

Minutes of the October 24, 2011 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Joe De Freitas, Delbert Cloud, Geneva Gaiko, Chris Jarvis, Laura Rubenis, Don Giovanella Jr., Vanessa Brown, Ellie Griffin, 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. The minutes of the October 10, 2011 meeting of the Board of Selectmen were approved by motion of Joe De Freitas, seconded by Bill Richards and unanimously carried. Budget Status Reports as of October 3, 2011 were examined, no action being required or taken on these; Joe De Freitas commented that it would be helpful for sake of clarification if some additional line items could be added in the next casting of the budget.

Information pertaining to a "Bill to Allow Tax Department Reimbursement for Abatements within 2011 Federally Declared Disaster Zones" was reviewed and discussed. This bill would provide for abatement of state education taxes in addition to local municipal taxes pursuant to local Board of Abatement action. Chairman Fox suggested this would be necessary to consider at forthcoming meetings, now being scheduled, for the Board of Abatement.

Delbert Cloud then presented a recommendation to the Board whereby work to re-build flood damaged properties could be expedited, but without bypassing necessary permit reviews which are requisite to keeping the Town in compliance with the National Flood Insurance Program. The approach has been reviewed by the Town's legal counsel (Stitzel, Page & Fletcher) and is in fact the preferred option in that firm's estimate by which to allow a timely turn-around of permit applications. Emergency zoning regulations as have already been adopted by the Town of Bolton were reviewed. After due consideration, motion was made by Joe De Freitas, seconded by Bill Richards and unanimously carried, to adopt the identical "Emergency Flood Hazard Area Regulations" for the Town of Bethel, effective as of this date.

Cloud then reported on the progress of potential home buy-outs as may be accomplished through the FEMA Hazard Mitigation Grant Program. Several property owners have indicated preliminary interest in that program, but the Town will ultimately decide on a case-by-case basis with the individual property owners if a transaction has merit for both parties. Applications must be submitted to FEMA in January 2012.

The status of repairs for public infrastructure was then examined. Delbert Cloud gave the Board an update on the current condition of the Town's water and wastewater systems, and advised of recent contract awards for rebuilding Lilliesville Brook Road, Campbell Road, Cleveland Brook Road, and Bryant Road. He also advised of progress being made by the Town crew on various highways, the crew being assisted by various contractors having equipment needed to supplement the Town's own capacities. An October 17, 2011 memo from the regional planning commission was referenced, this suggesting that FEMA reimbursements for Irene recovery work would not be expected until January 2012 at the earliest, and that reimbursements from the Federal Highway Administration would not be realized "for at least a year."

The Board noted that permission has been given to the "Vermont Association of Snow Travelers" authorizing repairs to a trail within the solid waste facility property. A notice re. an "Irene Storytelling Project" was also reviewed and placed on file.

Several matters of interest to certain members of the public were then taken up. Laura Rubenis asked Chairman Fox if he had consulted with the Vermont League of Cities & Towns re. televised coverage of Board meetings; Chairman Fox replied that he was not aware that VLCT would have any relevant comment, but that the Board would discuss this matter. Laura Rubenis asked if the Board would be posting/publishing the calendar of events scheduled for the Town Hall, or if this could be added to a Board agenda for discussion; Joe De Freitas noted that the calendar is available at the Town Office for anyone to see or inquire about. Laura Rubenis then asked Joe De Freitas if there were minutes available of the meetings he had referenced attending directly after

the flood event; Mr. De Freitas replied that the meetings she had heard mention of were not official meetings but simply discussions he had with various people regarding flood response and recovery matters. Vanessa Brown expressed dissatisfaction over the Board having announced decisions after the executive session on October 10, 2011 when the hour was too late for the public to have waited to hear them; Laura Rubenis agreed, saying it is not reasonable for the public to have to be present at 11:00 PM. (It is the Board's understanding that discussions in executive session are not public record, but actions stemming from such discussions have to be taken in open meeting "for the record," albeit not announced for purpose of public discussion.) Vanessa Brown asked if the Board would be taking up the matter of the Town Manager's inter-personal skills in the near future; Laura Rubenis added that this had been part of the list of requests she had presented to the Board. Chris Jarvis told the Board of problems he had on Sunday of October 16, 2011 with the repair of the water service to his house on Pleasant Street, attributing his trouble to inaccurate information being available about the Town's water system; he also expressed dissatisfaction about the Town Manager's purported comments to a neighbor of his who had in turn relayed them to him; he took those comments to be derogatory toward himself and believed an apology should be issued. Chairman Fox said issues pertaining to the Town Manager's performance would be taken up in executive session.

With no further business being evident, motion to enter executive session to discuss the Town Manager's performance was made at 7:55 PM by Bill Richards, seconded by Joe De Freitas 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 9:15 PM the motion was made by Bill Richards, seconded by Joe De Freitas and unanimously carried, to state for the record that the Board finds the Town Manager to be fully competent in what he is doing and that the Board unanimously disagrees with the derogatory opinions and observations expressed by certain ones.

In further discussion about business within the current meeting, it was agreed that a letter should be sent to Chris Jarvis apologizing for misinformation that may have been provided by the Town. The Board members also expressed belief that the minutes are being properly recorded with the current system, and that the idea of broadcasting meetings via public TV would not be pursued at this time.

With no further business to attend, the motion to adjourn was made at 9:25 PM 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