

Select Board Meeting, Monday July 9th, 2018 in the Cavendish Town Office

Meeting Room at 6:30pm – Corrected (** indicates corrected sections)

Present: Bob Glidden (Chairman), George Timko, Mike Ripley, Mark Huntley, Sandra Russo, Brendan McNamara (Town Manager), Bruce McEneaney (Assistant Town Manager), Jen Leak (Recording Secretary), Ed McEneaney from LPCTV 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. Act upon minutes of June 11th, 2018.

Mark Huntley moved/George Timko seconded a motion to approve the minutes of June 11th, 2018, as written. All voted in favor.

3. Adjust Agenda

Brendan said that Item #11 “Select Board to review and consider paving proposals for Twenty Mile Stream Rd” was not ready for discussion. The Board agreed to discuss this item at another meeting.

4. Hear Citizens

Carl Snyder was present. He said that the traffic sign (either a stop or yield sign) is missing from the bottom of Wiley Hill Road. Brendan said that he will follow up with the Highway Foreman on the status of that sign.

**** Evelyn Turco was present and said she came tonight because she heard there were people asking for zoning and she asked the Board not to pursue zoning. The Board replied that topic would be addressed under item #5.**

Maryanne Butler was present. She reminded the Board that her property on Brook Road is on the National and State Register of Historic Places. She said that the 2012 Town Plan and the new revised-not-yet-approved Town Plan do not list her property as an historic structure. Maryanne said that she would like the historic structures list to be updated. The Board agreed that section should be updated to reflect current historic properties. Brendan questioned whether it was possible to update the new version since it had already been approved by the Planning Commission and the Select Board. George said that he thought it could be added since it was not a significant change. Maryanne thanked the Board for their consideration and said that she would bring her information to the Planning Commission.

5. Board to hear presentation from residents of Tierney Road regarding a proposal of a Temporary Zoning Land and/or Property Use on Tierney Road.

Linda Watson was present. Linda read a statement from a group of Tierney Road residents regarding their proposal for a temporary zoning ordinance on Tierney Road. She stated that their goals were protection of private property values and compliance with the Town Plan. She added that failure to act could result in legal action against the Town. Linda said that if the proposed Tierney Road quarry is built then neighborhood property values will decrease. She said that the Town would then need to impose a higher tax rate on other town residents in order to make up for this loss in tax revenue. Linda asked the Board to forward this proposed ordinance to the Town Attorney and to reconvene in a week in order to vote on it.

Linda added that there have been machinery noises coming from the property in question and she could not verify if they were caused by home construction or quarrying activities. Doris Eddy was present and said that she could confirm the noise was due to home construction.

**** Carl said that there is currently no zoning in Cavendish and it was not desired. He said that property values adjacent to a commercial operation could decrease but the commercial activity itself may generate higher taxes which might make up for any tax revenue loss. Bruce Watson was present and said he estimated there would be a 5% increase in taxes for all other Town residents as a result of decreased property values in the Tierney Road area if the quarry is allowed to proceed and that he would be appealing his property value all the way to the Supreme Court if necessary.**

**** Evelyn said that threats don't make for good neighbors, and that was what she was hearing tonight.**

Bob said that the Board would meet in executive session with the town attorney to discuss this matter and no action would be taken tonight. Bob thanked everyone for coming.

6. Diane McNamara, Town Treasurer, to present delinquent tax note, tax anticipation note and grant anticipation note for Select Board for consideration and approval.

Diane was present and reviewed the terms for the proposed delinquent tax, tax anticipation and grant anticipation notes with the Board.

George Timko moved/Mike Ripley seconded a motion to approve a delinquent tax note in the amount of \$250,000 at 2.75% interest with Berkshire Bank for a period of one year. All voted in favor.

Mike Ripley moved/Bob Glidden seconded a motion to approve a tax anticipation note in the amount of \$200,000 at a 2.25% interest with Berkshire Bank for a period of 90 days. All voted in favor.

Mark Huntley moved/Mike Ripley seconded a motion to approve a grant anticipation note in the amount of \$ 125,000 at 2.75% interest with Berkshire Bank for a period of one year. Diane explained that this note was taken out in anticipation of incoming FEMA monies to complete various road repairs in the amount of \$200,000 in 2016. She said that she has been slowly paying it down. All voted in favor.

7. Select Board to review and set the FY 2018-2019 Tax Rates.

Brendan handed out copies of the tax rate calculations for last year and the current year and reviewed them with the Board.

George Timko moved/Bob Glidden seconded a motion to accept the proposed FY18-19 tax rate calculations. All voted in favor.

