

**Town of New Haven Selectboard Meeting**  
**5:00 pm**  
**Tuesday, December 20, 2016**  
**Town Offices**

Present: Chair, Kathy Barrett, Vice Chair, Steve Dupoise, John Roleau, Doug Tolles, Jim Walsh, Treasurer, Barb Torian and Clerk Pam Kingman

Visitors: Bev Landon, Jon Christiano, Jay Best, Benj Putnam, Heath Butler and Gail Smith

**Adjustments to the Agenda:** Solar offer / Lee update / Payment for Attorney Saudek in 2017

From 5:00 pm – 7:00pm The Selectboard systematically went through the General Fund budget and the Road budget.

Road Commissioner, John Roleau wanted to discuss the road crew part time position being at 25 hours. He would like some flexibility, especially in the winter for snow plowing. He also mentioned some issues within the crew, which he is going to be addressing.

**VISITORS BUSINESS:**

- 1. Road Survey:** Bev Landon claimed she had some new information about the old North South Highway highway; she said the actual survey shows the road ends at the banks of Otter Creek. She is pretty sure the survey from 1799 is actually of Pearson Road and not the North South Highway. Bev claims Pearson Road is 2.82 miles long, and does end at the banks on Otter Creek at the Rattlin Bridge. She thinks the survey the Supreme Court accepted is the wrong map. Doug responded that the maps in the town's history book (that Bev published) on page 35 and on the back cover clearly show the southern border of New Haven in 1798 was the Otter Creek, and that the total roadway length from where the North South Highway meets the Otter Creek could well be the 2.82 miles Bev claims it is. Heath Butler from LaRose Survey showed Bev and the board the Cowan Survey that lays out the North South Highway and proves that the description of the Legislative Highway is in fact the current Field Days Road and North South Highway. Heath Butler is the one who is working on surveying the road. Heath suggested finding the Pearson Road survey and comparing the two to ensure that the Supreme Court ruling was in fact correct.

Bev added that she has a road on her property that the road crew installed years ago in order to hold the Fire Department's annual mud run. She would like to have the town pay for her road to be surveyed.

Doug responded, and Bev acknowledged, that if there ever was a road on her property, it expired on July 1, 2015 which was the date that all "old roads" had to be added to the State Highway Map or forever disappear. Therefore, the town will be taking no action on Bev's request. Doug further offered that if Bev could prove there was a road and that she had requested it be added to the State Highway Map, and that the Selectboard had failed to act when it should have, then the Selectboard could investigate what, if anything could be done to add it to the State Highway Map.

## **2. Open Professional Appraisers bids:**

- Kermit Blaisdell - \$16,800
- NEMRC - \$18,000
- Spencer Potter - \$18,000

The Selectboard asked for input from Listers, Jay Best and Jon Christiano.

Jay Best – Kermit does a good job, but its only Kermit. Someone like NEMRC can provide others to help out. He and Kermit have had some personality clashes, but seem to be able to move forward once Kermit calms down. He has experience and knowledge of the town but Kermit's style when dealings with the Listers and others were a continuing problem. Jay suggested the Board make a list of pros and cons.

Jon Christiano – Agrees with Jay. Kermit is extremely knowledgeable, and he is improving his relationship skills. Jon is concerned about NEMRC, and who the Listers contact would be. There wouldn't be the continuity like they have with Kermit.

Kathy Barrett asked the Listers if they had spoken with other towns that use NEMRC. Jon said he has talked with Amy McCormick from Starksboro.

Jim Walsh made a motion to defer the appointment of the Appraiser and interview Potter, NEMRC and Kermit on January 3, 2017, seconded by Doug Tolles. Jim Walsh called the question. 3 yes / 2 no (Barrett / Dupoise) Kathy Barrett reminded the Board that Kermit's contract ends on December 31, 2016 and that for one day, January 3, 2016 the Listers will not have an appraiser available.

## **3. Open town Attorney bids:**

- Cindy Hill - \$10,675; if paid in advance, annual fee is \$8,540
- Ouimette & Runcie – hourly rate of \$200 per hour / no flat rate
- Langrock, Sperry & Wool – hourly rate of \$160 per hour; this is their Municipal rate.

Steve Dupoise made a motion to stay with Cindy Hill, claiming she has done a wonderful job; pay her upfront. Discussion ensued on Hill's pros and cons – she has at times performed work and not charged the town the full amount. Concerns centered on her style of communications to certain board members. Motion seconded by Kathy Barrett. 3 yes / 2 abstentions (Walsh / Tolles)

#### **4. Open Lawn Maintenance & Grounds bids:**

- Allen Swain (All parks & cemeteries not including Riverside Cemetery) 3 year contract: 2017 -\$ 5,650 / 2018 - \$5,700 / 2019 -\$ 5,750.
- George Crane – Only Riverside Cemetery 2017 - \$3,000

Steve Dupoise made a motion to accept Allen Swain's 3 year bid, pending proof of insurance. Motion seconded by Doug Tolles. 5 yes / 0 no

