

Minutes of the June 14, 2010 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Joe De Freitas, Delbert Cloud, Gregory Fedak, Susan Fedak, Geneva Gaiko, Victoria Weber, Mary Floyd, Janet Burnham, Heidi Nikolaidis, Nick Nikolaidis, Keith Bush, Kevin Flynn, Fire Chief David Aldrighetti, Assistant Chief Scott Taylor, Assistant Chief Robert Dean, Harry Colombo, 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 May 24, 2010 meeting of the Board of Selectmen were approved by motion of Joe De Freitas, seconded by Bill Richards and unanimously carried. The Constable's report for the month of May was reviewed and placed on file. Several items of communication were reviewed pertaining to a dog owned by Glen and Kristen Strong: a letter from the law office of Frank Berk dated June 8, 2010, a letter from the law office of Robert Gerety dated June 10, 2010, a June 2, 2010 report from the Town Constable, a "Complaint" dated June 2, 2010 from Lisa Wakefield, a "Complaint" dated June 2, 2010 from Andrew Wakefield, and a "Complaint" dated June 2, 2010 from Dennis Stratton.

The Bethel Recreation Committee minutes of June 8, 2010 were reviewed and placed on file. A final draft of the "Bethel Recreation Center Rules" were reviewed and found consistent with previous discussions; these were formally endorsed by the Board members.

The Town Hall Committee minutes of May 26, 2010 were next discussed, as were the June 2, 2010 Rehabilitation Project job meeting minutes. It was agreed that Delbert Cloud should check with knowledgeable sources to confirm the proper color for all surfaces within the stage area. No action was required or taken, as these matters were primarily informational in nature. The minutes of the April 15, 2010 meeting of the Local Emergency Planning Committee were also reviewed and placed on file.

The Board then reviewed a May 27, 2010 letter from Chris Hemond, this being accompanied by a sketch of the Poplar Manor Road vicinity. By this data, Mr. Hemond requested permission from the Board to construct a retaining wall which would at least in part be within the highway right-of-way of Poplar Manor Road, this being for purpose of making a "built-up" parking area at the side of the roadway. Delbert Cloud confirmed that the project would not infringe upon any present needs or interests of the Town. Subject to the conditions customarily included with permission for private improvements within the highway right-of-way, motion to approve the request was made by Joe De Freitas, seconded by Bill Richards and unanimously carried.

At 6:30 PM, Chairman Fox welcomed Fire Chief David Aldrighetti, and Assistant Chiefs Robert Dean and Scott Taylor. Chief Aldrighetti explained problems that have developed with the Maxim and the International tanker, both of these being '70's vintage vehicles. He suggested that putting money for repairs into these vehicles does not make sense when the money would be better spent by replacing at least one of them with a newer, functional piece of equipment. The Ludlow Fire Department has a 1986 Kenworth pumper/tanker for sale at a cost of \$20,000.00 which has been very well maintained and is in excellent condition. Such an acquisition could be made with the money available in the FY'11 equipment fund, and the Chiefs strongly encouraged the Selectboard to approve the acquisition. After due discussion, motion was made by Bill Richards to approve the purchase using the equipment fund, this motion being seconded by Joe De Freitas and unanimously carried.

The Board next reviewed a report of streamwater quality provided by the White River Partnership, samples having been taken June 2, 2010. This report was accompanied by a page of informational material pertaining to bacteria levels. No action was required or taken.

A May 27, 2010 report from Endyne Laboratories was discussed, this being relative to the groundwater monitoring done as part of the closure of the former Bethel/Royalton

landfill. Water conditions continue to show a favorable trend in quality. No action was required or taken on this matter.

