

Town of New Haven Selectboard Meeting**7:00 pm****Town Offices****Tuesday, May 15, 2012**

Present: Chair, Pam Marsh, Vice Chair, Kathy Barrett, Roger Boise, Kathleen Ready, Charlie Roy, Treasurer, Barb Torian and Clerk, Pam Kingman

Visitors: Anne Gleason, Ashley Bessette, Cindy Hill, Dave Wetmore, Jim Walsh and Suzy Roorda

AGENDA RESULTS**VISITORS BUSINESS:**

- 1. Anne Gleason and Ashley Bessette from Mary Johnson Day Care / After School Program:** Would like to hold a summer program again this year and segway into the after school program in the fall. The summer program will run from June 18 – August 10th; hours of operation will be 7:45am – 5:30pm. Many of the summer staff will be returning, Ashley and Ryan will remain as the leaders. Mary Johnson is licensed through the State of Vermont, and they can have up to 60 children. New Haven averages around 40 - 45 kids throughout the school year. The Selectboard wanted to make sure Ashley was aware of the gym floor being resurfaced during the week of August 6 – 10, and there will be some public hearings that will be held in the cafeteria in the coming months. Ashley said the communication between her and Suzy Roorda was very good. Suzy has always let her know when an event was coming up. Ashley showed the Selectboard a photo album they had put together last year with help from Denise Martin, and some enlarged photos they had taken of the kids and some of the staff. The grant money for the summer program is in its third year, and at 70%. The summer program will continue to offer busing; as well as free breakfast and lunch for all the kids. Unfortunately, there is not grant money to help support tuitions. Mary Johnson is exploring other avenues that may help kids attend 2-3 days a week instead of 5. Summer program enrollment is currently at 20 – 22 kids per day; tutoring will be 2 days a week. Ashley said they have planned theme weeks, and have asked Beeman teachers for math games for “painless academics.” Kathy Barrett made a motion to approve the Mary Johnson Summer Program to run from June 18 – August 10, 2012, to be held in the Town Hall cafeteria, and for the After School Program to continue in the fall for the 2012 – 2013 school years. Motion seconded by Roger Boise. 5 yes / 0 no

2. Town Attorney, Cindy Hill and Zoning Administrator, Dave Wetmore:

Zoning Violations – In recent weeks Dave has issued 3 Notices of Violation, and a 4th one just last week for problematic properties.

- **LaFerriere** on Lime Kiln Road – Has never appealed their Notice of Violation, and the violation still exists. The violation being that someone is occupying the camper owned by the LaFerrieres; it's like adding an extra bedroom. If suit is filed, Cindy Hill said she will ask the court to not only issue fines, but to order the camper be removed; and she would name both the LaFerrieres and Mark Hall who is occupying the camper. Dave Wetmore feels the LaFerrieres are being taken advantage of, and don't really understand the violation. Discussed an advocacy group that may be able to help the LaFerrieres. Also discussed whether our Health Officer could enforce the septic issue, Cindy will contact Health Officer, Steve Dupoise. Pam Marsh suggested contacting the State Fire Marshall as well. Cindy will write letters to the LaFerrieres and Hall, stating the deadline for them to fix the situation is May 31, 2012.
- **Farnsworth** on Main St. – The house has clearly been abandoned for several years; there have been reports of critters living in the house. Cindy has also noted drums and containers on the property that could potentially start leaking into a nearby wetland. There is also concern about school kids trying to enter the house. The Notices of Violation have been sent to Ira Farnsworth, who is Roger Farnsworth's father, not to Roger - the owner. This is because Ira has been paying the taxes on the property for a long time, and we do not have a current address for Roger. Roger Boise suggested using the Sheriff's Department to serve the Notice of Violation. Dave Wetmore has not heard from Ira or Roger Farnsworth on the matter. Dave will reissue the Notice of Violation, and attach any prior correspondence, and have the Sheriff deliver. If the Sheriff is unsuccessful in locating Roger Farnsworth, we can ask the court to publish the Complaint in the local newspaper.
- **Clark** on North St. – Dave issued a violation back in early March for a change of use. Mr. Clark had ceased using the facility as an agricultural feed operation because some of his roof had collapsed. Instead he started using it as a truck depot while reconstructing the roof. Dave has received many complaints from the neighbors on North St. about what Clark is doing. Because he was not producing any agricultural product during this time, Dave issued the Notice of Violation for change of use. Clark never appealed the violation, but his attorney recommended Dave rescind the violation. Clark came back in April and said he was back in compliance by running the feed operation again. Clark also agreed to get a permit to fill in a manure pond with dirt, upon inspection Dave found it had actually been filled in with construction debris. Currently Clark is in the process of putting up two silos, that he has no

