

## MEETING MINUTES

Town of Heath  
SELECT BOARD  
Virtual Meeting  
September 28, 2021

**Called to Order at 6:00 p.m.** with Robyn Provost Carlson, Susan Lively, Brian De Vriese and Hilma Sumner, Town Coordinator, in attendance. Hilma joined the meeting at 6:15 p.m.

**Other Attendees:** See attendance sheet.

**Review Agenda:** Added: Procedure for appointing committee members.

**Highway Superintendent:** Jeff Johnston joined the meeting to request permission to purchase a tow-behind vibratory roller that would be used to pack gravel on the dirt roads after grading. A new one would cost \$29,000-\$50,000 while this is a used one through a private sale. It will cost \$3,000 plus the time for the crew to get it. Jeff stated he has funds available in his budget. ***On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to approve the purchase of the vibratory roller.***

There was discussion about a received complaint that the roadside ditching done close to the writer's home was not done well. Jeff said the work was all done within the 49.5-foot right-of-way. There was ledge some of the way which may be remedied but work that is so extensive is not in the budget this year. Some ditch repair needs to be completed in the area but Jeff said that, overall, the ditching is working well. Jeff will work with Hilma to craft a written response to the complainant.

It is hoped that the front-end loader will be finished and returned by the end of October. At the present time, the department is beginning to prepare for winter.

**Review of Minutes:** ***On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to approve the minutes of September 7, 2021 as written. Robyn Provost Carlson abstained.***

***On a motion by Susan Lively and a second by Robyn Provost Carlson, the Select Board unanimously voted to accept the minutes of September 21, 2021 as amended. Brian De Vriese abstained.***

**Axon Properties:** Company personnel Ryan Jundt, Chris Yatooma, Tom Beauchamp, and Joe Gordhamer joined the meeting to speak with the Board about their visit to the property that they are interested in purchasing at 136 Hosmer Road East. They stated that they found unanticipated challenges in the geographic topography of the property with ledges, rocks and a stream which would mean more of the focus of the potential farm would move closer to the road. There would be one building for growing seedlings that would be bifurcated for each of the four farmers to have space for use.

The company tries to minimize the ecological footprint with above-ground mylar bag growing "pots" for the plants. The mylar bags and the soil are reused as much as possible. Water irrigation is done through a drip line hose and nutrients are all organic-based. Buildings will have LED lights to minimize energy consumption. Eight-foot high fencing will be installed around each of the 2-acre growing fields. They encourage employees to carpool whenever possible to reduce traffic. After the

initial construction, truck traffic will be minimal because merchandise will be transported by vans. It is anticipated that the number of jobs created will be between ten and fifteen employees and will provide some benefits for the employees. Company personnel also stated that there would be lower impact to the community because there will be no retail sales.

Town counsel will be asked to review the Host Community Agreement (HCA) that Axon Properties/Crucial is proposing. Other next steps are to finalize the farm design, get Select Board approval on their plans and reach an agreement on the HCA. Once the HCA is signed, the company will need to hold a Community Outreach Meeting as regulated by the Cannabis Control Commission. Hilma will check with town counsel to see if this meeting may be held simultaneously with the Public Hearing for a Special Permit for building.

**Office Relocation:**

EOC Office: The Board reviewed letters from both Randy Crochier, Public Health Agent, and Dave Roberts, Building Inspector, who both stated that it should be vacated. Randy stated the space should be vacated and closed by October 4, 2021. Emergency Management Director Tim Lively reported that the emergency medical dispensing cabinet had been moved and the Fire Department was moving their belongings as well. Hilma will send a response to both Randy and Dave with an update of closing the office.

The Board agreed that both the cost and viability of repairing and/or replacing the office area will need to be analyzed. A structural engineer may need to be called in to assess the fire station wall. It will be difficult if not impossible to build a new foundation or even pour cement piers for the EOC office annex.

Generator: Quotes are being sought for possible generators for the 18 Jacobs Road building. Both new and used ones are being researched as well as the possibility of moving the EOC generator to the new building to hook up only the new EOC office. Other possible options would be to rent a generator until the Town gets its own or look into a government surplus machine. All possibilities will be considered.

Police Patrol: It was agreed to speak with the Police Chief about the concern of having police presence continue to be observed in the town center as well as other areas of town after the office is relocated.

Central Server: Hilma will ask Northeast IT if all office computers need to be situated in the same location in order for files to be saved and accessed on the server.

