

Town Meeting Warning 253rd Annual Town Meeting of New Haven, Vermont

The legal voters of the Town of New Haven are hereby warned and notified to meet at the Town Hall in New Haven, Vermont on **Monday, March 2nd, 2015 at 6:30 PM** to act on Articles 1 through 4; and on **Tuesday, March 3rd, 2015 from 7:00 AM to 7:00 PM** to vote by Australian Ballot on Articles 5 through 34.

Moderator, Pam Marsh welcomed all who had come to the 253rd Town Meeting. She introduces herself, and Selectboard members Kathy Barrett, Charlie Roy, Carole Hall, Doug Tolles, Roger Boise and Town Clerk, Pam Kingman. The Moderator asked everyone to be respectful of others, and asked all questions be directed to her. She asked all to stand and state your name when speaking.

Beeman School went first this year, the School meeting began at 6:30 pm and ended at 7:40 pm. There was a 15 minute intermission followed by Town Meeting which began at 7:55 pm

ARTICLE 1. Shall the Town of New Haven vote to pay real estate taxes to the Town Treasurer on October 1, 2015; delinquent taxes will be subject to interest charges of one percent per month, and an eight percent penalty charged against them from October 1, 2015?

Tom Fyles made the motion, seconded by Larry Maier.

All in favor.

Passed.

Harold Tricou made a motion to suspend business to allow State Representative, Harvey Smith to talk, seconded by Margaret Carothers. All in favor. Harvey had prepared up a Resolution in dedication to Ken Sawyer, which was passed by the Legislature and gave it to Suzy Sawyer. Kathy Barrett read a letter about Ken Sawyer written by Earl Besette.

ARTICLE 2. Shall the voters of the Town of New Haven vote to elect Auditors beginning with Town Meeting, 2016?

Cheryl Mitchell made a motion to elect Auditors, seconded by Jim Ford.

Tom Fyles – Are the Auditors currently serving the Selectboard?

Kathy Barrett – Yes, they are currently Auditor’s Assistants supporting our professional outside audit by checking bank reconciliations.

Francie Caccavo – We had this conversation a couple of years ago.

Kathy Barrett – 2 years ago, the Auditors approached the Selectboard with concerns about liability. At that time we did not have a professional audit, and they were concerned because of what happened in an area town. Now with the outside audit happening yearly, the Auditors feel as though they can continue to serve the town as elected officials.

Iva Menard (Auditors Assistant) – Spoke with the Vermont League of Cities and Towns. There is no personal liability absent fraudulent intent. They recommended having elected Auditors so they are serving the town and not the Selectboard. No further discussion.

Passed.

ARTICLE 3. Shall the voters of the Town of New Haven set the Selectboard compensation by vote from the floor in the absence of elected Auditors? Moderator Pam Marsh said this Article is moot, because by law the salaries remain as last set by the Auditors, and we will pass by it.

ARTICLE 4. To transact, vote and act upon any further non-binding business, which may legally come before this meeting.
Rick Shappy – As the Town Energy Coordinator, one of the things they have looked at is powering all the municipal buildings with solar power. They would like input from townspeople on the placement of a solar facility. Rick would like to hear from people in town, his phone number is 453 – 4752 and his email is rshappy@gmavt.net.
Barb Torian – Do people still want to receive their town reports via mail? Hand count overwhelming yes.

Ruth Penfield – Conservation Commission has placed a map of New Haven on the table in the back of the gym. They would like to know what kind of wildlife people are seeing in their backyards or neighborhood.
 Cheryl Mitchell – Information packets about Universal Preschool coming in 2016, flyer on the back table.
 No further discussion.