8. Select Board to consider letter of resignation from Diane McNamara as Lister.

George Timko moved/Bob Glidden seconded a motion to accept a letter of resignation from Diane McNamara as Lister with regret. George asked if the Town was now short a lister. Diane said that was correct. She added that there was a lot of training and skill required to do the job properly and she did not have the time to do that in addition to her duties at Town Clerk and Treasurer. All voted in favor.

9. Board to consider purchase of a replacement Town Utility Truck.

Brendan said that the current utility truck is not inspectable and needs to be replaced. He said that the new utility truck will be used exclusively by the Highway Department rather than shared with the Water/Wastewater Department. Brendan said that M&M Excavating has a 2012 Ford F250 which they would sell to the Town for \$22,000. He said that there is a current balance of \$18,000 in the Capital Equipment fund and the FY19 allocation is \$7500. Brendan and Bruce discussed the features of the truck and advised the Board that they thought it would be a good purchase.

Mike Ripley moved/Bob Glidden seconded a motion to purchase a 2012 Ford F250 truck from M&M Excavating for \$22,000. All voted in favor.

10. **Town Manager to brief Select Board on Dog Issue in town and discuss possible action.**

Brendan said that there have been multiple issues over a number of years with dogs owned by Michael Mills, who is a resident of Rogers Drive in Proctorsville. He has 2 or 3 dogs which leave the property regularly and run loose in the neighborhood and onto Route 131. Brendan said that he believes the situation is dangerous both for the animals and for drivers travelling along that section of Route 131 which is narrow and abuts the steep banks of the Black River. Brendan said that he, Jill Flinn (Animal Control Officer), and Bruce have all spoken with Mr. Mills, who seems indifferent about the matter. Brendan told the Board that Kristie Woods has submitted a statement saying that the dogs came onto her property recently and killed several of her pet ducks.

Brendan said that, according to Jill, the dogs are now in CT with Mr. Mills mother until a fence can be installed around his yard. Brendan added that the Town Animal Control Ordinance cannot force him to install a fence. He said that the Board can impose a civil penalty of \$500 if the dogs are found loose again and can recommend that a fence be installed before the dogs return to town. The Board agreed. Brendan said that he would write a letter to Mr. Mills and his mother to that effect.

11. **Select Board to review and consider paving proposals for Twenty Mile Stream Rd.**

The Board agreed to discuss this item at another meeting.

12. **Town Manager to update Board on various Town Projects.**

Brendan said that the bids for the utility crossing project for Bridge #58 are due this Friday, July 13th, at 2 p.m. Brendan added that the work needs to be completed by October 15th.

Brendan said that the East Road and Greenbush Road culverts replacement projects began this week. The work is being done by Gurney Brothers Construction. He said that those roads will be closed and detour signs will be placed.

13. **Other business**

Bruce McEnaney – none.

Brendan McNamara – none.

Sandra Russo – none.

Mark Huntley – none.

Mike Ripley – none.

George Timko - George asked for an update on the derelict building at 53 Depot St. Brendan said that he met with Rose Kauppinen, who agreed that the building is beyond repair. She said that she does

intend to have it removed, but she is focusing on the brick building now and did not offer a time frame. Brendan said that he will keep in touch with her. Brendan added that he passed this information along to the Northcountry condo owners.

Carl asked for an update on the repaving schedule for Route 131. Brendan said that he thought Route 131 is currently scheduled to be repaved in 2020. Carl asked if a skim coat would be applied this year. Brendan said that had been mentioned by our State Representative, Annemarie Christiansen, but he has not heard anything since and he thought it was unlikely to happen this year. Brendan agreed that the road condition was terrible and wouldn't make it until 2020.

Bob Glidden – none.

John Turco was present and asked for an update on the Town Garage. Brendan said that the Board will be meeting on Thursday, July 12th, at 5 p.m. to discuss that project. He said that the steel building is in production but the plans and permits for the new site have taken a lot longer than anticipated. Brendan added that, in his opinion, the site plans were overly done and could push up the costs significantly if built to plan. Brendan said that he is getting estimates from area contractors and, if costs are significantly over budget, then he will ask the engineers about modifying the plans. Brendan said that he wants to balance building the garage correctly and staying within budget, so is continuing discussions. Carl asked if the Board would consider moving the garage back to the old location. George said that they would not since there were also issues with that site.

14. Adjourn

Mike Ripley moved/George Timko seconded a motion to adjourn at 7:28 p.m. All voted in favor.

Minutes Approved: _____

Date: _____