

**Town of New Haven Selectboard Meeting****7:00 pm****Tuesday, September 2 , 2014****Town Offices**

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

Visitors: Robert Clark from Phelps Engineering, Anne Gleason from Mary Johnson Child Center, Susan Smiley, Steve Delphia, Christina Delphia, Josh Baldwin and Steve Dupoise

**AGENDA RESULTS:****VISITORS BUSINESS:**

- 1. Robert Clark from Phelps Engineering** – There was a bid opening last week here in the office for the Plank Road culvert replacement. Out of the 7 bids, Engineers Construction, Inc. from South Burlington came in the lowest and under budget. ECI owns their own sheeting, which this project will require a lot of; so that may have contributed to them being the lowest bidder. Robert said Phelps Engineering has recently worked with ECI, they are easy to work with and do a good job. Phelps Engineering recommends contracting with ECI for the Plank Road culvert replacement. New Haven should expect delivery of the culvert by the end of September. Phelps Engineering will contact the Schools and Post Office to notify them of the road closure, which could be up to 30 days. Roger Boise made a motion to contract with Engineers Construction, Inc. in the amount of \$104,850.00, for the Plank Road culvert replacement. Motion seconded by Charlie Roy. 5 yes / 0 no  
Robert said the Selectboard could sign the contract with ECI as early as next week.
- 2. Susan Smiley** – Is running for State Representative, she introduced herself and asked if the Selectboard had any questions or concerns that she could work on if she gets elected in November.  
**Kathy Barrett** – A major concern all over New Haven is the amount of solar arrays going in. The town is being overrun with them, large and small. Part of the problem is that the installers and landowners do not want to adhere to the towns' setbacks. They are not required to follow the zoning bylaws, but it is not appropriate to put it up against a neighbor's property line. Also, taxation on them is very unclear on the solar arrays as well as the natural gas pipeline.  
**Doug Tolles** – He is concerned about the State Education tax and how it is calculated. Our taxes have gone up 14%, there needs to be an explanation for this and a process to fix it. He mentioned there was recently a good article in VT

Digger that Susan may find interesting.

**Carole Hall** – Her concern is Property taxes and how they are calculated. She said at the rate we are going only the very wealthy will be able to live in Vermont. She feels this topic should be discussed, and a solution found before it's too late.

**Pam Kingman** – The new Open Meeting Law that now requires towns to post every and all agendas (48 hr. prior to a meeting) and minutes (5 days after a meeting) to their websites is ridiculous. She feels Vermont towns have come so far to offer websites to their townspeople as well as folks from out of state as a huge source of information. With this new law, many towns have shut their websites down, because the person posting all this information to the website doesn't have the time to track every single Committee or Board down to get their agendas and minutes posted in a timely fashion. Susan said she if she gets elected she will take on these important issues; and she thanked the Board for their time.

3. **Anne Gleason from The Mary Johnson Child Center** – Is here to discuss Facilities use (Town Hall) for the 2014 -2015 school year. This will be their 10<sup>th</sup> year using the Town Hall for the After School Program, and there will be a well-publicized event called "Lights on After School", highlighting the different towns in which the After School program has been held for 10 years or more. The program runs the entire length of the School year, from 3 - 5:30 pm, occasionally if there is a need, they will offer the program during school vacations, but there must be 12 children or more. In the past they have teamed up with Bristol and Vergennes to accommodate parents.

Kathy Barrett reminded Anne that the hallway outside the old Clerks office needs to remain clear of clothing backpacks etc. Carole Hall asked who does the child care? Anne said the Site Director has a college degree; the others are required by the state to take a 6 hour course in human development, but Mary Johnson employees take 12 hrs each year. Background checks are done on all employees as well as out of state registries are checked.

Carole Hall made a motion to approve the facilities use, by the Mary Johnson Child Center for the After School Program for the 2014 -2015 school year. Main usage will be in the cafeteria, gym and occasionally the kitchen. Motion seconded by Charlie Roy. 5 yes / 0 no

4. **Steve Delphia, Christina Delphia and Josh Baldwin** – Came in to offer new Road names for a road off of Route 7 north by the Dingler property. Carole Hall made a motion to name the new road "Hidden Meadows Pvt.", seconded by Roger Boise. 5 yes / 0 no
5. **\*\*Doug Tolles made a motion to move the letter from the Planning Commission to Visitor Business, seconded by Charlie Roy. 5 yes / 0 no Steve Dupoise** – Came in to see if the Selectboard had acted on the

recommendation from the Planning Commission. Kathy Barrett explained the PC asked the Selectboard to not act on the first letter. The second letter from the PC was not received until the last meeting, and the Board did not have time to read and act on it. Kathy Barrett read from the PC letter, stating the PC supports the proposed zoning change to the Dupoise property. The Selectboard has 120 days to act on the PC recommendation, but they certainly do not want to wait that long. Doug Tolles asked Steve if the Selectboard approves the change; would prefer to go to a town vote or possibly get stalled in court like the Horns. Steve said he would prefer that the Selectboard make the decision and recognizes that the decision may be tied up in the court system for an extended period of time. He does not have immediate plans for the property.

