

Town of New Haven Selectboard Meeting
7:00 pm
Tuesday, May 3, 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: Marcia Dupoise, Bev Landon, Dean Gilmore, Theresa Sawyer, Suzy Sawyer, Erin Baslow, Bridget Kipp and Suzy Roorda

Adjustments to the Agenda ** Lee Litigation / Bev Landon re: Town properties / Suzy Sawyer – Solar / Anbaric – Carole Hall billing? Doug asked if she is getting paid. Kathy Barrett said all the info. is still on her computer.

AGENDA RESULTS:

NEW BUSINESS:

1. **Town Hall Applications: 1)** Steve Dupoise made a motion to authorize Kathy Barrett to sign the Town Hall application from Vermont Green Line Devco, LLC to use the gym on Thursday, May 12, 2016 to hold a joint meeting with abutters and those generally affected by their proposed converter station. Motion seconded by John Roleau. 4 yes / 1 no (Tolles) Doug does not feel VGL should be allowed to hold their meetings in town building.
2. **Personnel Policy** – Kathy Barrett went through the policy and made some changes, she has forwarded the proposed changes to our Town Attorney, Cindy Hill. The Board will wait to hear from her on these proposed changes.
3. **Survey on Vermont Green Line Devco, LLC** – Several people have been asking if they could fill out the survey now. Some towns' people are headed out of town during times the survey will be available, and there have been some who say they just cannot make it in during those time frames. Pam Kingman asked if she could mail the survey to those who could not make it in during the times already set. She also asked if on the final day of the survey, residents could fill out the survey in the town office instead of having it in the Town Hall. There would be more town employees to help out; otherwise she has asked 2 women who have "election worker" experience. If it must be held in the town hall she would like to compensate them, but it is not a vote, so the rules are different as to how to pay them when they are not employees. She asked the Board how they would be compensated for being there with her for 12- 14 hours. It was suggested to buy them gift cards. John Roleau made a motion to not mail out

any surveys, keep the survey times the same, and hold the final one in the Town Hall. If anyone has an issue and cannot make it in during the pre-arranged times for filling out the survey, they can contact the town office and make arrangements with Pam Kingman. Motion seconded by Steve Dupoise. 5 yes / 0 no

VISITORS BUSINESS:

1. **Bev Landon** – After reading the April 5, 2016 Selectboard minutes, Bev was dismayed to read the Selectboard granted Iva Menard and Matt Ford permission to place a 20 x 20 box garden on the DeMers Park property that borders their back yard. The Board had no right to do this, Bev read from the 1973 Warranty Deed recorded in the New Haven Land Records, Book 33 page 27; from Leon and Carolyn DeMers to the Town of New Haven. The DeMers gifted the Town a 5 acre parcel off of River Road, (now known as DeMers Park) along the New Haven River, the deed reads, "...the property herein conveyed shall be used for public recreational purposes only, and further there shall be no sale of refreshments or other personal property of any kind in connection with said recreational use." Bev suggested the Board rescind their earlier motion immediately and notify the Menards / Fords. Bev also had deed from properties that were deeds to the town, one of which included the Village Green and War Memorial from the Congregational Church. One of the restrictions in the deed for the Village Green is that it never be enclosed.
Doug Tolles made a motion to send paperwork concerning the DeMers Park to Town Attorney Cindy Hill for review, and seek council on Menard/Ford garden. Motion seconded by John Roleau. 5 yes / 0 no
2. **Suzy Sawyer** – Asking where the Board stands on her proposed 2.2 MW solar array. The last time she was here, she came with Rod Viens from Gro Solar, who did a presentation for the Board. Doug Tolles said he thinks the location is good, but it does not fit with the Town Plan, which is in the process of being re-written. Doug said he does not agree with what is written in the new town plan. He said he has become "anti-solar" and doesn't want to look at 50 acres of black glass. Rod Viens said he would spend money to upgrade the power lines to be able to support this project, but all the lines are in the red now, meaning they are overloaded. Steve Dupoise added it is not just about the size of the array, it also has to conform to town regulations. Hopefully the new town plan will be solidified, but the process for that will be at least 3 months. Theresa Sawyer added it has been stressful for the family; they have been trying to get this project going for 2.5 years. Kathy Barrett said it is not all the towns fault; the Legislature keeps changing the rules. Kathy added she personally supports the Sawyers project, it is sited well. Suzy Sawyer said Town Attorney, Cindy Hill has brought up the water issue. Suzy said the water line that used to serve the house now owned by