ARTICLE 5. To elect the following Town Officers by Australian Ballot:

Beeman School Director	3 years
Beeman School Director	2 years
Delinquent Tax Collector	1 year
Grand Jurors (2)	1 year
Library Trustee (2)	2 years
Lister	3 years
Moderator	1 year
Mt. Abe School Director	2 year
Mt. Abe School Director	3 years
Selectboard	3 years
Selectboard	2 years
Town Agent	1 year
Trustee of Public Funds	1 year

The Moderator mentioned the two Selectboard races are contested. For the 3 year term, Charlie Roy is running against Jim Walsh and for the 2 year term, Steve Dupoise is running against Susan Smiley. Candidates present were permitted to introduce themselves and make a brief statement.
 There is no one running for the Mt. Abe School Director (3 year term). Jim McClay announced that he would like to be a write in for this position.

ARTICLE 6. Shall the voters of the Town of New Haven vote to adopt the proposed Road Fund Budget of \$1,065,210.00, less anticipated revenues of \$317,626.00, less 2014 surplus of \$112,116.60, leaving a portion thereof in the amount of \$635,467.40, to be raised by taxes, for the purpose of maintaining town roads for the year 2015? By Australian Ballot.
 Roger Boise – The budget is up by a small amount. They have had trouble getting free used motor oil to run the furnace in the garage, therefore having to purchase oil to heat the garage.
 Barb Torian – Thanked Roger for all of his years of hard work and dedication as Road Commissioner and Selectboard member.
 Kathy Barrett – Many don't know Roger only charged the town for mileage, and yet he worked 20 - 40 hours a week. He will be greatly missed.
 No further discussion.

ARTICLE 7. Shall the voters of the Town of New Haven vote to adopt the proposed General Fund Budget in the amount of \$625,311.00, less anticipated revenues of \$180,014.00, less 2014 surplus of \$151,648.01, leaving a portion thereof in the amount of \$293,648.99, to be raised by taxes. This amount to be increased by any additional monies voted affirmatively by Australian Ballot on March 3, 2015. The tax rate to be determined by the Selectboard. By Australian Ballot.
 Kathy Barrett – The Selectboard worked hard to keep this as low as possible. They chose not to fund the reserve facilities fund this year.
 No further discussion.

ARTICLE 8. Shall the voters of the Town of New Haven vote to expend up to \$40,000.00 from the Road Equipment Fund for the purchase of a used loader? By Australian Ballot.
 Tim Bouton – Seem to remember the last time we purchased a used loader, and we kept the second one.
 Roger Boise – This is asking for a used loader, the Road Crew and he thought they could find a decent used one for \$40k. The one that needs replacing is 26 years old, and it's getting hard to find parts for it. If we can find a decent one for \$25k, then we will buy it, but the ones that they have found acceptable cost closer to the \$40,000.

No further discussion.

ARTICLE 9. Shall the voters of the Town of New Haven establish compensation of \$20.00 per meeting per member present for the Development Review Board and Planning Commission members for a potential budget increase of \$8,268.00? By Australian Ballot.
 Kathy Barrett – This was put on the ballot by the Selectboard. The Development Review Board (DRB) put it in their budget request, and when they approached the Selectboard, the Selectboard could not come to a consensus. The DRB and Planning Commission (PC) both make significant decisions for the town.
 Francie Caccavo – The PC discussed this, they feel they are all volunteers and were not interested in compensation.
 Tim Bouton – No one on the DRB would resign if they didn't receive compensation, but it is also wouldn't attract a lot of folks to the board as \$20 for a 2.5 hour meeting isn't much. It would just be a recognition of their service.
 Tom Fyles – He currently is a DRB Alternate, and is proud to serve as a volunteer. He feels the money could be better spent.
 Brad Bull – If there is a provision in there, then they can refuse the stipend and it can be returned to the General Fund.
 Margaret Carothers – Are there other boards that get compensated?
 Kathy Barrett – The Selectboard which are elected officials. But there is the Health Officer, and Dog Warden, etc.
 No further discussion.

ARTICLE 10. Shall the voters of the Town of New Haven vote to appropriate \$5,000.00 for the Riverside Cemetery Fund for a new fence? By Australian Ballot.
 Kathy Barrett – By State Statute all cemeteries must be fenced in. Roger Boise has done some research on it, and the total cost would be between \$30,000 - \$40,000 to fence in the entire cemetery.
 Discuss the fence options.
 Barb Torian – We always welcome volunteers.
 No further discussion.