Charlie Roy made a motion to hold a public hearing for the zoning change to the Dupoise property, parcel #0787 on Thursday, October 23, 2014 at 7:00 pm in the Town Hall cafeteria. Motion seconded by Carole Hall. 5 yes / 0 no

#### **TOWN OFFICE BUSINESS:**

1. **Assistant Zoning Administrator position – deferred to the end of the meeting.**
2. **SIMPLE IRA** – Roger Boise made a motion to contribute up to and match up to 3% of the employees SIMPLE IRA, seconded by Charlie Roy. 5 yes / 0 no

#### **TREASURER'S REPORT:**

1. Doug Tolles made a motion to approve payroll for the week ending 8/30/14, in the amount of \$3,638.84, seconded by Charlie Roy. 4 yes / 1 abstention (Boise)
2. Roger Boise made a motion to approve payroll for the week ending 8/23/14, in the amount of \$3,329.96, seconded by Carole Hall. 5 yes / 0 no
3. Charlie Roy made a motion to approve the pay orders for the week ending 8/28/14, in the amount of \$3,322.47, seconded by Carole Hall. 5 yes / 0 no
4. Charlie Roy made a motion to approve the pay orders for the week ending 8/25/14, in the amount of \$10,714.65, seconded by Roger Boise. 5 yes / 0 no
5. August Financial Statements – please look over and be prepared to vote on at the next meeting.

#### **ROAD COMMISSIONER'S REPORT:**

1. **Road Update** – The 4 Hills went to Lime Kiln, they did not remove the materials as they were asked to do, all they did was smooth it out. The town culvert is still completely buried by the fill they brought in. Katie Reilley has written a follow up letter. Kathy Barrett suggested she put in a deadline for the Hills to remove the fill. Doug Tolles made a motion to authorize Kathy Barrett to sign the follow up

letter to the 4 Hills Farm, with a deadline of September 18, 2014. Motion seconded by Roger Boise. 5 yes / 0 no

2. **Equipment Update** – The CAT loader is in for repair for an oil leak in the drive shaft and the brakes have locked up.
3. **VT Gas Road Access Permits** - The Selectboard agrees they would like to have all landowners sign the Access Permits. They looked over what the Town of Middlebury is requiring from VT Gas. The Selectboard agrees with requiring certificates of Insurance with the Towns name as the insured.

#### **OLD BUSINESS:**

1. **Beeman School / Town Agreement** – Defer to the September 16, 2014 meeting, the Selectboard is waiting to hear back from town Attorney, Cindy Hill.
2. **Street Lights** – Almost all the town's street lights have been changed over to LED. A Rep. from Green Mtn. Power came into the office today, he said the streetlight on Main St. by the Gagnon's is not working and they would like to disconnect it. The Selectboard asked Pam Kingman to call the Gagnon's and ask what their preference is.
3. **North South Highway** - Doug Tolles handed out copies of State Statute 19 V.S.A. §985 (a) Injuries from defective bridges and culverts. He is concerned the town could be sued if someone where to get hurt on the highway. There are culverts on the road, but no bridges. Roger Boise looked for more information in "The Orange Book", put out by the Governor and the Secretary of Transportation. No definitive answers were found in the book.
4. **Ancient Roads** – No new information

#### **REGULAR BUSINESS:**

1. Charlie Roy made a motion to approve the minutes from 8/5/14, seconded by Carole Hall. 5 yes / 0 no
2. Doug Tolles made a motion to approve the minutes from 8/19/14, seconded by Carole Hall. 4 yes / 1 abstention (Roy)
3. Doug Tolles made a motion to approve the minutes from 8/26/14, seconded by Roger Boise. 3 yes / 2 abstentions (Hall / Roy)

#### **OTHER BUSINESS:**

Carole Hall made a motion to go into executive session at 8:15pm, for a personnel matter, seconded by Charlie Roy. 5 yes / 0 no

Charlie Roy made a motion to come out of executive session at 8:55pm, seconded by Roger Boise. 5 yes / 0 no

Roger Boise made a motion to hire Karen Gallott as the Assistant Zoning Administrator @ \$14.00 per hour, with the hours to stay within the budget. Motion seconded by Charlie Roy. 3 yes / 2 no (Tolles / Hall)

Charlie Roy made a motion that the Assistant Zoning Administrator will not be the minute taker at the Development Review Board meetings when acting in the Zoning Administrators stead, and the Assistant ZA will not be eligible for benefits. Motion seconded by Roger Boise. 4 yes / 1 abstention (Tolles)

**MISC. CORRESPONDENCE:**

1. Solar arrays
2. Madden Correspondence
3. VT Land Trust acquiring the Stowe Farm on East St.
4. VLCT – Municipal Budgeting Workshop, September 30, 2014 in Montpelier

Adjourn: 9:00 pm

Respectfully submitted:

Pam Kingman

Approved:



Chair, Kathy Barrett



Vice Chair, Roger Boise



Carole Hall

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Charlie Roy



Doug Tolles

