

Town of New Haven Selectboard Meeting
7:00 pm
Tuesday, November 15, 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: Sam Carlson, Tim Bouton, Neil Allen, Dean Gilmore, Susan Smiley, Doug McKain, Billy Baslow, Bev Landon, Bridget Kipp, Gaen Murphree, Polly Darnell, Dominick Santa Maria and Chris Huston

Adjustments to the Agenda: ** December meeting schedule / Telling Contract / Ad for Lister (professional appraiser) / Town rules for Class 4 roads / Susan Smiley re: TAC / Ferrisburgh website / update on Lee litigation / Kermit Blaisdell was unavailable for tonight's meeting, he will meet with the Selectboard on Dec. 6, 2016 @ 6:16pm.

AGENDA RESULTS:

VISITORS BUSINESS:

- 1. Sam Carlson from Green Lantern Solar** – Proposing a new solar array on the east side of Route 7. Sam updated the Board as to the progress of the array on the west side of Route 7. The access road is in, it goes through Tim Steady's driveway, and then snakes out back to the site. There will be a 4' trench for conduit running from the array to the transformer. When asked about the Supreme Court decision, Sam said they haven't heard anything yet. If the Supreme Court rules in the Towns favor, it would halt the project. Green Lantern is now proposing a new 500kW array across Route 7 on the east side of the road; this is on the same parcel as the current 500kW array. Green Lantern has filed the 45 day notice, and mailed on October 25, 2016 to the Selectboard, Planning Commission, abutters and state agencies. The aesthetic analysis is underway. Kathy Barrett asked why they are filing this one under Sarah Virginia DeGanahl Ventures, LLC, and the one on the other side of Route 7 has always been referred to as the Russell Farm. Sam said it is 5 siblings of the Russell family who own the LLC. The new array will be set back 500 feet from Route 7; they do not think it will be visible from Route 7. Kathy Barrett asked if they had looked at the area from South Street. Sam said they had not, but will do so. Sam asked which Town Plan they should go by. Steve Dupoise said we are hoping to put a new one forward by Town Meeting in March 2017. Sam will

be meeting with the Planning Commission in December. Green Lantern is planning to file for their CPG on December 16, 2016.

2. **Tim Bouton from Addison County Regional Planning Commission – Flood Resiliency Plan maps** for the Town Plan. He has 2 maps, one which depicts what the State has as designated river corridors and a FEMA map flood plain, they are quite different. Tim has drafted an “All Hazards Resiliency” for inclusion into the Town Plan. Tim highlighted areas in the Resiliency plan that he felt mostly affect the issues; which covers things like floods, winter storms, power failures, drought, earthquake and other natural or manmade disasters. The Selectboard will review the plan; get their edits to attorney Cindy Hill for inclusion into the Town Plan. The Board thanked Tim for his work.
3. **Neil Allen** – VAST land owner permission form – by signing this form it releases the town from any liability. The town owns the trail between Pearson Road and Route 17. Doug wanted to be clear that if someone gets hurt on the trail, by signing this, the town is covered. Doug added our town attorney asked if the town had a snowmobile policy; we do not have one. Neil Allen said any one riding on VAST trails must have limited liability insurance on their snow mobiles, and VAST carries a million dollar policy. Dean Gilmore added unless you are on a VAST trail, you are on your own. Jim Walsh asked if the Town has ever signed one of these before, Neil said no. Jim suggested deferring it for now, and having the town attorney look it over. Doug Tolles made a motion to have town attorney, Cindy Hill look over the VAST landowner permission form, add an “end date”; motion seconded by Steve Dupoise. 5 yes / 0 no **Neil Allen will plan on attending the December 6, 2016 meeting.
4. **Susan Smiley, Alternate for New Haven on the TAC Committee at Addison County Regional Planning Commission** – TAC is re-opening the Transportation planning study; the request form is due to ACRPC by Wednesday, November 16, 2016 (tomorrow). Jim Walsh asked if this would lead to the town having bike paths. Susan said no, it is more generalized. It includes all roads for signage, bike lanes etc. Total amount in the grant is \$25k, there is no match required. This money is to hire a consultant. Jim Walsh thought it would be nice to include bike safety and bike paths, which could dovetail with road grants. Jim Walsh made a motion to authorize Susan Smiley to move forward with the 2017 TAC study program, seconded by Doug Tolles. 5 yes / 0 no Jim Walsh thanked Susan for her hard work.