Given that the time was then 7:00 PM, Chairman Fox welcomed the representatives of the Bethel Historical Society and other members of the public who were present to discuss the potential use of a portion of the Town Hall by the Historical Society. Delbert Cloud advised that he has received a letter from Nancy Hughes dated June 13, 2010 which commenced: "I am not able to attend the Select Board's meeting on Monday, June 13, 2010, so I am sending this letter to you and requesting that you read it for me at the meeting." Chairman Fox concurred that the letter should be publicly read, this being then done by Mr. Cloud. Copies of the letter were then distributed per request by several present. Members of the Historical Society suggested that there were some incorrect assertions in the letter, one being that the Historical Society is not able to pay rent. Victoria Weber said she is concerned over such a large area of the building being committed to a specific user prior to the public having a chance to see the finished building. Discussion ensued regarding the amount of space being used for various purposes, and the need for the building to be able to generate revenue to avoid being a drain on the tax base of the Town. As a primary spokesperson for the Historical Society, Nick Nikolaidis listed a number of ways in which he believes the Historical Society would provide positive contributions to the building and the community if it were to become a tenant of the building. During the discussion, Keith Bush made it known that he would like to donate a piano for use at the Town Hall, this thought being warmly received by those present. Victoria Weber expressed concern that smaller groups are being ruled out as users of the building. Susan Fedak stated that there is still room for other users, and suggested that other users should be making their interest known, as for instance, attending the meeting tonight. Joe De Freitas commented that the "other meeting room" does not have an expression of interest from anyone, although the Town has actively been seeking input for some time. He added that the Selectboard does need to get the building "functioning" now that construction is drawing toward completion.

It was noted by the Selectboard that the specific interests of the Historical Society and of the Town as represented by the Selectboard, need to be evaluated. To evaluate these interests and negotiate options deemed prudent, the Board decided at 8:15 PM to enter executive session; motion accordingly was made by Bill Richards, seconded by Joe De Freitas and unanimously carried. The only parties remaining with the Board were Delbert Cloud, Nick Nikolaidis, Susan Fedak, Gregory Fedak, Janet Burnham, Kevin Flynn, and Heidi Nikolaidis. No minutes were kept. Upon return to open meeting at 9:20 PM, no action was taken by the Board. However, it was noted that a written draft of a lease would be prepared for the parties to review.

Chairman Fox then welcomed Harry Colombo, he being present to provide the Board members with information about plans being developed by the Vermont Telecommunications Authority in an attempt to bring better communication services to the Central Vermont area. No action was required or taken by the Board.

The Board then returned to the order of the Agenda. The "Form 411" prepared by the Board of Listers was reviewed, this setting forth the anticipated Grand List for FY'11 Tax purposes. It was noted that the Grand List value is more favorable than had been used in tax rate projections at Town Meeting, and that the resulting FY'11 tax rate may be slightly less than preliminarily estimated. Budget Status Reports for the Town General Fund and the Water Department, Wastewater Department, and Solid Waste Program were all reviewed, in anticipation of fiscal year close-out on June 30th. Delbert Cloud provided the Board with a summation of various measures he wished to implement in order to reconcile the various Departments and apply expenses to the respective fiscal years. The recommendations seemed appropriate, and will be taken up for potential action at the next meeting.

The following communications were then reviewed: (1) a May 2, 2010 letter from Jonathan Croft of the AOT Mapping Unit advising that submittals made for mapping of certain highways in February 2010 required additional information before mapping could be done, (2) a June 2, 2010 letter from the Vermont Justice Training Council re. Constable certification, (3) a copy of a permit application from Vargo submitted to the

Springfield Environmental Office, and (4) a project schedule for the rehabilitation of Bridge #48 on Old Route 12 (ARTB(4)).

Returning to an issue presented through the Constable's reports, motion was made by Joe De Freitas, seconded by Bill Richards and unanimously carried, to advise the Constable to impose fines as allowed by the Animal Control Ordinance upon Glen and Kristen Strong for infraction of the Order issued by the Selectboard on May 10, 2010, the subject animal having been running at large on the property of others.

Having received a number of complaints pertaining to on-going activities on Town property, most particularly the Branliere Town Forest, the Board members agreed that some matters should be given immediate attention, whereas monitoring should continue of other activities. Motion was made by Joe De Freitas, seconded by Bill Richards and unanimously carried, to adopt an Ordinance (designated as a Civil ordinance) providing that: "No motorized vehicles shall be operated on any Town owned property without the express consent of the Legislative Body of the Town of Bethel or as may be more generally granted under the context of Vermont laws." This Ordinance was deemed necessary as a consequence of actual damage having occurred to Town property as a consequence of motorized vehicle access, and because of on-going disregard for the rights and property of adjacent residents. The Ordinance shall become effective in the statutorily prescribed 60 days, ie. as of August 14, 2010.

With no further business to attend, the motion to adjourn was made at 11:40 PM by Bill Richards, seconded by Joe De Freitas and unanimously carried.

Neal Fox

Bill Richards

Joe De Freitas