

Minutes of the October 22, 2007 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Eric Benson, Delbert Cloud, Geneva Gaiko, Jon Hodgdon, Derrick Wright, Tim Mills, John Dutton, Victoria Weber, Richard Adams, James Dolan, James Abbott, Stuart Chase, and Mary Anderson for the "Herald of Randolph."

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 October 9, 2007 meeting were approved by motion of Eric Benson, seconded by Bill Richards and unanimously carried. Delbert Cloud advised the Board that Peter Nikolaidis would not be in attendance as one of the evening's appointments as it has been agreed informally that information re. the fiber optic initiative is available at various meetings being scheduled in the area, one being in Bethel at Whitcomb High School on November 6<sup>th</sup> at 6:30 PM.

The Board next reviewed the Constable's reports of October 14 and October 21, 2007; the minutes of the regional planning commission for meetings of September 12 and September 25, 2007; and the minutes of the local emergency planning committee for meeting of August 16, 2007. These minutes were then placed on file, no action being required or taken by the Board.

Delbert Cloud provided the Board with an update on the status of repairs as were necessitated from the July 11<sup>th</sup> flood event. It is anticipated that all highway work which will have to be done before the onset of winter will be done, the majority of it by around the first of November. Some work will be purposely carried over to 2008, the FEMA program allowing 18 months for completion of approved work. One private property owner has indicated that he may wish to appeal the denial of his eligibility for the Emergency Watershed Protection program, the appeal having to be filed by the Town if one is to be made. Since the basis for an appeal is unclear, the Board tabled the matter pending further information from the property owner.

With respect to fiscal year '09 budgeting, the Board briefly discussed the financial close-out of the 18 month transition interval ending 6-30-07. The timetable for preparation of the '09 budget was noted, as well as a few particular line items which will need to be taken up in greater detail.

The following communications were reviewed and placed on file: (1) an October 15, 2007 letter from the Vermont State Geologist re. the Town's Act 250 application for a gravel pit, (2) a September 11, 2007 letter from the Vermont Mapping Program advising that new orthophoto maps of the Town are being delivered, (3) the regional planning commission newsletter of October 2007, (4) an October 19, 2007 letter by the Town Manager in reply to questions raised by William Oren in his letter to the Town dated August 14, 2007, and (5) an October 19, 2007 letter from Louise Ferris-Burt as Chair of the Board of Listers re. matters of compensation for members of that Board. Regarding the latter, the Board members agreed that the subject would be taken up later in the evening under executive session.

At 6:45 PM, Chairman Fox welcomed Jon Hodgdon, per appointment, Mr. Hodgdon being present to discuss business associated with the White River Valley Ambulance. As discussion unfolded, it became apparent that the subject involved matters of contract negotiations which are presently on-going, and it was agreed that the matter should be discussed in executive session later in the evening.

As the time was then 7:00 PM, Chairman Fox called to order a scheduled Public Hearing, to receive public comment on the Town's inventory of class 4 roads. A project is on-going whereby research is being done to record/index the legal "lay-out" of each road, and confirm that it was in fact used as a road, this project being funded with financial assistance from a grant provided by the Vermont Agency of Commerce and Community Development.

James Dolan said his attitudes about class 4 roads conflict within themselves. He is interested in the history associated with them and would not wish to impede the process of recording the rights-of-way, but he would not wish to see much done to them in the way of physical changes, ie. improvements. He said he has provided alternate trail routes through his property for recreational users and does have to deal with those users on an annual basis; he would like to see an authority in control over the subject roads that would protect the interests of adjoining property owners. He noted in support of this sentiment that the locations of these old rights-of-way were often not planned in a way which would mitigate the obtrusive vehicular traffic which is now operated. With respect to the road passing through his property, he would be interested in looking into the possibility of relocating some, or all, of it.

On behalf of the Vermont Association of Snow Travelers and as Chair of the Town's Class 4 Road Committee, Tim Mills assured Mr. Dolan that he would like to see a continuing cooperative relationship with property owners.

John Dutton said the particular road being spoken of is fully researched and filed for mapping with the Agency of Transportation. Tim Mills confirmed that the road is very evident on the ground. Mr. Dolan asked if he could have benefit of the information now available on the road, and he was assured this is available.

James Abbott asked if any research has been done on roads in the area of the "Pember" place. He advised that he believes a particular road shown on the Town's maps extended to the home he referenced. He also spoke of his understanding that "Pond Road" extended to his land in that same general area. Some discussion ensued as to whether Mr. Abbott held a private right-of-way, or if the access was by Town road. Mr. Abbott indicated his certainty that his access was along the course of a public highway, and he offered to help the committee locate it on the ground.

Chairman Fox asked Stuart Chase if he wished to offer comment. Mr. Chase said he wished to be "just an interested observer."

Victoria Weber spoke of her understanding that the westerly part of the Township is of very great importance to wildlife, having quite large areas of land not dissected by active roads. She said some of these remote areas should not be opened to vehicular traffic. She referenced matters being reviewed presently by the Bethel Planning Commission which might put pressure on the need to utilize some of the class 4 roads for access. She asked if the Road Committee has prepared any recommendations for the treatment or disposition of any of the class 4 roads.

Tim Mills replied that the committee is still only doing its research, and no recommendations have thus far been prepared.

Victoria Weber noted that two class 4 roads are located on her land, and she would like to see both of them discontinued.

Discussion ensued regarding how to most effectively get the public involved in making necessary determinations, the time frame for the committee's work, and the legal requirements for mapping the subject rights-of-way. It was generally agreed that a mailing to all property owners might help promote awareness and participation.

With no further public comment forthcoming, Chairman Fox declared the Public Hearing closed at 8:05 PM.

At this time, the motion was made by Bill Richards to enter executive session to discuss negotiation of inter-municipal contract matters, and salaries/performance of members of the Board of Listers; this motion was seconded by Eric Benson and unanimously carried. Jon Hodgdon and Delbert Cloud were the only people remaining with the Board for discussion of the contract negotiation matters; Delbert Cloud was the only one remaining with the Board for the discussion of salaries. No minutes were kept of the executive session. Upon return to open meeting at 9:25 PM, motion was made by Eric Benson, seconded by Bill Richards and unanimously carried, to take up the matter of the salary schedule for the Board of Listers as part of the budget considerations for the Fiscal '09 budget.

With no further business to attend, the meeting was adjourned by motion of 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