.00) would be within the range of funds set aside for such acquisition. The Board reviewed costs associated with equipping the vehicle for law enforcement purposes, and decided that the subject vehicle should be purchased; motion accordingly was made by Bill Richards, seconded by Joe DeFreitas and unanimously carried. Mr. Bennett will coordinate the purchase and associated installations with the Town Manager.

Constable Bennett then said he thought David Toalston and Julie Piper might have interest in talking with both the Constable and the Selectboard pertaining to a neighbor's dog. Chairman Fox invited them to present their concerns, Mr. Toalston confirming that a neighbor's large dog has not only been on his property frequently, but has also exhibited vicious behavior and they are worried about the safety of their family and guests. Constable Bennett provided a copy of Vermont law as it applies to vicious dogs, and provisions of both the Bethel "Animal Control Ordinance" and ordinances of other Towns were discussed. It was agreed that Mr. Toalston and Ms. Piper would keep a dated log of pictures to help document the instances of trespass and the identity of the dog. Motion was made by Joe DeFreitas, seconded by Bill Richards and unanimously carried, to instruct Constable Bennett to advise the dog's keeper of specific provisions within the Town's ordinance whereby penalties and actions would be taken if the dog were found to be outside of the owner's control and running at large. David Toalston, Julie Piper, and Constable Bennett all departed at this time, it being 7:00 PM.

Chairman Fox then noted that a Public Hearing has been scheduled for this point in time, to receive public comment on the draft "White River Alliance Solid Waste Implementation Plan" which is being considered for adoption by the Board and other Towns that are members of the "Alliance." Geneva Gaiko voiced her support for the proposed plan and encouraged the Board to proceed with its adoption. Finding that no additional public comment was forthcoming, Chairman Fox concluded the Hearing at 7:06 PM. The potential action will be taken by the Board later as part of the meeting's agenda.

The Board next turned to the order of the agenda, approving the Selectboard minutes of August 11, 2008 by motion of Joe DeFreitas, seconded by Bill Richards and unanimously

carried. A letter to the Vermont Land Trust was endorsed by the Board members, this being in response to an inquiry received from the Land Trust re. land on Abbott Road.

A transmittal from the Bethel Planning Commission dated August 25, 2008 was then reviewed, this being proposed amendments to the Bethel Zoning Ordinance; a report accompanied the transmittal in satisfaction of Vermont Statutes Annotated Title 24 Section 4441. The Board members agreed to consider the recommended amendments, and thus voted to table them for the moment, this action being by motion of Joe DeFreitas, seconded by Bill Richards and unanimously carried.

The Health Officer's report for the months of May, June, and July were reviewed and placed on file, as were the minutes of the Class 4 Road Committee for 8-18-08, and the minutes of the Local Emergency Planning Committee for 6-19-08.

Before moving ahead to other business, the Board considered a request from the Bethel Fire Department for permission to conduct a coin drop fundraiser on Saturday, 8-30-08 on Church Street between the hours of 10:00 AM and 2:00 PM. After due consideration, motion to approve the request was made by Bill Richards, seconded by Joe DeFreitas and unanimously carried. The Board asked Delbert Cloud to suggest to the organizers the optional use of Main Street in light of the greater street width.

As an informational matter, Delbert Cloud updated the Board on the status of projects to be undertaken in repair of private property under the Emergency Watershed Protection Program, as a consequence of the July 11, 2007 flood event. The EWP Program has now presented an Agreement for the Town to sign as a sponsor, to enable the property owners to access the program. It is now expected that the work will be undertaken prior to October 1<sup>st</sup>.

The Board next discussed the "White River Alliance Solid Waste Implementation Plan," to determine if the draft being reviewed should be adopted as the approved waste management plan for the Town. Motion to adopt the Plan was made by Joe DeFreitas, seconded by Bill Richards and unanimously carried.

Since the business associated with the replacement of the Constable's cruiser had already been accomplished, the Board moved ahead to the next agenda item, this being to consider and potentially take action re. the East Central Vermont Community Fiber "Interlocal Contract." Both Delbert Cloud and Joe DeFreitas reported on the meeting of the ECFiber Committee held on August 12, 2008, wherein provisions of the "Contract" had been presented and discussed. Both Cloud and DeFreitas recommended approving the Town's entry into the contract. Chairman Fox said it was his understanding that the Town's delegate to the ECFiber Committee, Matt Washburn, also recommended approving the contract. After due discussion, Joe DeFreitas moved that the Selectboard, on behalf of the Town of Bethel, approve the form and content of the Interlocal Contract Definitive Version as of September 8, 2008 presented to this meeting, and that the Chair be authorized to execute and deliver the same; this motion was seconded by Bill Richards

and unanimously carried. Chairman Fox then signed the Contract on Page 8 per the motion, and the instructions provided with the ILC.

Delbert Cloud explained the recommendation for acquisition of new playground equipment which the Recreation Program staff had provided, such acquisition being intended to utilize and liquidate a fund the Selectboard has been holding, this being the "Andrew Johnston Playground Fund." The Selectboard members agreed that the recommended equipment appeared to be a good choice and that the acquisition would be an appropriate utilization of the fund. Motion to acquire and install the selected playground equipment by use of the subject fund was made by Bill Richards, seconded by Joe DeFreitas and unanimously carried.

The consultant for the AOT Enhancement grant project has said conceptual plans for work to be done on Church Street and North Main Street will be available within a few days, after which a Public Hearing will need to be scheduled to receive public input on the project. Delbert Cloud will provide further information as it is available, no action being required or taken by the Board at this time.

The following communications were then reviewed and placed on file: (1) stream water quality report for 8-13-08 from the White River Partnership, (2) information compiled by Victoria Weber re. management of both public and private community halls, (3) an invitation to attend a celebration of the renovation efforts to date at the Pierce Hall Community Center on 9-13-08, (4) information re. the Vermont League of Cities & Towns annual Town Fair, and (5) information re. the status of State permit reviews for various properties, in this instance Schweizer, Menza, and Booth.

Chairman Fox, with concurrence from the rest of the Board, suggested that a notice should be put in the "Herald of Randolph" regarding the deadline for applicants to the Vermont Home Heating Assistance Program. Maximum benefits will be available to those who apply prior to August 31<sup>st</sup>. Delbert Cloud will arrange for such a notice.

With no further business to attend, motion to adjourn was made by Bill Richards at 10:30 PM, this being seconded by Joe DeFreitas and unanimously carried.

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Neal Fox

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Bill Richards

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Joe DeFreitas

