

Minutes of the June 25, 2012 Meeting of the Board of Selectmen.

Present: Neal Fox, Joe De Freitas, Bill Hall, Delbert Cloud, Abbie Sherman, Nick Nikolaidis, Heidi Nikolaidis, Forrest Griffin, Lisa Campbell, Eleanor Griffin, Ellen Nobile, Ola O'Dell, Geneva Gaiko, David Sambor, Jennifer Marx for the "Herald of Randolph," and the following representatives from ECFiber: Matt Washburn, Ian Stewart, Tim Nulty, and Leslie Nulty.

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. Chairman Fox then opened the meeting for public comment or inquiry.

David Sambor voiced his concerns over street lights not working on Main Street, and the fact that crosswalks have not yet been painted, both of which he regarded as detrimental to public safety. He also asked if notice could be given to business owners in the downtown in advance of street sweeping, such that efforts could be made to move vehicles and do any other preparations to accommodate a desirable end result. Chairman Fox thanked Mr. Sambor for bringing his concerns to the Board, and assured him the matters would be attended.

Forrest Griffin said he has concerns over two issues, one being restrictions on the use of the Town's former gravel pit on Peavine Boulevard as a shooting range, and the other being the speed limit on Christian Hill Road which he believes is too restrictive at 25 mph. It was agreed that the subject of the shooting range would be included on the agenda for the Board meeting of July 23, 2012 for receipt of public comment. It was left that the Board would consider the speed limit issue in a future meeting.

As it was then 6:30 PM, Chairman Fox welcomed the first appointment of the evening, this being members of the Parks and Public Places Committee. Lisa Campbell advised that she has pursued the Board's request for feedback on Committee membership, and has learned that Mary Floyd does not wish to continue as a Committee member, but that four new people would like to become members. Conversation continued regarding a number of subjects including repair of the bench at Fort Fortitude, budget line items, volunteers not on the Committee but doing valuable work, picnic tables for Peavine Park, re-building of the canoe launch at Peavine Park, and completion of repairs necessitated as a result of the "Irene" flooding. Lisa Campbell asked if the four people interested in becoming members of the Committee should be considered members now; the Board confirmed that they should be. Some confusion still seemed apparent as to responsibilities for certain projects such as the hanging of flower baskets on Main Street, and it was agreed that the Committee should take up and resolve any continuing uncertainties at its next meeting. Chairman Fox then declared a brief recess at 7:05 PM, prior to taking up the next appointment for the evening.

Ian Stewart and Leslie Nulty provided the Board with a brief synopsis of concerns recently raised about provision of adequate broadband service to various Towns. Specifically, an agreement was reached at the State level in a non-competitive setting whereby Fairpoint Communications was allowed to pick certain Towns wherein it would install DSL service which utilizes existing copper conductors, rather than pay a \$6.6 million fine levied against it by the Public Service Board. The DSL technology is considered archaic in comparison to fiber optic cable as is installed by ECFiber. Towns which ECFiber had included in a grant application to the Vermont Telecommunications Authority for financial assistance to make their installations were included in the group "picked" by Fairpoint. Leslie Nulty and Tim Nulty both indicated concern that the ECFiber grant application would not be favorably considered if Fairpoint's provision of service were regarded as having served the purpose. They expressed concern that companies were not being treated equally by the State, and that the best technology would not be available to some Towns including Bethel. The Board members agreed that fiber optic cable is the preferable technology, and further agreed that all applicants for grant funding should be given a fair opportunity to compete. Bill Hall then made the motion to draft a letter to the Governor requesting that ECFiber's application for financial assistance be reviewed in a fair and open way; this motion was seconded by Joe De Freitas and unanimously carried, it being further agreed that Chairman Fox would sign

the subject letter on behalf of the Board. The representatives of ECFiber then departed, the time being 7:30 PM.

The Board then reviewed the minutes of the June 4, 2012 meeting of the Board of Selectmen, these being approved by motion of Bill Hall, seconded by Joe De Freitas and unanimously carried.

