

Town of New Haven Selectboard Meeting

7:00 pm

Tuesday, November 18, 2014

Town Offices

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

Visitors: Iva Menard, Angie Dunbar, Polly Darnell, George Vince, Paul Audy, Jon Audy, Brian Hill, Bob Hill, Jim Walsh and Peter Rothschild

AGENDA RESULTS:

VISITORS BUSINESS:

- 1. Auditor Assistant's: Iva Menard, Angie Dunbar & Polly Darnell:** The Selectboard thought they would have been working through the year. Iva said former Selectboard member, Pam Marsh had been working on a priority list for them to go by, but Iva said they never received it. Pam Kingman will contact Pam Marsh about the priority list.
The Auditors Assistants will be contacting Telling & Assoc. for a checklist of things Tom Telling would like them to start working on. Iva said she would like to start coming in on Fridays, Pam Kingman will see that she has a key. Tom Telling will be at the next Selectboard meeting on Tuesday, December 2, 2014; the Auditors Assistants will try to attend.
- 2. Attorney, George Vince with client, Paul Audy and Jon Audy – Leased land on the Audy Farm:** Many, many years ago our forefathers set aside what is known as leased land, Glebe land and Ministerial land. These were to fund churches, schools and universities. At that time rent was paid to the land owner by the occupant, and it would go into a fund towards the churches, schools etc. For a long time, this land was not considered to be an issue to hinder the sale or transfer of lands. Recently, Title companies are asking Attorneys to not ignore these lands when going through a sale. On Paul and Suzanne Audy's farm on River Road there is a Ministerial lot, and the Town inherited the benefit of the lot. The occupant of the lot is the lessee, and paid \$8.00 per year to the town. The town owns the land, holds the lease in perpetuity as long as "water runs and trees grow." For years there was a lease payment on this Ministerial lot that was collected by the town but over the years the rent was absorbed into the taxes. The Audy's have come to ask the Town to give up or quit claim the lot by fee simple title. This will prevent any further issues with the property in the future. The Selectboard discussed if the Town was giving up anything besides the \$8.00 per year, which we essentially haven't collected for years. This is not the first leased lot the Town has dealt with.

Charlie Roy made a motion to authorize Kathy Barrett to sign the Quit Claim Deed from the Town of New Haven to Paul and Suzanne Audy, seconded by Roger Boise. 5 yes / 0 no

***** Bob and Brian Hill had not arrived yet, the Selectboard moved Green Peak Solar on Field Days Road up on the agenda.****

3. Nathaniel Vandal from Green Peak Solar – Nathaniel and his partner had sent out the required 45 day notice. This notice allows time for discussion.

The Selectboard continues to have concerns about the following:

- Non-compliance with our Town Plan. Proposed array is 7 xs larger than what our Town Plan calls for.
- Screening, siting and setbacks
- More than one 20 acre array on this 60 acre parcel.
- Maintenance plan on grasses around array

Mr. Vandal said he and his partner have considered not purchasing all 60 acres, but that has yet to be decided. Green Peaks' intent is to do a subdivision on the parcel, if that doesn't work; then they would look at leasing the property.

Green Peak is hoping the Town would issue a conditional use waiver for the array. Kathy Barrett asked what would happen if panels were to catch on fire. She had heard of a house fire in Connecticut with solar panels on it, when the Fire fighter put water on the panels, they got electrocuted because it is direct current. Mr. Vandal said there are numerous safety disconnects on the arrays. He believes safety concerns are being addressed. He has offered to meet folks on Field Days Rd. to show them the site. Discussed using our Town Attorney or ACRPC for intervention. Doug Tolles is willing to be the contact person with ACRPC. Roger Boise made a motion to authorize our contact person, Doug Tolles to work with ACRPC on the proposed Green Peak Solar array located on Field Days Road. Motion second by Carole Hall. 5 yes / 0 no

4. Bob & Brian Hill from 4 Hills Farm – 4 Hills Farm dumped some dirt in the town right of way and blocked a culvert. The Selectboard sent them a letter asking them to please remove it within 30 days. Instead of removing it, they graded it level, and the culvert was still plugged. The Selectboard sent another letter giving the Hills another 30 days to remove it, or they would have to pay for the Town to remove it. The Road Crew ended up removing the dirt and piling it out of the R.O.W. onto the Hills property, and billed the Hills for the work. The Town has not yet received payment for the work. Brian and Bob have come to talk to the Selectboard about this matter. Brian was not aware of the second letter, and the 30 day limit. Brian will check with his wife about the second letter. Roger Boise handed out copies of the Statute in regards to no dumping within the towns

right of way, and he explained that it wasn't just the Town, it is governed by State Statute.

