

Minutes of the October 26, 2009 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Joe De Freitas, Delbert Cloud, Geneva Gaiko, Eric Benson, and Barbara Wood.

The meeting was called to order at 6:00 PM by Chairman Neal Fox. The minutes of the Selectboard meetings held on October 13, 2009 and October 14, 2009 were both approved by motion of Joe De Freitas, seconded by Bill Richards and unanimously carried. The October 21, 2009 minutes of the Bethel Planning Commission and the October 15, 2009 minutes of the Local Transportation Advisory Committee were reviewed and placed on file.

The Regional Planning Commission minutes of September 9, 2009 and of September 23, 2009 were also reviewed and placed on file. On an associated matter, the Board reviewed a memo from Sally Hull, Regional Planner, pertaining to the designation of an "East Central Vermont Economic Development District." An accompanying "Resolution" was examined, and the Board members discussed this to see if it should be endorsed. It was ultimately agreed that the "Resolution" should be tabled until the next scheduled meeting of the Board.

The Board then reviewed and discussed the current draft of the "Town of Bethel Health & Safety Policy." It is understood that the Health & Safety Committee is continuing to develop an appropriate final policy. The Board members indicated concurrence with the direction being taken.

Chairman Fox next welcomed Barbara Wood and asked if she wished to speak with the Board about any particular subject. She replied that she did wish to set forth her concerns as a property owner about the subject of "ancient roads." She expressed her annoyance over the tone of a "Summons" recently served, and the questions such a document raises for property owners who are unsure of the associated proceedings and consequences. She suggested the Town should not keep roads unless they were going to be re-built for use. It was noted that the referenced summons was not sent by the Town but was served at the request of an attorney representing an individual property owner; it was agreed that the language of the document would likely annoy those receiving it. However, since the matter relates to an issue of litigation in which the Town is a party, the Board would not be able to speak to the specific issue at this time. The Board thanked Mrs. Wood for her thoughts and her interest in discussing this matter; Mrs. Wood then departed.

Eric Benson was present per appointment at this time, to discuss the work of the Local Transportation Advisory Committee, he being the Town's representative to that committee. An October 14, 2009 memo from Rita Seto, Regional Planner for the Two Rivers-Ottawaquechee Regional Planning Commission, was reviewed. This pertained to a new process by which the Vermont Agency of Transportation would be prioritizing Town highway bridge projects for funding assistance. Several concerns were raised regarding the role of the Transportation Advisory Committee, in that the committee is asked to rank projects by criteria the committee members might not have familiarity with, or have a sufficient base of locally unique knowledge from which to apply the ranking criteria against each specific local bridge project. It was agreed that Delbert Cloud should draft a letter transmitting the Board's concerns to Ms. Seto. Mr. Benson departed at this time, and the board returned to the order of the agenda.

Delbert Cloud provided the Board with a potential design of a staircase/sidewalk prepared by the Agency of Transportation whereby the class 4 road named "Bridge Street" could still be accessed after the new Vermont Route 12 & 107 bridge is built on River Street. The Board members agreed that the concept appeared acceptable. Question was also raised about the lighting to be installed on the bridge. Delbert Cloud will request the Agency to keep the Town acquainted with the development of the design for the bridge.

Delbert Cloud then provided the Board with an update on the projects being completed by the Town within various of its Departments during the current year. No action was required or taken, this being informational at this time. Of particular note was the fact

that the voters have approved a water main extension between Peavine Boulevard and Main Street, subject to availability of American Recovery and Reinvestment Act funding. The vote, held on October 20, 2009, yielded 47 affirmative votes and 5 opposed.

The discussion then turned to preparation of budgets for the 2011 fiscal year, and matters associated with the Annual Town Report and the Annual Town Meeting. These matters were of a planning nature only, and no final actions or determinations were made.

The following communications were then reviewed and placed on file: (1) notice of a Planning and Zoning workshop from the VLCT, (2) the October 18, 2009 Windsor County Courthouse Newsletter, (3) an October 13, 2009 letter from the Town's attorney advising that the Environmental Court has denied a Variance issued by the Development Review Board for a project on North Main Street, (4) information from John Durfee about property he owns at the junction of Routes 12 & 107 near Locust Creek, (5) an October 16, 2009 letter from the VLCT re. issuance of renewal permits for wastewater treatment plants, (6) a copy of the Vermont Supreme Court's decision upholding the Town's defense of the Dunham Road right-of-way, (7) notes from an October 19, 2009 community discussion of cemetery rules, and (8) an October 14, 2009 letter from Bea McCullough on that same subject.

At 9:15 PM the motion was made by Bill Richards, seconded by Joe De Freitas and unanimously carried, to enter executive session for discussion of litigation in which the Town is a party. Delbert Cloud was the only person remaining with the Board during the executive session. No minutes were kept. Upon return to open meeting at 10:00 PM, the only motion was that to adjourn, this being made by Bill Richards, seconded by Joe De Freitas and unanimously carried.

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Neal Fox

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Bill Richards

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Joe De Freitas