4 Hills Farm has dug a well, and the water line is dry, and has been for many years. Kathy Barrett explained in order for the land to have "clear title", Suzy should hire an attorney, and have the Hill agree to release any encumbrances from the property.

REGULAR BUSINESS:

1. Steve Dupoise made a motion to approve the Emergency Selectboard minutes from 4/19/16, seconded by Doug Tolles. 5 / yes / 0 no
2. John Roleau made a motion to approve the minutes from 4/19/16, seconded by Steve Dupoise. 5 yes / 0 no

TREASURER'S REPORT:

1. Doug Tolles made a motion to approve payroll for the week ending 4/30/16, in the amount of \$4,514.36, seconded by Jim Walsh. 5 yes / 0 no
2. John Roleau made a motion to approve payroll for the week ending 4/23/16, in the amount of \$4,556.70, seconded by Steve Dupoise. 5 yes / 0 no
3. Jim Walsh made a motion to approve the pay orders for the week ending 4/25/16, in the amount of \$12,461.90, seconded by Steve Dupoise. 5 yes / 0 no
4. Doug Tolles made a motion to approve the pay orders for the week ending 5/3/16, in the amount of \$20,614.07, seconded by John Roleau. 5 yes / 0 no

ROAD FOREMAN'S REPORT:

1. Road Update:

- Last week the crew was cutting brush on Campground Rd.
- The crew used a borrowed sweeper from another town to sweep intersections, bridges the school and town office parking lots. With the late snow storm we had last week, John helped out salting the roads. This was because Jeff Terry was attending training, Eric Boise had time off for a family matter and Scott Busier had the day off. John called Scott in to help out.
- Scott has been in the pit prepping for getting stone crushed. And Jeff has been grading the dirt roads.
- John is concerned that there may have been some confusion about the repairs to be done to the ditch on Field Days Road. The area to be repaired is the lawn and ditch that runs along the front of the Field Days property; from the main entrance to the southernmost entrance. The road crew had done the ditching last summer, but it did not turn out the way it should have, and now needs to be redone. John had asked Tim Paquette and Chris LaPete for quotes on the rebuild. Tim was busy with some repairs to his well, and

Chris came back with a quote of approximately \$3,300. John feels as Road Commissioner he shouldn't have to wait for permission from the Board, he doesn't like being second guessed. Kathy Barrett said if it's under \$5,000, then it doesn't need to be put out to bid. Jim Walsh likes that John bought in the quote, so the Board can see it on paper.

- Jim Walsh said when he met with the Rail Road a month or so ago, according to the railroad, federal rail and VTRANS; they would like the brush near the crossing on Plank Rd. cleared. They pointed out 2 apple trees very close to the road that need to be removed so the signal will not be blocked. The trees are on the south side of the road, just west of the RR crossing. John said he will mention this to the road crew while they are doing brush cutting.
- Jim Walsh asked about the large hole at the end of Daniels Road. The State had agreed to give the town a large catch basin to install. John is not up to speed on that project; he will talk to Road Foreman, Jeff Terry for information.
- The Town has received confirmation that we have received the Road Grants for Hallock Rd., Quaker Village Rd and Campground Rd. Doug Tolles asked if the bids to reclaim and pave these roads go out earlier in the season.