permits for. Dave has issued another zoning violation on May 10, 2012, that states Clark must cease and desist building the silos. He is at his own risk if he continues. The former Zoning Board of Adjustment allowed an agricultural feed operation to happen on less than 5 acres in a residential district (RA5) years ago at this location. Such an operation doesn't meet the definitions of agricultural use under the Zoning Bylaws. Under current regulations there is no use allowed in RA5 for what Clark is doing. Kathy Barrett made a motion that if the Zoning Administrator receives a report of any construction starting on the Clark property, the Selectboard authorizes a fine of \$100 per day, and the Town Attorney shall file a Complaint seeking injunctive relief with the Environmental Court. Motion seconded by Kathleen Ready. 4 yes / 1 no (Boise) ** This matter will be on the Selectboard agenda for the June 5, 2012 meeting if Clark has not appealed.**

3. Jim Walsh – The Planning Commission has written a letter to Selectboard regarding where they felt the best route is for the Vermont Natural Gas pipeline through New Haven. From the north, they recommend that the pipeline follows the VELCO power line to Town Hill Road, then runs out to Route 7 to the Middlebury Industrial Park on Exchange St. This would leave 2/3 of the town less susceptible to development, as opposed to running it the length of Route 7. Discussed the options for the natural gas pipeline, and which route Vermont Gas favors. The pipeline is in early stages; Pam Marsh will contact Steve Wark at Vt. Natural Gas for more information.
4. Jim Walsh – Proposed Zoning Amendments – Handout of minor changes after the Planning Commission held their public hearing on March 15, 2012. The changes are either underlined or are in red. The Selectboard now needs to set a date for their public hearing on the proposed amendments to adopt the bylaws. **This public hearing will be held on Tuesday, June 12, 2012 at 7:00 pm in the Town Hall Cafeteria.**
5. Lowell Nottingham – Town Hall front porch – Lowell has taken a look at the porch and thinks if a new sonotube was put right in the middle, underneath the porch it will hold up for several years instead of replacing the whole porch. He said the composite decking is still in good shape as are the stairs. Lowell said the skirting on the sides of the porch should be replaced with a vinyl that looks just like wood, and won't rot. Lowell will call some area carpenters for estimates.

TOWN OFFICE BUSINESS:

1. Suzy Roorda – Town Hall Applications(s) – **1**) Kathy Barrett made a motion to allow Lindsey Hescoek to hold Zumba dance classes in the gym on Thursday evenings from 6 -7 pm, this will run in 6 week sessions. Deposit received, fee paid. Motion seconded by Charlie Roy. 5 yes / 0 no

2. Suzy Roorda – She has heard from Tom Noble of the Middlebury Community Players. He said he is sending a donation check out tomorrow for use of the Town Hall for their rehearsals. Suzy will hold the security deposit until she receives the donation.
3. Kathy Barrett made a motion to move into executive session at 8:50 pm to discuss a personnel matter, seconded by Roger Boise. 5 yes / 0 no.
Roger Boise made a motion to come out of executive session at 9:00 pm, seconded by Kathleen Ready. 5 yes / 0 no

