

Minutes of the July 9, 2012 Meeting of the Board of Selectmen.

Present: Neal Fox, Joe De Freitas, Bill Hall, Delbert Cloud, Abbie Sherman, Donald Hollingworth, Brian Hollingworth, Fay Ford, Sandra Ford, Mark Nicholson, Christie Nicholson, James Glass, Greg Boulbol, David Lenart, Ola O'Dell, Rosalie Benson, Rita Seto for the Two Rivers-Ottawquechee Regional Planning Commission, Tim Johnson and Tom Morse for the Barnard Selectboard, and Amy Danley-White 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. Chairman Fox advised the public and others present that the first order of business would be to conduct a site visit to the vicinity of Bridge #49 on Town Highway #79 as a requisite per Vermont Statutes Annotated Title 19 Sections 708-711 to enable the Board to consider reclassification or discontinuance of any part, or all, of the said highway. The Board promptly adjourned to the subject highway and the specific bridge, to develop a set of "Findings of Fact." Several members of the public accompanied, but no business was otherwise conducted by the Board. The following observations were made, which will be formalized at a later time as part of the relevant "Findings of Fact.": (1) There are two substantial bridges on the subject highway. (2) Bridge #49 was severely damaged by Tropical Storm Irene and the accompanying floodwaters. (3) Bridge #49 has been closed to all vehicular traffic since shortly after the flood event, and remains closed. (4) The existing placement of Bridge #49 has a very poor alignment with the direction of the stream flow (Locust Creek), which did contribute to erosion and failure of the abutments. (5) All properties presently have access by a maintained Town Highway even though Bridge #49 is closed. (6) Of the seven properties within the Township of Bethel that have been improved with dwelling structures, two are seasonal. (7) Town Highway #79 is a typical gravel-surfaced highway, formerly having been the course of Vermont State Route 12, but now under the jurisdiction of the Towns of Bethel and Barnard for the portions lying within the respective Townships. (8) The present intersection with Vermont State Route 12 in Barnard does not have ideal geometry for turning movements toward the Town of Bethel, and it should be evaluated by qualified professionals to see if any improvements can be made. The Board then returned to the Town Office.

At 6:45 PM, Chairman Fox reconvened the meeting and declared a Public Hearing to be open for receipt of comment on the subject of whether all, or any part, of Town Highway #79 should be reclassified or discontinued per the process set forth under Vermont Statutes Annotated Title 19 Sections 708-711. It was noted for the record that the Board is in receipt of three letters pertaining to the subject at hand: (1) a May 18, 2012 letter from Sandra B. Ford and others, (2) a June 30, 2012 letter from Barbara and Edward Lucas, and (3) a July 6, 2012 letter from Leonard Meek and Thomas Laue.

Chairman Fox initially asked Delbert Cloud to explain the process by which the Board is now considering whether it is more in the public's interest to replace the failed bridge, or to utilize the substantial amount of money otherwise available to complete "Alternate Project(s)," which the Town is being asked to consider by FEMA officials. Although not committed to any particular decision, the Board members concurred that alternate projects which might be completed were: a new or upgraded Town Garage, new Town Offices with better provision for parking and adequate space for public records; potentially new equipment for highway maintenance. Concerns were raised by the members of the public present about the time it might take for emergency response units to reach their properties if they are located on the "Barnard side" of the bridge in question, and about the safety of the intersection in Barnard with Vermont State Route 12. The representatives of the Barnard Selectboard advised that they wish to go on record as being in opposition to abandoning the bridge; Chairman Fox requested that the Barnard Selectboard submit a letter to formally set forth its position. A suggestion was made that if a vehicular bridge were not kept, a pedestrian/biking bridge might be a desirable amenity to retain. Concern was also voiced about the highway becoming an attractive "party spot" if it were a dead-end. Discussion included the question of impacts to property values for properties fronting the highway, there being two perspectives as to whether a dead-end Town-maintained highway adds or detracts from property value. When asked as to when a decision would be made by the Board, the Board members

concurring that answers need to be attained for certain of the questions now apparent, and a sincere assessment must be made as to which option better serves the interest of the public. The motion was then made by Bill Hall to continue this Public Hearing to Monday, August 13, 2012 at 6:30 PM at the Bethel Town Office, this motion being seconded by Joe De Freitas and unanimously carried. This motion was made at 7:45 PM, and a brief recess occurred while many members of the audience departed.