2. Equipment Update:

- Repaired the parking brake in the older loader
- Need to purchase backing blades for the grader
- Katie Reilley is still working on finding out who to pay for the buy in on the hydro seeder
- Nash Bridge on River Road will be closed for 75 days, beginning Monday, June 13 – Saturday, August 27, 2016. John was asked by VTRANS if the town wanted to be responsible for the detour. It was decided amongst the Board to let VTRANS handle the detours.

OLD BUSINESS:

1. Appointments:

- John Roleau made a motion to accept the letter of resignation with regret from Steve Dupoise from the DRB, seconded by Doug Tolles. 4 yes / 1 no (Dupoise)
- Doug Tolles made a motion to re-appoint Harvey Smith as a delegate to the Addison County Regional Planning Commission,

for a 1 year term ending in 2017. Motion seconded by Steve Dupoise. 5 yes / 0 no

- John Roleau made a motion to appoint Carol Charbonneau to the DRB for a 3 year term, ending 2019. This motion includes appointing Carol Charbonneau as the Health Officer for a 3 year term, ending 2019. Motion seconded by Doug Tolles. 5 yes / 0 no

- 2. Solar: BDE Lazar Solar and SSE II Solar**, both being proposed by Greg Beldock, he has agreed to limit the size of BDE to 300KW (Main ST), however SSEII (next to the VSP Barracks on Route 7) will be 50kw over the 300 limit. Beldock has agreed to pay the Town \$16,000 as a penalty for being over the 300 kw limit; out of the \$16,000, \$2,500 will be donated directly to Homeward Bound (a/k/a Addison County Humane Society).
- 3. Russell Farm Solar on Route 7** - Sam Carlson and the Russells have offered the Town \$3,000 to drop our appeal to the Supreme Court. The Town has already paid the fee to appeal. Doug is not sure what the probability is of the town winning, but feels it all comes down to system reliability, but the line capability was never discussed. Treasurer, Barb Torian said the town is expecting to get money from a solar settlement, but the town isn't in the business of selling our services. If she's to expect a check, what is she to do with it? Steve Dupoise said to put it back in the General fund. Discussed the siting for this proposed array; all agree it is in a good spot, but it does not conform to our town plan. The Legislature keeps changing the rules, which it makes it difficult for towns to help base their decisions. Doug Tolles made a motion to reject the offer of \$3,000 from the Russells and Sam Carlson, and make a counter offer of \$50k to drop our appeal to the Supreme Court. Motion seconded by John Roleau. 4 yes / 1 no (Barrett) Kathy feels this project is well sighted, and it doesn't bother anyone. That is her personal opinion.
- 4. Lee Litigation** – First day of the trial was today, and continues tomorrow. Doug said Dave Wetmore and Town Attorney Cindy Hill have done a super job.

OTHER BUSINESS:

- 1. Jim Walsh – Performance objectives and reviews:** Jim feels the Selectboard owes it to tax payers and the employees to review their job performance. This would include the Zoning Administrator, Highway office staff, Events Coordinator, Selectboard Clerk and the Road Crew.

The next scheduled meeting is on Tuesday, May 17, 2016.

The next informational meeting on Vermont Green Line Devco, LLC will be held on Tuesday, May 10, 2016 @ 6:30pm in the Town Hall.

Adjourn: 9:16 pm

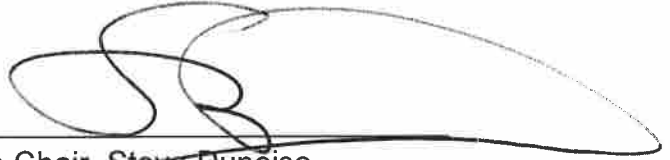
Respectfully submitted:

Pam Kingman

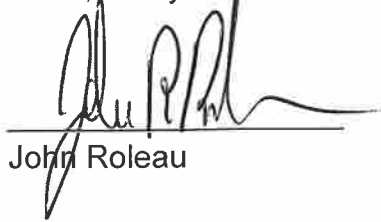
Approved:



Chair, Kathy Barrett



Vice Chair, Steve Dupoise



John Roleau

Jim Walsh



Doug Tolles