

**Select Board Meeting, Monday, January 9, 2017 in the Cavendish Town Office**  
**Meeting Room at 6:30 pm**

**Present:** Bob Glidden (Chairman), George Timko, Mike Ripley, Jill Flinn (arrived at 6:10 p.m.), Brendan McNamara (Town Manager), Bruce McEnaney (Assistant to the Town Manager), Jen Leak (Recording Secretary) and citizens as listed on the attached sheet.

**1. Call the meeting to order**

Bob Glidden, Chairman, called the meeting to order at 6:30 p.m.

**2. Review/approve minutes of the regular meeting of December 12<sup>th</sup> and December 15<sup>th</sup>, 2016**

*George Timko moved/Mike Ripley seconded a motion to approve the minutes of the regular meeting of December 12<sup>th</sup> and December 15<sup>th</sup> 2016 as written. All voted in favor.*

**3. Sign Orders**

Bob Glidden, Chairman, informed the Board that there were no orders to sign.

**4. Review Correspondence**

Bob Glidden, Chairman, directed the Board to review correspondence at their convenience during the course of the meeting.

**5. Adjust agenda**

Brendan said he would like to add the following item: **7.a. Energy Committee Chairman Peter Labelle to discuss the energy chapter of the Town Plan**

Brendan requested to move Item #11 Discussion of the Town Constable budget, to follow Item 7.a. since the Town Constable was present. He also said that Item #10 Recreation Department budget will be discussed at the budget session meeting on Wednesday, January 11<sup>th</sup>. The Board agreed.

**6. Hear Citizens**

Margo Caulfield was present and updated the Select Board on recent telecommunication activities. She said that Comcast has applied for state funding which would allow them to expand into the Tarbell Hill and Knapp Pond Road areas. TDS is upgrading their equipment in the upper Twenty Mile Stream Road area, which should improve service speeds in that area by the end of January.

Margo also said that she has posted some photos from the 1973 flood on the Cavendish Connects Facebook page in the hope that someone may be able to identify the people in them.

Rolf van Schaik was present said he wanted to ask the Select Board to consider adopting a policy to preserving the aesthetics of our rural roads. He said recent projects in the area have altered the slopes and drainage areas along some roadsides right up to the edges of the stone walls which delineate the rights of way, which has destroyed the original character of the roadside. He thought that the Town of Woodstock has such a policy which the Cavendish Select Board could review. Robin Timko was also present and said this was an issue which the Concerned Citizens

of Cavendish Association (CCCA) has discussed and feels is important. The Select Board thanked Rolf and Robin for expressing their concerns.

**7. Continue discussion regarding Town Snowmobile ordinance.**

Joe Marini, President of the Green Mountain SnowFleas Snowmobile club, was present. He handed Bob 34 letters from SnowFleas members who are supporting the proposed ordinance which would allow snowmobiles to travel up to 1000 feet along the shoulders of the Town Highways in order to access the VAST snowmobile trail system.

George asked what the requirements were for riding the VAST trails. Joe said all riders must follow state laws and the snowmobiles must have a VAST sticker, which cost \$125 apiece. Al Davis was present and said that state police do monitor the trails, and will check snowmobilers for registration, helmets, insurance, and the VAST sticker. Paul Carbo was present and said that he helps to groom the trails and needs to travel along the side of Mill Street in order to access the VAST trails from his property. Bob Glidden mentioned that the Town Highway crossings have been already approved for this year at the December monthly meeting and that they included allowing travel along the shoulders of several Town Highways, including Mill Street.

Joe said that there are few areas near the trails where there is space for vehicles and trailers to park. Therefore, most residents who are VAST members need to travel along a roadside in order to reach the nearest VAST trail access point from their properties. He said they picked a travel distance of up to 1000 feet somewhat arbitrarily, and he thought that many residents might actually need to travel farther. Several members present said that they purchased property in this area because of the VAST trails. They also added that traveling along the roads is damaging to their snowmobiles, so they assured the Board that people would not be travelling along the roadsides any more than would be necessary to access the trail system.

Rich Svec was present and suggested changing the ordinance by replacing the number of feet of travel allowed along the roadside with “the Town will allow snowmobiles to travel on the shoulder of town roads for the exclusive purpose of gaining access to the nearest VAST trail.”

*George Timko moved/Jill Flinn seconded a motion to amend Town of Cavendish Ordinance Relating to Snowmobiles to read “the Town will allow snowmobiles to travel on the shoulder of town roads for the exclusive purpose of gaining access to the nearest VAST trail.” All voted in favor.*

*Mike Ripley moved/Bob Glidden seconded a motion to pass the Town of Cavendish Ordinance Relating to Snowmobiles as amended. All voted in favor.* Bob noted that this Ordinance will be effective as of February 9<sup>th</sup>, 2017, if there are no objections.

The Snowfleas thanked the Select Board for their efforts, and the Board thanked the SnowFleas for coming.

**7.a. Energy Committee Chairman Peter Labelle to discuss the energy chapter of the Town Plan**

Peter summarized Act 174, which addresses municipal control of energy project siting. Peter said that it would enable enforcement of the Cavendish Town Plan if that Plan meets new standards specified by Act 174. The Regional Planning Commission is in charge of determining whether a Town Plan meets the new standards, and Act 174 provides money for each Regional Planning Commission to assist three towns in re-writing their Plans.