TREASURER'S REPORT:

1. Kathleen Ready made a motion to approve the pay orders for the week ending 5/15/12, in the amount of \$15,973.94, seconded by Kathy Barrett. 5 yes / 0 no
2. Kathy Barrett made a motion to approve payroll for the week ending 5/5/12, in the amount of \$3,348.06, seconded by Roger Boise. 5 yes / 0 no
3. Kathy Barrett made a motion to approve payroll for the week ending 5/12/12, in the amount of \$3,243.80, seconded by Kathleen Ready. 5 yes / 0 no

ROAD COMMISSIONER'S REPORT:

1. Road update - Road Crew has been cutting brush, weather permitting. New Haven did receive a grant for ditching on Lime Kiln Rd.
2. Equipment update – No major problems. Roger said we lost out on the bid on the Shelburne truck. There were two bids, and Charlotte outbid us.
3. Pam Marsh signed the Road Access Permit for Gallagher / Raugh property on Twitchell Hill Rd.
4. Speed Ordinance – We can warn the speed ordinance as signs are currently posted without setting the speeds at 85% of current speed pursuant to traffic study.. The ordinance for the warning has to specifically name the roads and locations of the speed zones. We can justify the lower speeds due to the fact that the Town has virtually no sidewalks, and people and horses use the roads, along with vehicles. If the ordinance is not overturned in court within 5 years after it is adopted, it is no longer subject to challenge. Discussed speed limits in town.

NEW BUSINESS:

1. Sheriff's Department Contract – The current contract dates back to 1997. The Sheriffs have been paid \$15.00 per hour and \$.38 per mile. The new contract is asking for \$22.00 per hour and \$.55 per mile. Currently the Sheriff's Dept. averages about 120 hours per month, and the contract is for speed / traffic patrol. Kathy Barrett said it would be nice to get detailed reports with information about where and when the tickets are being issued. The town would not make as much money as money as it did with the old contract. Pam Marsh said she will contact

the Sheriff's Dept. and get more information. This topic will be on the June 5, 2012 meeting.

2. Town Hall Gym floor refurbishing – This will take place the week of August 6 – 10th, Suzy Roorda has agreed to close the gym for the weekends before and after to allow for prep time and dry time. According to the School / Town Agreement, Beeman pays 70% and the pays Town 30%. Each will pay their percentage to Wales Floors upon completion.
3. A request was filed with the Town Clerk for a catering permit from Two Brothers Tavern in Middlebury for the DeCoff wedding June 16, 2012 on North Street. Town Clerk Pam Kingman signed off on the permit. She wanted the Selectboard to be aware of the upcoming function.
4. Request letter from Addison County Fair & Field Days to use the Town's generator during the week of the fair; August 7th – 11th. The request was granted with the usual stipulations, such as ACFFD being responsible for moving the generator, and being liable for any damages done to it while in their possession.
5. Bike rack update – Two free bike racks are due to the Town. They were originally supposed to be delivered in April, now it looks like it'll be sometime in July.
6. Bus Shelter celebration – Very hard for Selectboard members to attend first thing in the morning. None of them feel they really need to be here.

OLD BUSINESS:

REGULAR BUSINESS:

1. Kathy Barrett made a motion to approve the minutes from May 1, 2012, seconded by Kathleen Ready. 4 yes / 1 abstention (Roy)

OTHER BUSINESS:

MISC. CORRESPONDENCE:

1. Zoning Administrator, Dave Wetmore – Zoning violation for Clark
2. John Madden correspondence

Adjourn: 9:45 pm

Respectfully submitted:

Pam Kingman

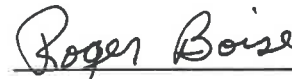
Approved:



Chair, Pam Marsh



Vice Chair, Kathy Barrett



Roger Boise



Kathleen Ready



Charlie Roy