Steve Dupoise made a motion to accept George Crane's 1 year bid for Riverside Cemetery, pending proof of insurance. Motion seconded by Jim Walsh. 5 yes / 0 no

**5. Gail Smith** – Owns 2 properties on North St. She lost her husband last year, and has had a difficult time. A neurological disease runs in her family, and she takes her children to Johns Hopkins for treatment when needed. This year that trip happened to fall on the day when taxes are due. She came home to a message on her answering machine and got the money to the town office the next day, but because it was late was charged a hefty penalty. She does not want to do Abatement; she is asking the Selectboard to think about the penalty as she feels it is "unduly harsh". The Selectboard agreed to look into it, and discuss it at a future meeting.

#### **TREASURER'S REPORT:**

1. Steve Dupoise made a motion to approve payroll for the week ending 12/10/16, in the amount of \$3,466.33, seconded by John Roleau. 5 yes / 0 no
2. John Roleau made a motion to approve payroll for the week ending 12/19/16, in the amount of \$3,063.39, seconded by Jim Walsh. 5 yes / 0 no
3. Doug Tolles made a motion to approve the pay orders for the week ending 12/20/16, in the amount of \$27,769.13, seconded by John Roleau. 5 yes / 0 no

#### **ROAD COMMISSIONERS REPORT:**

John Roleau made a motion to hire Sherman Jewett, part time for snow plowing this winter. Pay will be \$16.00 per hour. Motion seconded by Doug Tolles. 5 yes / 0 no

**OTHER BUSINESS:**

1. **Lee Update:** Lee has appealed the Environmental Courts decision, which freezes all the court's deadlines until the appeal is resolved. Mr. Lee continues to bring earth materials onto his property. Doug, the point person on this project, received a call from Zoning Administrator David Wetmore and that Lee had submitted an application for a permit to bring more material onto his property. The Zoning Administrator has not yet issued that permit, and Wetmore is in discussion with the Town Attorney on how to proceed.
2. **Attorney Saudek:** Jim Walsh suggests going back to VGL / Joe Rossignoli to help for any further attorney's fees. Steve Dupoise will call Joe Rossignoli and ask for \$20k, he will report back to the Board.
3. **Solar Settlement:** Livingston Namaste Solar (Main St) – Doug Tolles has asked Namaste for more screening along Route 17, and for the neighbors on the east side. Namaste has agreed to plant 40 evergreen trees of several varieties – all six feet in height out of the ground, they will monitor them for the life of the project and replace when needed once a year. They have also agreed to pay the town \$5,000. They also agreed to stay off of the school septic system that is located on the adjoining parcel. Kathy Barrett suggested having them pay twice the municipal tax rate instead of the one-time payments. Doug responded that they will not do that. Doug said we need to get our Listers on board to increase the appraisals of various solar projects and that New Haven is under appraising them in comparison with neighboring towns. Jim Walsh made a motion to authorize Doug Tolles to move forward with the contract with Namaste Solar. Motion seconded by John Roleau. 5 yes / 0 no

**OLD BUSINESS:**

1. **Town Plan:** Not all the Selectboard members had a chance to read the edits provided by Benj Putnam as they were received this afternoon. Putnam summarized his comments to the board: the various comments from townspeople that are placed throughout the document should be removed, the restriction on earth material removal to only zones marked industrial that was in the prior plan should be put back in, the various fonts and styling should be consistent, and that the language on solar should be loosened to allow more projects of various types to be installed anywhere in town. Jim Walsh showed the board the maps he had Addison County Regional Planning Commission correct and that he had picked up shortly before the meeting start time. These corrected maps fix the problem along the commercial areas around the Belden Falls and River Road intersections with Route 7. The Board will look over the suggested revisions, and discuss it at the next meeting. The Selectboard must have the final

proposed Plan back to the Planning Commission for their comment letter prior to their meeting on Monday, January 9, 2017.

The next scheduled meeting is on Tuesday, January 3, 2017.

Adjourn:

Respectfully submitted:

Pam Kingman

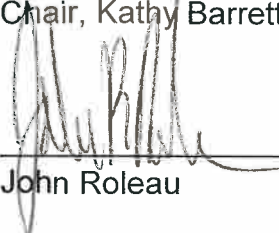
Approved:

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Chair, Kathy Barrett

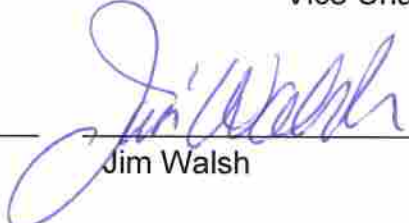
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Vice Chair, Steve Dupoise



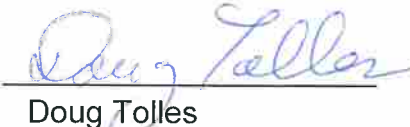
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John Roleau



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Jim Walsh



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Doug Tolles