The Board members concurred that provision had already been made for item #1 on the Agenda. Chairman Fox asked if anyone had public comment or inquiry on any other matters of interest. Rosalie Benson asked what the Board might be doing with the matter of the Town's former gravel pit on Peavine Boulevard being used as a shooting range. Chairman Fox advised that the subject is to be an agenda item at the meeting of July 23, 2012. Ola O'Dell asked if the Town would perform grounds keeping work at certain locations along Main Street which are highly visible. The Board members concurred that the Town would assume responsibility to have this done.

With no further public comment forthcoming, the Board proceeded with the order of the agenda. The minutes of the June 25, 2012 meeting of the Board of Selectmen were approved by motion of Joe De Freitas, seconded by Bill Hall and unanimously carried. It was noted at this time that letters of resignation from the Parks and Public Spaces Committee have been received from both Heidi Nikolaidis and Ellen Nobile. Motion was made by Bill Hall, seconded by Joe De Freitas and unanimously carried, to accept both resignations with regret, and to have a letter of appreciation sent on behalf of the Board in acknowledgement of the many years of public service given by both people.

The Board next reviewed and placed on file (1) the Local Emergency Planning Committee Minutes of June 21, 2012, and (2) the transmittal of education tax rates as submitted by the Vermont Department of Taxes for use in tax billing for FY2013. No action was required or taken by the Board on these matters.

Delbert Cloud provided the Board with copies of the delinquent tax, water, and sewer reports which collectively showed a large unpaid obligation to the Town. It was agreed by the Board members that collection action is necessary due to the magnitude of the obligation and the effect it poses (1) to other property owners who are carrying their obligations, and (2) the ability of government to provide necessary services. To provide for financial needs, the Board approved a Line of Credit in the principal amount of \$300,000.00 for a one year term maturing June 30, 2013 and bearing interest at the rate of 2.25% per annum.

Budget Status Reports for end of fiscal year 2012 for the Town General Fund and the enterprise funds (Water, Wastewater, and Solid Waste) were next reviewed. It was noted that actual expenditures came very close to line item budget amounts in all departments were it not for the consequences shown by the Tropical Storm Irene anomaly. Delbert Cloud also provided the Board with a preliminary evaluation of the status of the "Highway Equipment Fund" over several years given potential trades/acquisitions being contemplated at this time.

The following communications were then reviewed and placed on file: (1) a June 28, 2012 letter from Kevin Barry to the Vermont Public Service Board re. the "net metering" proposal of Bethel Mills referenced at a previous meeting of the Board, (2) a June 28, 2012 letter from Morris L. Silver, Esq. to the Public Service Board on the same matter, and (3) streamwater quality test results for June 27, 2012 prepared by the White River Partnership.

Chairman Fox noted that Timothy Brennan was present at this time, and asked if Mr. Brennan had business to discuss with the Board. A memo from Mr. Brennan dated July 6, 2012 was circulated to the Board members, this pertaining to the matter of an eroded section of private property off North Main Street, which the property owners are trying to resolve how to repair. The Board members concurred that the resolution of this matter lies with the property owners and does not appear to be a public problem. Mr. Brennan asked if the Town Health Officer could look at the site to see if any public concern might be apparent, and it was agreed that this would be done.

Joe De Freitas informed the Board that the instructor for emergency shelter management training has said that a class could be held in Bethel if 10-12 people could be confirmed for attendance. It was agreed that effort should be made to find the necessary number of participants in order to help develop an informed and capable citizen response team. Mr. De Freitas also suggested that information about the State's "Mandatory Recycling" law should be placed on the agenda for the joint Selectboard meeting to be held on July 25, 2012.

With no further business to attend, motion to adjourn was made at 9:25 PM by Bill Hall, seconded by Joe De Freitas and unanimously carried.

Neal Fox

Joe De Freitas

Bill Hall