The Planning Commission minutes of June 20, 2012 were also reviewed at this time. No action was required or taken specific to these minutes, but an associated e-mail from Planning Commission Chair Andrew Delaney re. membership appointments necessitated attention from the Board. Mr. Delaney advised that Peter Dohrn would accept re-appointment for an additional three year term when his present appointment expires on July 1, 2012. However, John Duddie has declined to accept re-appointment, this leaving the Planning Commission with only five members. Given that four members would have to be present to attain a quorum if the Commission remained a seven member board, the Selectboard determined that the membership should be reduced at this time to a five member commission in accordance with Vermont Statutes Annotated Title 24 Sections 4321 to 4323. Motion was made by Joe De Freitas to re-appoint Peter Dohrn for an additional consecutive three year term and reduce the membership of the Planning Commission to five members, this motion being seconded by Bill Hall and unanimously carried. Input will be requested from the Planning Commission with respect to its envisioned workload and necessary membership level in order to determine if any further changes may be desirable.

The next item on the agenda was re-appointment of members to the Development Review Board whose terms also would expire on July 1, 2012. Delbert Cloud reported that Development Review Board Chair Eric Benson has confirmed that both Ruth Clough and Robert Leister would accept re-appointment; motion accordingly to re-appoint both Ms. Clough and Mr. Leister for additional consecutive three year terms was made by Bill Hall, seconded by Joe De Freitas and unanimously carried.

The Board next reviewed and placed on file the Recreation Committee minutes of June 13, 2012, no action being required or taken at this time.

A "Petition of Bethel Mills, Inc. and Bethel Mills Electric, LLC for a Certificate of Public Good Authorizing the Formation of a Group Net-Metered System Pursuant to 30 V.S.A. section 219a" was discussed, along with a related June 12, 2012 letter from Kevin W. Barry. It was agreed that this matter did not require action by the Board.

A "Form 411" report from the Listers was next reviewed, this setting forth the current Grand List for Municipal Tax purposes at the value of \$1,953,330.00. Given budget items approved by the voters at the Annual Town Meeting, mathematical calculations were reviewed to determine that a Municipal Tax Rate of \$0.72 would be required to support the approved budget. Motion to set the Municipal Tax Rate for Fiscal Year 2013 At \$0.72 was made by Bill Hall, seconded by Joe De Freitas and unanimously carried.

Delbert Cloud then provided the Board with preliminary "Budget Status Reports" for conclusion of Fiscal Year ending June 30, 2012. He explained various matters being reviewed by office staff to make final entries and adjustments for proper presentation of the year's financial standing, and briefly touched upon the levels of delinquent water, wastewater, and property taxes being carried. The final reports for the Board's review and any necessary action will be available at the July 9, 2012 meeting.

Cloud next gave a report on various projects associated with flood recovery for which bids have recently been received and awards are pending. He also updated the Board on the status of projects recently completed, and provided the Board members copies of a June 18, 2012 communication from the Vermont Agency of Transportation setting forth provisions whereby certain Towns having severe damages (such as Bethel) will receive additional financial assistance from the State of Vermont to help defray expenses. Of the Towns listed by the Agency of Transportation, it was noted that the Town of Bethel currently is shown to have incurred the most expense for the necessary recovery work.

Cloud concluded his report by suggesting that by the end of August, the only projects potentially remaining would be bridge replacements.

The following communications were then reviewed and placed on file: (1) notice from the Department of Environmental Conservation that a formal “nutrient management plan” will be required from all Towns making land application of biosolids, (2) streamwater quality test results for June 13th, from the White River Partnership, (3) notice from Karen Speerstra on behalf of Old Christ Church of a picnic/celebration on Sunday, August 26th, in commemoration of “Irene Recovery,” (3) a “Thank You” note from Mary and Gail Knapp, and (4) a June 19, 2012 memo from the Clerk of the Vermont Public Service Board re. the net-metering petition of Bethel Mills, Inc.

Delbert Cloud then provided the Board with a message he had received from a property owner on Watershed Road re. the Town’s water supply system, this essentially asking if the Town had yet determined what to do about deficiencies in pressure and quality of water in the subject area. Cloud also relayed to the Board information recently obtained from legal counsel about options which could be considered. The board members concurred that a survey should be conducted of customers served by the distribution main north of the fire station on Pleasant Street, to see what the customers’ sentiments and input might be re. potential options; this subject will be taken up again when such input is available.

With no further business to conduct, the motion to adjourn was made at 8:52 PM by Bill Hall, seconded by Joe De Freitas and unanimously carried.

Neal Fox

Joe De Freitas

Bill Hall