NEW BUSINESS:

1. **Health Insurance / Treasurer Eligibility** – Doug Tolles questioned the Treasurer’s eligibility for health insurance. Kathy Barrett stated that the Personnel policy states that the Town Treasurer receives health benefits because she is

statutorily considered to be a full time employee. Kathy Barrett said she has asked the Town Attorney to look into it, she is waiting to hear back.

2. John Roleau is concerned about the Planning Commission not being able to hold meetings because they don't have quorum. Discuss needing 2 more people to serve on the PC and DRB. Bev Landon spoke up and said she would be happy to serve on the PC to help get the Town Plan completed. Doug Tolles made a motion to appoint Bev Landon to the Planning Commission to fulfill Peter Rothschild's term, ending in spring of 2017, when the Selectboard makes appointments. Motion seconded by John Roleau. 5 yes / 0 no

REGULAR BUSINESS:

1. The minutes from 11/1/16 and 10/18/16 were deferred

TREASURER'S REPORT:

1. Steve Dupoise made a motion to approve payroll for the week ending 11/5/16 in the amount of \$3,948.19, seconded by John Roleau. 5 yes / 0 no
2. Doug Tolles made a motion to approve payroll for the week ending 11/14/16, in the amount of \$3,095.66, seconded by Steve Dupoise. 5 yes / 0 no
3. Steve Dupoise made a motion to approve the pay orders for the week ending 11/15/16, in the amount of \$67,624.59, seconded by John Roleau. There were questions about Scott's line striping invoice. 4 yes / 1 abstention (Walsh)
Kathy Barrett made a motion to pay Scotts Line Striping \$2,001.76 pending John Roleau's verification of which roads were striped. Motion seconded by Steve Dupoise. 5 yes / 0 no
4. Steve Dupoise made a motion to approve the financials dated 10/31/16, seconded by John Roleau. 5 yes / 0 no
5. Error in Transfer of funds – Treasurer, Barb Torian said the statement was incorrect, the town did not make the errors it was the bank's error in the reporting of the individual funds.
6. Doug Tolles questioned on the budget sheet the volunteer recognition. In the past, volunteers have been given passes to Chocolate Delight night put on by the New Haven Community Library. The same could be done this year or passes to a Fire Dept. pancake breakfast or a gas card.

OLD BUSINESS:

1. Solar Update:

- Awaiting PSB decision on the South St array (Seguin) and Field Days Rd. (Vandal)

- Stan Livingston's array off Main St. - Doug looked at the site and agreed with Kathy Barrett that with all the corn now cut down it will be highly visible.
 - Peck Electric on Field Days Rd (Gervis) their plantings are 32" tall and set more than 50' apart; this third set of plantings has all died!
 - Doug said because New Haven has made a stink, the PSB is now looking into what constitutes correct screening. Steve Dupoise referred to the agreement with Vermont Green Line Devco, LLC; it clearly states in there what plantings have to be and that they will maintain them.
 - Doug said it is unclear about what Sam Carlson is trying to do with putting 2 arrays on one contiguous parcel; Cindy Hill is looking into it. Plus, they do not have an interconnection agreement. Doug said he knows of 2 more 20 acre arrays proposed for Field Days Road in Weybridge. If those 2 do not move forward, then Carlson may move forward. All the rules will change in January.
- 2. Town Plan Timeline:** The Selectboard has until November 29, 2016 to approve the plan; they will warn a meeting for that night at 7pm. Then warn a public hearing for December 14, 2016. Each board member should send any corrections/omissions to Attorney Cindy Hill. These emails should not be sent to the board as a whole. If there are conflicting issues from the board members, Cindy Hill will let us know so that we can meet for a work day to finish it up. Doug Tolles suggested giving Cindy Hill permission to touch base with consultant Brandy Saxton re: current town plan.
- 3. Budget items / Wages:** Treasurer, Barb Torian created a wage sheet for 2017 with a 3% increase. The Selectboard went through the list:
- Full time road crew members received a 5% increase
 - Part time road crew received a 3% increase
 - Doug Tolles made a motion to pay all 3 Auditors \$17.00 per hour, seconded by Jim Walsh 3 yes / 2 abstentions (Barrett / Roleau)
 - Doug Tolles made a motion to pay all 3 Listers \$15.00 per hour, seconded by John Roleau. 5 yes / 0 no
 - Kathy Barrett made a motion to increase the Town Clerk, Selectboard Clerk and Treasurer wages by 5%, seconded by Steve Dupoise. 3 yes / 2 no (Tolles / Walsh)
 - Kathy Barrett made a motion to increase the DRB minute taker by 3%, seconded by Steve Dupoise. 4 yes / 1 no (Tolles)
 - John Roleau made a motion to increase the Zoning Administrator wages by 6%, seconded by Doug Tolles. 5 yes / 0 no

- Kathy Barrett made a motion to increase the Zoning Administrators Assistant wage by 5%, seconded by Steve Dupoise. 5 yes / 0 no
- Most other employee's will receive a 3% increase.