Peter said he and Etienne Ting, local Planning Commission Chairman, would like to have assistance from Jason Rasmussen, Southern Windsor County Regional Planning Commission (SWCRPC), to re-write our Town Plan's energy sections. Etienne said the energy sections do need a lot of work to meet the new standards. Etienne said the Planning Commission is currently updating the Town Plan, so this would be a good time to have Jason's assistance. George asked whether Etienne would still re-write the energy sections if Cavendish was not chosen to receive help from the SWCRPC. Peter and Etienne said that they would since energy projects are not subject to an Act 250 review and therefore the Town Plan is the only source of municipal input.

Peter said that he needs the support of the both the Select Board and the Planning Commission in order to apply for assistance from the SWCRPC. Rich asked if the Select Board would voice their support for soliciting help from SWCRPC to meet the Act 174 standards, and if Brendan would write a letter of support stating the same.

*George Timko moved/Jill Flinn seconded a motion to support the Town applying for help from the SWCRPC to rewrite the energy sections of the Town Plan to meet Act 174 and to address energy project siting, and to have the Town Manager write a letter to SWCRPC in support of this. All voted in favor.*

#### **7.b. Town Constable presentation for budget request for FY'2018**

Seth Perry, Town Constable, was present. He passed out a call log summary for the past year and reviewed it with the Board. Seth also reviewed two budget options. The first option would increase the constable's budget from \$5,320 to \$8600, and Seth would continue using his own car as a patrol vehicle. The second option would increase the constable's budget to \$5850 and the Town would need to purchase a vehicle for patrols.

Jill asked if Seth could provide monthly reports to the Board, with some more details than was included in his summary log. Seth said that he would not be able to provide details which would violate individuals' privacy, but he could provide a monthly report. George suggested adding the Animal Control budget to the Constable budget, since many of Seth's call involved animal control issues. The Select Board thanked Seth for coming and said they would discuss this issue at the budget work session on Wednesday.

#### **8. Discussion regarding the tax sale of Apt. 4 of North Country Condos Phase 2. (Former Giglo Property)**

Brendan asked Rich to discuss the details of this tax sale. Rich said the Intent to Sell Municipal Land has been posted for this property and no objections were received, so the Town is now free to sell it. There is a lien against the property from the condo owners association for unpaid association fees. The association's attorney has talked with the Town attorney, and the

association would withdraw that lien if the Town sold the condo to the association. The association has made an offer of \$10,000 to purchase the condo.

Diane McNamara, Town Clerk/Treasurer, had prepared a summary of the monies due to the Town on the property. The total currently due to the Town is approximately \$10,700, excluding attorney's fees, closing costs and additional expenses which would be pro-rated at closing. The association would hold their lien if someone else purchased it, making it more difficult to sell. Mike said he would like to know the total costs that the Town needs to recoup before making a counter offer to the association. Brendan said he would speak with the Town attorney and Town Clerk/Treasurer to get those figures.

**9. Consider liquor license application for "Murdock's on the Green".**

Brendan read the application aloud to the Select Board.

*Jill Flinn moved/Bob Glidden seconded a motion to approve a First Class Liquor License and Outdoor Consumption Permit for Etienne Ting, doing business as Murdock's on the Green. All voted in favor.*

**9. Discussion regarding Select Board vacancy.**

Brendan said the Town has received letters from two residents who are interested in being appointed to fill the vacant Select Board position. He said the Board could either appoint someone to fill the position now or they could leave the position vacant until Election Day in March when the voters could elect someone to fill the position. George said that in the past they have not appointed someone when positions became vacant this close to Election Day. The Board agreed to leave the Select Board position vacant until someone was voted into that position on Election Day in March. George asked Brendan to let those people who had written letters of interest know that they needed to submit a petition to be on the ballot if they wanted to serve on the Select Board.

**10. Recreation Department presentation for budget request for FY'2018 and report on recent activities.**

This item will be discussed at the budget session meeting on Wednesday, January 11<sup>th</sup>.

**10. Update on Town Office heat pump installation.**

Brendan said the heat pumps are in place and working. Rich noted that they have been generating heat even with the very cold temperatures we have had recently.

**11. Other business**

Brendan said that he and Rich have discussed an ongoing dispute between a new landowner and the former owner/current contractor regarding a driveway issue on Cavendish Gulf Road. Brendan said that legal action may ensue and the Town may be pulled into the middle. The sales agreement for this property apparently stated that the former owner/current contractor would

construct a driveway in accordance with Town Highway access permit specifications. The work that the contractor has done thus far has destabilized the bank, causing erosion of materials into the Town Highway. Brendan and Rich said they do not foresee issuing the Town Highway access permit due to the difficult terrain at this site. Rich added that the adjacent landowners apparently are not agreeable to a right of way allowing access to their already approved and constructed driveway.

Jill Flinn – Jill said that she and Seth have talked about a dog owner who has had many animal ordinance offences. They believe that this owner is encouraging his dogs to bark in order to antagonize his neighbor, who has previously complained about the dogs running loose on her property. Despite being fined, the owner has not changed his behavior and that dog still often runs loose. Jill said the dog has run onto Route 131 many times, and she is worried that the dog will cause an accident and someone will be injured. The Board asked Seth to summarize the previous animal control violations he has issued to this owner, and they will invite the owner to attend the February monthly Select Board meeting to discuss the problem. Seth said he will give that information to Brendan.

Jill added that she has heard complaints about the poor state of the pavement on Greven Road and Cavendish Gulf Road. Brendan said that pavement cannot be repaired in the wintertime but those areas will be assessed in the spring.

Mike Ripley – none.

George Timko – none.

Bob Glidden – none.

## 12. Adjourn

*Mike Ripley moved/Jill Flinn seconded a motion to adjourn at 7:48 p.m. All voted in favor.*

Minutes Approved: \_\_\_\_\_

Date: \_\_\_\_\_