ARTICLE 11. Shall the voters of the Town of New Haven vote to expend up to \$40,000.00 to replace the flooring on the first level of the town hall from the reserve facilities fund? By Australian Ballot.
 Kathy Barrett – There is some asbestos in the mastic in some of the old linoleum, so we will have to go through asbestos remediation. This is to replace the flooring on the first floor of the Town Hall.
 Rick Shappy – What are you replacing it with?
 Pam Kingman – Probably a similar tile that is on the cafeteria floor now, but it will need to be sealed so as not to have a mold problem like we did 2 years ago. The asbestos is in the older linoleum that is in the hallway by the old Clerks office and in the girls restroom.
 No further discussion.

ARTICLE 12. Shall the voters of the Town of New Haven vote to appropriate up to \$25,000.00 to oppose solar arrays that do not conform to the Town Plan? By Australian Ballot.
 Kathy Barrett – The current Town Plan opposes solar arrays larger than 300kW.
 Doug Tolles – They are asking the town to fight solar arrays that don't conform to the Town Plan, so it wouldn't be all arrays. He was appointed by the Selectboard to take the lead on this and to work closely with Town Attorney, Cindy Hill.
 Francie Caccavo – Will this amount of money even be effective?
 Doug Tolles – The Public Service Board (PSB) has the final decision. There has never been a challenge where the town has had a 45 day notice; we may be the first in Vermont. We would ask the PSB to challenge it. If the PSB says the array doesn't fit the Town Plan, then we may have a shot. It is a one shot deal.
 Ruth Penfield – Will the Selectboard intervene on all solar arrays?
 Kathy Barrett – The Selectboard will look at each one. It gives the Board the option to intervene or not. The Board is looking for siting, setbacks and screening.
 Larry Maier – Not sure what the Town Plan says specifically.
 Francie Caccavo – There is a lot of language in the Town Plan that supports some solar. The last Town Plan the cap was at 300kW. The PC is currently working on language that would hold weight, but that is still a few months away.

Larry Maier – There is still a lot of work to do before it covers all the things we need to do. Feels it's premature, and he doesn't know the full requirements for siting solar.
 Peter Rothschild – He got feedback from several neighbors on solar. He feels there is an obligation to intervene. The Town Plan that was voted on should be protected.
 No further discussion.

ARTICLE 13. We the undersigned voters of the Town of New Haven, Pursuant to 24 V.S.A. § 4442(d), hereby petition the Selectboard of the Town of New Haven to call a special meeting/town wide vote to consider whether the amendment that affects only and more specifically the remaining portion of parcel #0787 on map 12, the southwest corner of Belden Falls Road and Route 7, not currently designated as Highway Commercial, should be changed from its designation as "Rural Agricultural District (RA-5 and RA-10)" pursuant to section 1002 and 1003 (NHZB) to "Highway commercial District (HC)" pursuant to section 1005 (NHZB). By Australian Ballot. Moderator, Pam Marsh – Spoke with the Vermont League of Cities and Towns, and they advised that the first part of Article 13 should not have been in there. She said a yes vote will change this property to Highway Commercial (HC) and a no vote will have it remain as Rural Agricultural (RA).

Chris Baittle – Received Steve Dupoise's flyer in the mail. It mentioned a verbal agreement with the PC.

Francie Caccavo – Prior to the Dupoise's purchase of the parcel, the Dupoise's were given indication that the PC verbally agreed to change it. None of the PC members are the same now. Across the street the Horns were concerned about their views, so the PC agreed to change just the southern 10 acres. This has been voted down twice, but with the new Town Plan this has been designated as a Business Planning District Area; so it is not considered "spot zoning". The Planning Commission supports the change and made the recommendation to the Selectboard, they too supported it. The change has already been approved by the Selectboard. She was concerned whether the people signing the petition knew what they were signing.