4. Pest Control – Drop until further information

5. North / South HWY – Doug Tolles cited VSA 19 § subsection 33 Surveys of Existing Highways; damages. Doug said we are already spec'd to do the survey, he would like the surveyor to mark the old road every 100'. Civil Engineering Associates was the cheapest surveyor he found, we either pay it or drop it. Bev Landon had asked the Board to hold off on surveying the old road, as she has a volunteer surveyor she is waiting on. She found the survey used by the Supreme Court, but is confused because it ends up on the banks of Otter Creek, and the old road does not do that. Doug said there are actually 2 surveys, one of which used by the Bill family, which is faulty, the other correct one shows where the road is. Dominick Santa Maria is here on behalf of property owner Tom Fisher whose property abuts the road. He feels several of the issues named in the Vermont Dept. of Environmental Conservation site visit summary and review are false. Discussion about why the recent interest in opening the road back up and what consideration is being given to VEC site visit. Road Commissioner, John Roleau said a survey would determine exactly where the road is. He is interested in the historical part of the road; he would like to create a road / path or trail to the 3 acre parcel owned by the town. Doug Tolles said it is very clear where the road is, what is unclear is where the entry is. Discuss high crash area at intersection of Route 17 and Hallock Rd. Kathy Barrett made a motion that given the lateness of the season, the Class 4 road will not be used all winter, the board should table the issue until after Town Meeting. Motion seconded by Steve Dupoise. 2 yes (Barrett / Dupoise) 3 no (Roleau / Tolles / Walsh) Dominick Santa Maria insisted that if someone gets hurt on the road, the town and Road Commissioner will be held liable. Chris Huston who lives at the northern end of the road in Waltham has lived there for 13 years, and said no one is just driving up and down the road. It is used occasionally by local farmers. Road Commissioner, John Roleau will install signs, "Travel at your own risk".

ROAD COMMISSIONERS REPORT:

1. Road Update:

- The drop in culvert at the end of Daniels Road has been installed; it came in \$3,555, which is less than the original estimate. Chris LaPete did a nice job. The road crew is installing matting for erosion control.
- Finishing up on Campground Road.

2. Equipment Update:

- Road crew doing some welding on the plows
 - Timer installed on fuel pump shut off
 - All trucks have been undercoated
 - The 1 Ton dump body has been painted; they have installed ply fenders to protect it from salt. John has also ordered them for the new truck.
 - Chris LaPete delivered the loader to the dealership in Burlington for service; he will pick it up when service is completed.
3. Paving quotes for the intersection of East St and Route 17:
 D & F Paving - \$4,965.00 Pike Industries - \$11,250
 John Roleau made a motion to have D & F pave the intersection of East St and Route 17, seconded by Jim Walsh. 5 yes / 0 no Kathy Barrett asked if we know when the State is going to correct the intersection. John Roleau said it has been on the States radar for 10 years, last he knew it was delayed until 2018.

OTHER BUSINESS:

1. Jim Walsh would like the others to look at **Ferrisburghs website**, particularly in regards to VGL. The Town of New Haven website should include updated info re VGL.
2. **Outside Audit out to bid** – not until next year, contract was just signed for next year.
3. **Listers - Professional Appraiser out to bid** – Pam Kingman put an ad in the Addy Indy today, bids due on December 6, 2016. She also emailed the same ad to 14 appraisers.
4. **Lee Litigation** – Attorney Hill expects a decision soon. Doug added the Selectboard should be mentally prepared to enforce.
5. **Future meeting Schedule:**
 - November 29, 2016 – review and approve Town Plan
 - December 6, 2016 – regular meeting, meeting with Kermit Blaisdell at 6:15 pm / review draft budget
 - December 14, 2016 Public Hearing on Town Plan – Town Hall Cafeteria – 7 pm

The next scheduled meeting is on Tuesday, November 29, 2016, this is to approve the town plan.

Adjourn: 10:30 pm

Respectfully submitted:

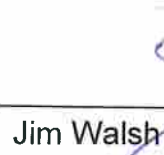
Pam Kingman

Approved:


Chair, Kathy Barrett


Vice Chair, Steve Dupoise


John Roleau


Jim Walsh


Doug Tolles