TOWN OFFICE BUSINESS:

1. Town Hall Applications:

- 1) Doug Tolles made a motion to approve John and Margo Roleau holding a Birthday party in the gym on December 6, 2014, from 1 - 6 pm. The estimated attendance is 20-25. Deposit and usage fee received. Motion seconded by Charlie Roy. 5 yes / 0 no
 - 2) Charlie Roy made a motion to approve R.J. Adler from Suncommon, to use the Town Hall Cafeteria on December 3, 2014 from 7 – 8:30 pm. Deposit and usage fee received. Motion seconded by Kathy Barrett. 2 yes / 3 no **this application has been denied
 - 3) Charlie Roy made a motion to approve Debby Rodriguez holding Mini Metro, AAU and Beeman Basketball practices when gym is available from 5 - 8:00 pm in the gym, with fee waived. Motion seconded by Roger Boise. 5 yes / 0 no
2. Roger Boise made a motion to approve an expenditure from Mike Forte for a portable projector, mounted screen and for training the Town Office; motion seconded by Carole Hall. 5 yes / 0 no

TREASURER'S REPORT:

1. Charlie Roy made a motion to approve payroll for the week ending 11/1/14, in the amount of \$4,349.61 seconded by Carole Hall. 5 yes / 0 no
2. Roger Boise made a motion to approve payroll for the week ending 11/8/14, in the amount of \$5,822.69, seconded by Charlie Roy. 5 yes / 0 no
3. Doug Tolles made a motion to approve payroll for the week ending 11/17/14, in the amount of \$4,073.22, seconded by Carole Hall. 5 yes / 0 no (is this the right date? Should it be 11/15?)
4. Charlie Roy made a motion to approve the pay orders for the week ending 11/3/14, in the amount of \$10,892.33, seconded by Roger Boise. 5 yes / 0 no
5. Roger Boise made a motion to approve the pay orders for the week ending 11/18/14, in the amount of \$367,080.72, includes some paving and a portion of the Plank Rd culvert. Motion seconded by Charlie Roy. 5 yes / 0 no
6. Doug Tolles made a motion to approve the October Financials statements for the General and Road Fund budgets, seconded by Roger Boise. 5 yes / 0 no
7. Outside Audit – The dates were wrong on the proposal – deferred until the December 2, 2014 meeting.
8. Wage Sheet – Copies were handed out, this will be discussed at the December 2, 2014 meeting.

ROAD COMMISSIONER'S REPORT:

1. Road Update:

- The Road Crew went along South St. and East St. and filled in gaps between the new pavement and driveways.
- Katie Reilley and Roger Boise drafted a letter to Pike Industries Re: The condition of Campground Road due to excessive weight and usage. The Selectboard discussed referencing the overweight statute in the letter. Charlie Roy made a motion to authorize road Commissioner, Roger Boise to mail Pike Industries the letter about Campground Rd. with reference to said overweight statute. Motion seconded by Carole Hall. 5 yes / 0 no

2. The Plank Road culvert project came \$1,500 over the contracted amount, but still under the total budget because a small section of the road needed to be paved. Doug Tolles made a motion to authorize Road Commissioner, Roger Boise to sign the Certificate of Completion and Final Completion with Contractor ECI. Motion seconded by Carole Hall. 5 yes / 0 no

Roger Boise made a motion to approve payment to ECI in the amount of \$106,535.00, for the Plank Road culvert project. Motion seconded by Charlie Roy. 5 yes / 0 no

3. Equipment Update:

- The Mac truck repair came in at \$1,300 for bad injectors.
- Roger has suggested putting a line item in at Town Meeting to replace the CAT loader.
- We will need to hold off on line striping until next spring.

4. Charlie Roy made a motion to approve the Road Access Permit for Chris Granstrom on River Road; there is no fee because it is for agricultural use. Motion seconded by Carole Hall. 5 yes / 0 no

OLD BUSINESS:

1. Petition received for the zoning amendment on the Dupoise property. There were enough signatures on the petition. This will be added to the Town Meeting Warning as requested by petitioners.

NEW BUSINESS:

1. Budget meeting will be held on Wednesday, December 10, 2014 at 5:00pm in the Town Office.
2. **911 signs / Road signs:** For years the Town has paid for the first 911 sign. Over time this has been costly for the town. Roger Boise made a motion to have the individual pay for any and all 911 signs, seconded by Charlie Roy. 5 yes / 0 no

3. Red Cross – Asking for support. Pam Kingman will send them a letter about petitioning for funds.
4. Charlie Roy made a motion to approve Brook Field Service to service the town owned generators at \$855 if paid prior to 12/5/14. Motion seconded by Roger Boise. 5 yes / 0 no

REGULAR BUSINESS:

1. Charlie Roy made a motion to approve the minutes from December 17, 2013 seconded by Roger Boise. 3 yes / 2 abstentions (Hall, Tolles)
2. Doug Tolles made a motion to approve the minutes from October 21, 2014, seconded by Charlie Roy. 5 yes / 0 no
3. Roger Boise made a motion to approve the minutes from October 23, 2014, seconded by Charlie Roy. 5 yes / 0 no
4. Roger Boise made a motion to approve the minutes from October 28, 2014, seconded by Doug Tolles. 5 yes / 0 no

MISC. CORRESPONDENCE:

1. ACT 250 Notice – Phoenix Feeds
2. National Multiple Sclerosis Society – Bike Ride
3. Thank you for funds – Vermont Center for Independent Living
4. VLCT – Two Trusts merge on 1/1/15
5. Sheriff's Activity logs

The next scheduled Selectboard meeting is Tuesday, December 2, 2014 at 7:00 pm

Adjourn: 9:50 pm

Respectfully submitted:

Pam Kingman

Approved:

Chair, Kathy Barrett

Vice Chair, Roger Boise

Carole Hall

Charlie Roy

Doug Tolles