

Town of New Haven Selectboard Meeting

7:00 pm

Tuesday, June 17, 2014

Town Offices

Present: Chair, Kathy Barrett, Vice Chair, Roger Boise, Carole Hall, Doug Tolles, Treasurer, Barb Torian and Clerk, Pam Kingman

Absent: Charlie Roy

Visitors: Tom Fisher

AGENDA RESULTS:**VISITORS BUSINESS:**

1. **Tom Fisher** came to discuss the old North / South Highway located near Hallock Road, which used to run from Bennington to Vergennes. The issue of the old road came to light because of the State wanting all old roads to be designated by the town as roads, trails or to discontinue them. The deadline for this is July 15, 2015.

In 1998, the Supreme Court ruled in favor of Fisher and the Town of New Haven and against the Bills, agreeing with Fisher and the Town that the North South Highway is still a road, because the process the Selectboard used at the time to discontinue was invalid as the Selectboard did not have the authority to discontinue the road. Back then there was a standing committee at the County Court who reports to the Legislature and the Legislature and Courts deems what will be done; taking it out of the Selectboard hands. Over time the road disappeared from the official State Highway map, but does continue to appear on the Town's tax and Zoning maps. Doug Tolles is concerned if the Selectboard were to not include that road on the highway map, the state could determine the road has been discontinued, and it may come back to haunt us because the Supreme Court has already said the road exists. Doug Tolles and Tom Fisher walked the road together earlier in the week. Town Attorney Cindy Hill also walked a portion of the road, and agreed with Doug that the road should be added to the Current Highway Map and the Certificate of Highway Miles. Doug said the road is currently not passable all the way through. He has spoken to all the landowners whose property border the old road (but one who is selling his land), and they all acknowledge that there is an old road there. One landowner has purposely built a large berm and put in drainage to divert water away from their farm, but in doing so has destroyed a portion of the road. A farmer installed fences for animals years ago, and the fencing has since been removed. In 1999 the Town installed a large culvert at the north end, which allows Mr. Fisher access to his property. If that wasn't there, his parcel would be landlocked. Cindy

Hill thought we should call the road a Class 4 Highway, but the road pre-dates classification of highways. Because of this it would up to VTRANS to classify. If it is Class 4, then the town is only responsible for bridges and culverts. Carole Hall wondered why we are the only towns discussing it if it used to run from Bennington to Vergennes. We don't know what other towns have done. Kathy Barrett said we can't discontinue a road without recognizing it first. We need to get it on the maps, and then we can discuss it further. Doug Tolles moved that the Selectboard affirms the North South Highway is a Class 4 highway, and instructs the highway department to file all necessary forms and documentation to VTRANS so this road is included on the Current Highway Map and Mileage Certificate for the Town of New Haven. The required application and documentation shall be sent to VTRANS by August 31, 2014. Motion seconded by Roger Boise. 4 yes / 0 no

TOWN OFFICE BUSINESS:

1. Doug Tolles made a motion to approve the State of Vermont Dept. of Taxes – Computer Assisted Mass Appraisal (CAMA) Cost Tables Services in the amount of \$238.81, seconded by Carole Hall. 4 yes / 0 no
2. Roger Boise made a motion to authorize the purchase of a Dri-Eaz dehumidifier for use in the Town Hall, at a cost of \$1,485, plus shipping and handling. Motion seconded by Carole Hall. 4 yes / 0 no
3. Doug Tolles made a motion to approve the quote from Countryside Carpet & Paint for flooring and installation in the Town Hall foyer upstairs as well as the back hallway downstairs (by boy's restroom) amount not to exceed \$2,000. Motion seconded by Carole Hall. 4 yes / 0 no
4. Doug Tolles made a motion to approve a Town Hall application from Jean Smith to hold a family reunion on Saturday, August 2, 2014 in the cafeteria. Deposit and fee have been received. Motion seconded by Carole Hall. 4 yes / 0 no

TREASURER'S REPORT:

1. Roger Boise made a motion to approve payroll in the amount of \$3,929.39, for the week ending 6/7/14, seconded by Doug Tolles. 4 yes / 0 no
2. Carole Hall made a motion to approve payroll in the amount of \$4,000.46, for the week ending 6/14/14, seconded by Doug Tolles. 4 yes / 0 no
3. Roger Boise made a motion to approve the pay orders in the amount of \$53,671.66, for the week ending 6/17/14, seconded by Doug Tolles. 4 yes / 0 no
4. Carole Hall made a motion to authorize the Treasurer to borrow up to \$435,000 for a line of credit from the National Bank of Middlebury at .95% rate for a Tax Anticipation Note, seconded by Doug Tolles. 4 yes / 0 no

5. Roger Boise made a motion to approve the May Financial Statements, seconded by Doug Tolles. 4 yes / 0 no

ROAD COMMISSIONER'S REPORT:

1. **Road Update:** Roger reported that David Miner has started the roadside mowing.
2. **Equipment Update:** There was a problem with the backhoe; it took several tries to acquire the correct part to fix it.
3. **2 bids were received for the Chipper:**
 - **Paul Davis from Bristol - \$2,600**
 - **J.D. Merrigan from Waltham - \$2,551**

Doug Tolles made a motion to accept Paul Davis' bid to purchase the chipper at \$2,600, seconded by Carole Hall. 4 yes / 0 no

4. **Pike Industries / Campground Road Agreement** – Pike Industries came to New Haven in 1971. Because of the heavy truck traffic an Agreement was drawn up between Pike Industries and the Town of New Haven stating Pikes would be responsible for the maintenance on Campground Rd from their entrance to Route 7. The last time the road was paved was in 1995, but it is unclear whether New Haven had to pay for it or not. Roger Boise has approached Pike Industries, and they claim they cannot find their copy of said Agreement. Roger would like town attorney, Cindy Hill to look into the matter and write Pike Industries a letter stating they are responsible for the upkeep of that portion of Campground Rd.
5. Roger Boise had asked Attorney, Cindy Hill about using money from one paving project for another project. Cindy said it is fine to use the money on a different road, provided there is no grant money involved. With Vermont Gas Systems proposing to come across Plank Road this summer; it doesn't make sense to pave Plank Rd.

Roger Boise made a motion to shim and overlay a portion of South Street from the Heisler's south to about the Shermans, using the monies that were budgeted for Plank Road. Motion seconded by Doug Tolles. 4 yes / 0 no

OLD BUSINESS:

1. Draft Lease Agreement with Beeman Elementary School – The Schoolboard has reviewed it and forwarded the Agreement to Superintendent, David Adams.

NEW BUSINESS:

1. Roger Boise made a motion to approve of the Addison County Fair & Field Days use of the Town generator during the week of the fair, August 5 – 9, 2014; with stipulations. Motion seconded by Carole Hall. 4 yes / 0 no

2. The Legislature significantly amended Vermont's Open Meeting Law this year. Changes include new requirements for posting meetings, creating and altering agendas, posting minutes onto a municipal website and for entering into executive session. Doug Tolles made a motion to designate the Village Green Market, New Haven Post Office, Town Offices and Website as designated posting places for all Boards and Committees. The motion was seconded by Roger Boise. 4 yes / 0 no

REGULAR BUSINESS:

1. Carole Hall made a motion to approve the minutes from June 3, 2014, seconded by Doug Tolles. 4 yes / 0 no

OTHER BUSINESS:

1. Town Attorney, Cindy Hill submitted the town's filing to the court against Vermont Gas Systems seeking waivers of required permits to allow immediate construction. They should not be allowed to get a permit for a waiver of construction. Doug Tolles made a motion to authorize Cindy Hill to object to allowing Vermont Gas Systems a waiver without all permits in place. Motion seconded by Carole Hall. 4 yes / 0 no

MISC. CORRESPONDENCE:


1. Madden Correspondence
2. Sheriff's Activity Logs
3. VLCT FY15 Dues
4. New Cingular Wireless PCS, LLC d/b/a AT&T Mobility

Adjourn:

Respectfully submitted:

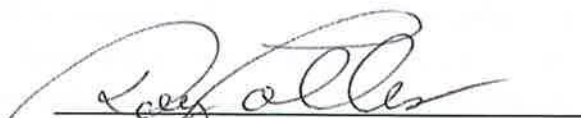
Pam Kingman

Approved:


Chair, Kathy Barrett


Vice Chair, Roger Boise


Carole Hall


Doug Tolles