

Minutes of the November 19, 2007 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Eric Benson, Delbert Cloud, Geneva Gaiko, Tim Mills, Derrick Wright, David Umba, Victoria Weber, John Dutton, James Abbott, John Kresser, and Mary Anderson for the "Herald of Randolph."

The meeting was called to order at 6:00 PM by Chairman Neal Fox. The minutes of the November 12, 2007 meeting were approved by motion of Bill Richards, seconded by Eric Benson and unanimously carried. The Constable's report of November 11, 2007 was reviewed and placed on file. As follow up from the prior meeting, the Board members unanimously endorsed a Note in the amount of \$28,000.00 for a term of one year at the rate of 3.7125% payable to Mascoma Savings Bank, this being to defer payment of a portion of the cost of acquiring a new plow truck to a second year. This two year term was a planned part of the Town's "Highway Equipment Fund" equipment trade schedule. The Board has also received communication from the EcFibernet group, to advise that an informational presentation could be made at the Board's meeting on December 17, 2007; Delbert Cloud will arrange a time on the agenda.

The Planning Commission minutes of October 17 and November 14, 2007 were reviewed and placed on file. Regarding the "Emergency Planning" card, the Board members offered a couple of suggestions which Delbert Cloud will convey back to the Planning Commission. It was noted that the Planning Commission has now forwarded amendments to the Bethel Zoning Ordinance re. the Floodplain Regulations; a Public Hearing will be held by the Selectboard on December 10, 2007.

The Class 4 Roads Committee minutes of November 8, 2007 were next reviewed. Delbert Cloud provided the Board members a related article from the "Vermont Environmental Monitor" which was for information purposes only.

The Town Hall Finance Committee minutes of October 25, 2007 were then discussed. With respect to membership, it was noted that Winslow Ayer has been helping the committee on construction issues, and the committee has suggested that he should be formally appointed to the committee. The Board members agreed, and motion was made by Bill Richards, seconded by Eric Benson and unanimously carried, to appoint Mr. Ayer to the subject committee.

The Board next reviewed the Town Health Officer's quarterly report. Noting that one issue particularly related to litigation in which the Town is a party, it was agreed that further discussion should be taken up later in the meeting under executive session.

"Budget Status Reports" for the Town General Fund were then discussed. Delbert Cloud clarified certain line item entries, and the reports were placed on file, no action being required or taken by the Board.

Several ideas were discussed in response to an invitation from Dubois & King for Towns to submit suggestions for projects which might be approvable for a grant of at least a portion of the engineering cost as part of that company's celebration of its fiftieth year in business. Delbert Cloud will develop an application based on the Board's thoughts.

No action was taken at this time with respect to a dedication of the Annual Town Report.

Delbert Cloud presented information his office has prepared re. rates for sale of cemetery lots, and rules/regulations area Towns have established pertaining to management of cemeteries. The Board members provided input which Cloud will use to develop an updated set of potential regulations for the Board to consider at a forthcoming meeting. It was also agreed that the Board should discuss land which may potentially be available for additional cemetery space under executive session.

The only additional communication was a November 14, 2007 letter from Gary Schelley of the Vermont Agency of Transportation advising that the Federal Highway Administration has now declared a disaster as a consequence of the July 11 flood event as would potentially provide financial assistance for repair of Camp Brook Road. However, no funds are available at this time within the subject relief program.

As the time was then 7:00 PM, Chairman Fox called the scheduled Public Hearing to order, for public input regarding the project of inventorying and mapping class 4 roads.

John Kresser said he lives on Wilson Hill Road which is a class 4 road off Sanders Road. He said he and other residents there have difficulty dealing with water running off Sanders Road and down Wilson Hill Road, and wondered if there is anything the Town could do about it. It was agreed that Delbert Cloud would take a look at the location to see what might be possible to do.

David Umba said he is puzzled over all the sudden concern over class 4 roads, and wondered also why the Town just didn't get rid of them. Chairman Fox explained how new State law has changed the way Towns now have to deal with the roads, and that decisions will eventually be made as to holding some of the roads and discontinuing

others. Mr. Umba added that some property owners have privately done work on the land which doesn't make a public highway out of what they do.

John Dutton offered that roads often do change over a large span of years. Generally the changes are recorded in the Land Records, but not always.

David Umba said that roads in secluded locations many times get used for dumping trash if people know about them.

Tim Mills referenced a particular road his committee had inspected, noting that everyone had been in complete agreement as to where the road had been and where it now ran. He queried as to whether roads should always be put in their original right-of-way or if they should be relocated for certain reasons.

John Kresser questioned if Wilson Hill Road had ever gone beyond the last present house on the road. Tim Mills replied that his committee had very easily followed it on the ground all the way to Rodman Wilson's house.

James Abbott asked if anyone knew how many courses of right-of-way Camp Brook Road may have had over time. He mentioned several spurs leading in various directions, and wondered how many of them may actually be public roads. He suggested that the Town needs to realize that some roads serve no purpose.

Tim Mills said his committee has not yet looked at the spurs Mr. Abbott spoke of. He added that many of the class 4 roads have truly beautiful spots, some being historic and others being just spectacular views, all of which should be preserved for everyone to enjoy. He added that the road from Byam Road to Pickle Davis's property is remarkable in the extremely straight course it originally took, before a storm event apparently caused a great amount of erosion and destroyed some of the old road.

Victoria Weber commented that preventing erosion is an extremely important consideration, and that a commitment should be made by the Town to protect all roads from erosion since individuals do not attend to problems as they used to on their own roads.

John Dutton suggested that regulating traffic in the Springtime when roads are easily damaged would be one important measure.

Victoria Weber added that keeping some vehicular traffic off at least at times would be important. She referenced a Conservation workshop she had recently attended, wherein a speaker had emphasized the negative impacts on wildlife when its habitat is "fragmented," which roads themselves have the effect of doing. She added that there are four considerations under which roads provide usefulness: for purposes of access, for alternative routes in times of emergencies, for future development, and for the various forms of recreation. She suggested that ATV traffic might not always be appropriate.

From his role in maintaining snowmobile trails, Tim Mills said that mountain bikes tend to cause the most damaging effect because water will follow the continuous track of such equipment and erosion escalates. ATV's bear their load upon wider tires, of which there are four.

With respect to procedure, Derrick Wright asked if the Class 4 Road Committee is supposed to submit recommendations on which roads to keep, and which to discontinue. Neal Fox replied that the committee's thoughts would be requested at the conclusion of the researching and mapping effort.

John Kresser asked if property owners could submit written comments at any time; Mr. Fox assured him that such could be done.

With no further public comment forthcoming, Chairman Fox declared the Public Hearing closed at 8:10 PM.

After members of the public had departed, Bill Richards made the motion to enter executive session to discuss litigation in which the Town is a party, and negotiations related to the potential purchase of rights to real estate; this motion was seconded by Eric Benson and unanimously carried. Delbert Cloud was the only person remaining with the Board during the executive session. No minutes were kept. Upon return to open meeting at 9:30 PM, the only motion was that to adjourn which was made by Bill Richards, seconded by Eric Benson and unanimously carried.

Neal Fox

Bill Richards

Eric Benson