Fire House: A schematic plan was sent out from Brian so that it could be reviewed by everyone. The Board agreed to send a letter to Senator Hinds and Representative Mark with various attachments documenting the current conditions of the Fire House garage and office and the EOC office asking for the earmarked funding to be released so that Heath could build a new safety garage. This packet will also include letters from the Fire Chief, Police Chief, Emergency Management Director and the Firefighters Association requesting funding and support.

**Board of Health Members:** After reviewing three submissions of interested candidates, it was agreed to appoint the two candidates that had the most relevant experience. *On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to appoint Casey Clark and Elissa Viarengo each to fill the remaining two years of unexpired terms on the Board of Health.* Although it had been requested by the Board of Health to have the third candidate appointed

as an ex-officio member, the Select Board wants to clarify if an associate, or ex-officio, member can be appointed at will to any board or committee.

**Appointment Protocol:** The Board discussed the need to develop a policy for seeking volunteers and appointing members to town boards and committees. Research will be done and this will be discussed at a future meeting.

**Tri-Wire Declaration of Bankruptcy:** No update.

**Hilltown Theatre:** Hilma reported that Jonathan Diamond would like to start using some space in the Jacobs Road building even if not all rooms that he has requested are available. The Board agreed that, in negotiating a lease, the Town is to maintain control of the gym, cafeteria and atrium due to municipal and other public demands for use of that space. A fee will be calculated based on square footage and amount of time the larger spaces will be used by the group. It was agreed that the Town Coordinator and the Building Maintenance Coordinator would be responsible to oversee the terms of the lease once it begins. An email will be sent to Jonathan to update him and further the negotiations of the lease terms. Town counsel's opinion will be sought as to whether the Board can discuss and decide on the final terms of the lease in executive session before final discussion with Jonathan.

**Town Coordinator's Report:**

- Crucial: Communications with both Axon/Crucial officials and town officials in setting up meetings for today. Emailed information and questions to KP Law.
- Phone Service: Worked on getting information about moving offices and what would be entailed to move phone service from both Crocker and Verizon. Verizon representative sent information and a form to complete. Have been unable to connect with a Crocker technician and will keep trying.
- Paper Shredding: In communicating with Jan Ameen, the paper shredding day will be held at Mohawk. Another town has joined which brings the cost to \$200 if Heath participates. There is a fifth town considering it which would lower the cost more. The Town needs to let Jan know our decision. **The Board agreed to participate.**
- Flagg Hill Road Ditching: Following the complaint of standing water by Henry Godek, the Highway Superintendent drove to the cite and took his own pictures yesterday. Much of the water has dissipated. It is an extremely difficult area to construct roadside drainage because of the ledge, and already existing wetlands that embrace the sides of the public roadway. The Supt. reported that he has been trying to avoid significant change in the roadway by not cutting trees and extending the width of the road.

**Mail:**

- M. Griffin re: 191A grant award
- R. Crochier re: report of EOC and Fire House conditions
- D. Roberts re: Building Inspector's letter of EOC and Fire House inspection
- B. Gordon re: recommendation for new member appt to HCC—Add to 10/12 agenda.
- G. Garland re: BoH member appointments
- H. Godek re: standing water in new ditches
- M. Reich (KP Law) re: Tri-Wire bankruptcy
- MLB re: letter of request for ARPA funds
- J. Ameen re: paper shredding event

- J. Ameen re: cancellation of Clean Sweep day
- R. Jundt re: questions answered
- M. James re: proposed HCA
- J. Diamond re: interest in Crucial
- M. Reich (KP Law) re: Cannabis business, HCA questions/answers
- J. Johnston (Highway Supt) re: Godek complaint
- L. Berger re: resume for BoH membership
- C. Clark re: resume for BoH membership
- E. Viarengo re: resume for BoH membership
- Letter of Support for S-2029— ***On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to sign and send the letter of support for bill S-2029.***
- S. Lively re: Rural Roundtable summary
- FM Generator re: quote for diesel generator

**Future Meetings: October 12<sup>th</sup> and 26<sup>th</sup>**

October 12: Axon Properties, Broadband, ARPA funds, Cultural Council appointment, Fire House, Hilltown Theatre lease

***On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to adjourn the meeting at 8:27 p.m.***

Respectfully submitted,

Hilma A. Sumner  
Town Coordinator