Kathy Barrett – The parcel is now recognized a Business Planning District Area. The PC is trying to align the zoning districts along property lines so parcels wouldn't be split into two different districts. Having a property in two different zoning districts is challenging for the DRB.

John Madden – Thinks it's a good idea to vote on, and not just let the Boards decide.

Maryann Tricou – What is planned for the property; a Walmart or a Burger King?

Stacey Brown – The town voters approved the Town Plan, thereby approving the Business Planning District Area.

Tammy Newmark – Feels having the towns' people vote on it is good. It was purchased as RA 10, voters should think about that when voting.

John Madden – The list of commercial uses is wide and varied, do we want more a commercial town?

Tim Bouton – It's the property being re-zoned, not the owners. Owners can change. The PC is working on Highway Commercial regulations, how close are you getting?

Francie Caccavo – PC is getting close; on final draft of new Highway Commercial (HC), they are building in specifics. Lately solar has taken much of the PC's time. They will be working on HC at their April meeting.

Jim Gallott – As a DRB member you have to go by what is allowed on the property, whether it will need a by-right use or allowed use, depends on what comes before the DRB, and it depends on size. It's not just what the owners say they'll do. Once it's changed, anything is allowable.

Doug Tolles – It is a 5 member Selectboard, but only 3 supported the change. He personally opposed it, and Carole Hall abstained.

Jono Chapin – This has been voted on twice before. It sounds like the PC is doing a good job outlining HC; but it depends on your interpretation. Do we have a need for more commercial? He views this as spot zoning. If you purchase a property, then you shouldn't expect things to change. There are plenty of commercial lots available in town.

Larry Maier – Is the parcel surrounded by HC lots?

Francie Caccavo – No commercial north, just east and south.

Roger Boise – Being Agricultural, the Dupoise's could put in a large pig farm. How many people would like that?

Tom Fyles – It is currently all HC on the East side of Route 7 in that area, the change on the west side would make it consistent.

John Madden – He doesn't like the PC concept of planning areas. This is a new concept that doesn't have a legal zoning description. He doesn't like planning areas.

Lisa Dupoise – It doesn't make sense to leave one side of Route 7 HC and not include the other side.

Stacey Brown – It is not spot zoning, the town plan was reviewed with small groups of people, and it was decided where they wanted businesses popping up.
Francie Caccavo – There were meetings set up for planning, and this particular parcel is in one place that exists.

Jed Malcolm – The PC has the foresight to change, they think ahead and create zones. He commends the PC to be looking ahead. Belden Falls Road and River Road area does not have sprawl.

Roger Boise - Asked in light of so many other Articles to get through, can we table this article.

Larry Maier made a motion to table Article 13, seconded by Jim Ford.
All in favor.

ARTICLE 14. Shall the voters of the Town of New Haven vote to appropriate \$1,700.00 for the Addison County Community Action Group (ACCAG), d.b.a. HOPE? By Australian Ballot.
No discussion.

ARTICLE 15. Shall the Town of New Haven vote to appropriate \$500.00 for ADDISON COUNTY COURT DIVERSION AND COMMUNITY JUSTICE PROJECTS, INC. to help provide restorative justice projects for offenders who have potential to learn from their mistakes and avoid incarceration and a criminal record, said sum to come from Town Funds? By Australian Ballot.

Francie Caccavo – Made a motion to combine Articles 15 – 34, then take comments on them individually, seconded by Brad Bull.
All in favor.

ARTICLE 16. Shall the voters of the Town of New Haven vote to appropriate \$1,753.25 for the Addison County Home Health and Hospice, Inc.? By Australian Ballot.
No discussion.

ARTICLE 17. Shall the voters of the Town of New Haven vote to appropriate \$1,800.00 for the Addison County Parent/Child Center? By Australian Ballot.
No discussion.

ARTICLE 18. Shall the Town of New Haven appropriate \$750.00 for Addison County Readers, Inc. to be taken from Town Funds for the purpose of improving literacy skills for children under 5 years of age? By Australian Ballot.
No discussion.

