

Minutes of the May 10, 2010 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Joe De Freitas, Delbert Cloud, Geneva Gaiko, Larry Nobile, Ellen Nobile, First Constable James Mason, Andrew Wakefield, Health Officer Erin Boettcher, and Glen Strong.

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. Before proceeding with the order of the Agenda, Chairman Fox asked if Larry and Ellen Nobile had particular matters they wished to discuss with the Board. They presented a May 10, 2010 letter to the Board from the Parks and Public Places Committee, this letter advising that the evergreen tree on the Church Street Common is now too large to decorate for holidays. The Committee would like to remove the tree and plant a lower-growing species in its place; the Bethel Business Association has agreed to defray one half of the cost. Joe De Freitas voiced his opposition to the thought of destroying the present tree. After due discussion, the motion was made by Neal Fox to appropriate the balance of funds needed to plant a different tree, it being necessary to first decide where the new tree should be placed; with the provision that the motion does not require cutting of the present tree, the motion was seconded by Joe De Freitas and unanimously carried.

The minutes of the April 26, 2010 meeting of the Board of Selectmen were then approved by motion of Joe De Freitas, seconded by Bill Richards and unanimously carried. The motion was made by Bill Richards, seconded by Joe De Freitas and unanimously carried, to formalize an appointment of Tim Brennan to the Recreation Committee. The Constable's report of May 1, 2010 was reviewed and placed on file. The matter of gunfire emanating from the old gravel pit on Peavine Boulevard was discussed, particularly the concerns over the lateness of the hour some of it occurs and the type of weapons being discharged. It was agreed that thought should be given to this, and the subject taken up again at a future meeting.

The Recreation Committee minutes of April 27, 2010 and May 4, 2010 were reviewed, it being noted that there is much energy being shown by the Committee as it prepares for the forthcoming season and takes up various matters associated with the program and facilities. It was agreed that funds should be found if at all possible to acquire an AED unit for use at the facility, and to replace the outside carpeting.

The Board members agreed to change the order of the Agenda, such that Delbert Cloud could provide a brief update on the status of bridge deck repairs to be done on Bridge 49. The time frame for the project will be set further into early summer since the contractor has other commitments to finish before starting this job. The new deck is still to be installed before September 17, 2010 because this is an "American Recovery & Reinvestment Act" project.

With the time now being 7:00 PM, Chairman Fox declared that a Public Hearing be called to order regarding a "Vicious Dog Complaint" filed by Lisa Wakefield against a dog owned by Glen and Kristen Strong. The following documents were received in association with this matter: (1) a "Control Notice" issued to the dog's owners on August 19, 2009 by the Town Constable, (2) a set of "testimonies" submitted under date of May 10, 2010 by Glen Strong, (3) a May 6, 2010 letter from Steven Neron and Kathleen Prior, (4) an undated letter from Lisa Wakefield delivered by Andrew Wakefield on this date, (5) the original "Animal Complaint" from Lisa Wakefield dated April 23, 2010 – 5 pages, (6) the Constable's incident reports of April 21, 2010 and April 23, 2010, and (7) the applicable Vermont Statute, Title 20 Section 3541. It was noted that the Constable's records show a series of prior incidents, although this is the first instance of a person having been injured by the subject dog. Glen Strong professed that his dogs are not vicious, and maintained that he had no knowledge of a problem. After consideration of the associated documents noted herein as submitted, and the comments of Glen Strong, Joe De Freitas made the motion to issue an "Order" requiring the subject dog to be muzzled, chained or otherwise confined such that it would no longer be enabled to run at large on the property of others, and that the owners be fined One Hundred (\$100.00) Dollars; this motion was seconded by Bill Richards and unanimously carried, it being agreed that the Board members would individually endorse the Order when it is available

for signature. Health Officer Erin Boettcher said she has no record of the subject dog being either vaccinated or licensed with the Town, this being particularly of concern due to the potential of disease from dog bites. Mr. Strong produced documents showing the dog to have been vaccinated and licensed, as of May 10, 2010. At 7:25 PM Chairman Fox declared the Hearing to be closed, and the Board returned to the order of the Agenda.

The Town Hall rehabilitation project was taken up, the Board reviewing (1) the minutes of the April 29, 2010 meeting of the Town Hall Rehabilitation Committee, (2) several Email communications pertaining to the project and subsequent use of the building, and (3) the job meeting minutes of April 27, 2010. Several questions were prepared relative to the rehabilitation project which will be transmitted to the Architect at the next job meeting. It was decided that public suggestions should be sought relative to the value(s) associated with securing a tenant for a portion of the building's basement level.

The Board next reviewed plans for improvements at the solid waste facility. It was agreed that focus should be placed on installing new truck scales, and that additional work at the site should be taken up at a future time at the Board's discretion, depending in large part on availability of funds.

The Board next took up the subject of Town Forests, first reviewing Vermont laws pertaining to management of officially designated "Municipal Forests." Given that there have been a number of complaints voiced about questionable use of the Branliere Forest, the Board members will take the matter under advisement and consider what measures may be appropriate to incorporate under Municipal Ordinance(s) for this specific property, and other Town lands.

The Board then reviewed the current monthly Budget Status Reports for the Town General Fund, and the Solid Waste Program. No action was required or taken on these reports as they were informational only. With respect to the Budget Status Reports for the Water Department and the Wastewater Department, the Board reviewed the current month's status, and continued with its on-going review of rates in order to make provision for expenses anticipated under both the fiscal year 2010 budget and the fiscal year 2011 budget. It was noted that the State of Vermont Water Supply Division loan for relocation of the River Street Bridge water main has now been finalized, thus enabling the Town to be reimbursed for costs incurred with that project which are being carried by interim financing. It was also noted that current average rates/year for water usage in the State are \$400.00 per family unit, and that Wastewater rates run significantly greater. The methodology for converting all customers to an "Equivalent Unit" value was carefully reviewed, and it was concluded that the Water Department has 557.26 Equivalent Units, and that the Wastewater Department has 405.13 Equivalent Units. The necessary rates in support of the Departments' budgets thus become: Water @ \$270.00 per year, and Wastewater @ \$424.00 per year. Motion was made by Neal Fox, seconded by Bill Richards and unanimously carried, to approve the rates per the calculations made and to make them effective inclusive of the 4th quarter FY 2010 billings.

Given that the land owner has assumed responsibility for an abandoned mobile home in the Pleasant Street mobile home park, and has paid outstanding taxes and the costs associated with removing the unit and accompanying debris from the site, the Board members considered whether outstanding utility fees should be waived. Since there has actually been no use of either water or sewer services for some time, motion was made by Joe De Freitas, seconded by Bill Richards and unanimously carried to waive outstanding water and sewer balances.

With no further business to attend, motion to adjourn was made at 11:45 PM by Bill Richards, seconded by Joe De Freitas and unanimously carried.

Neal Fox

Bill Richards

Joe De Freitas