ARTICLE 19. Shall the voters of the Town of New Haven vote to appropriate \$500.00 for the Addison County Riverwatch Collaborative. These funds will help support the Collaborative's continued water quality work: sampling sites on the Otter Creek and the New Haven River within the Town of New Haven, analyzing the data, and reporting water quality information to the public? By Australian Ballot.
No discussion.

ARTICLE 20. Shall the voters of the Town of New Haven vote to appropriate \$4,694.00 for Addison County Transit Resources to be taken from Town Funds for the purpose of maintaining and improving public transportation services for elders, persons with disabilities and the general public? By Australian Ballot.
No discussion.

ARTICLE 21. Shall the voters of the Town of New Haven vote to appropriate \$500.00 for the Bristol Family Center? By Australian Ballot.
No discussion.

ARTICLE 22. Shall the voters of the Town of New Haven vote to appropriate \$2,500.00 to Bristol Recreation Department? By Australian Ballot.
Doug Tolles – What is the benefit of sending Bristol Recreation \$2500?
Stacey Brown – They offer a lot of summer programs, and a lot of kids attend.
Mary Ann Tricou – But they still charge a non-residential fee, which makes it unaffordable for some.
Susan Bruhl – There may be some funding available.

Kathy Barrett – Bristol Rec’s report is on page 58 of the town report.
 Tim Bouton – Suggests that in the future the Selectboard explore combining Articles 14 – 34, by putting them all into the General Fund budget.
 No further discussion.

ARTICLE 23. Shall the voters of the Town of New Haven vote to appropriate \$700.00 for the Champlain Valley Agency on Aging? By Australian Ballot.
 No discussion.

ARTICLE 24. Shall the voters of Town of New Haven vote to appropriate \$1,750.00 for the Counseling Service of Addison County? By Australian Ballot.
 No discussion.

ARTICLE 25. Shall the voters of the Town of New Haven appropriate \$700.00 for the Elderly Services Inc.? By Australian Ballot.
 No discussion.

ARTICLE 26. Shall the voters of the Town of New Haven vote to appropriate \$400.00 for the Hospice Volunteer Services? By Australian Ballot.
 No discussion.

ARTICLE 27. Shall the Town of New Haven vote to appropriate \$750.00 to the Addison County Humane Society, Inc., d.b.a. Homeward Bound Animal Welfare Center? By Australian Ballot.
 No discussion.

ARTICLE 28. Shall the voters of the Town of New Haven vote to appropriate \$1,075.00 for the John W. Graham Emergency Shelter Services, Inc.? By Australian Ballot.
 No discussion.

ARTICLE 29. Shall the voters of the Town of New Haven vote to appropriate \$500.00 for the Open Door Clinic? By Australian Ballot.
 No discussion.

ARTICLE 30. Shall the Town of New Haven vote to appropriate the sum of \$950.00 to the Otter Creek Child Center, Inc. located in Middlebury, Vermont, to support the center’s need-based Tuition Assistance Program and its mission to provide quality, affordable early care and education to the Addison County community?
 By Australian Ballot.
 No discussion.

ARTICLE 31. Shall the voters of the Town of New Haven vote to appropriate \$390.00 for the Retired Senior Volunteer Program (RSVP)? By Australian Ballot.
 No discussion.

ARTICLE 32. Shall the voters of the Town of New Haven vote to appropriate \$525.00 for Vermont Adult Learning? By Australian Ballot.
 No discussion.

ARTICLE 33. Shall the voters of the Town of New Haven vote to appropriate \$215.00 for the Vermont Center for Independent Living? By Australian Ballot.
 No discussion.

ARTICLE 34. Shall the Town of New Haven appropriate the sum of \$1,250.00 to WomanSafe, Inc. to support their mission to: work toward the elimination of physical, sexual and emotional violence against woman and their children through direct service, education and social change? By Australian Ballot.
 No discussion.

Tim Bouton made a motion to adjourn at 9:30 pm, seconded by Larry Maier.
 All in favor.

Kathleen S. Barrett Samuel A. March

Attest: Samela Kingman
New Haven Town Clerk