

## • **January 27, 2005**

**Present:** First Selectman Richard Sears, Selectmen Nicholas Solley and Harry Wyant.  
Public: Kelly Boling

**Call to Order:** First Selectman Sears called the meeting to order at 4:37 p.m.

**Motion:** To include subsequent business not already on the agenda. By Dick Sears, seconded by Nick Solley and unanimously approved.

### **Minutes:**

- **Motion:** To approve the minutes of the January 13, 2005 Regular Meeting of the Board of Selectmen. By Harry Wyant, seconded by Dick Sears and unanimously approved.
- **Motion:** To approve the minutes of the January 24, 2005 Emergency Meeting of the Board of Selectmen. By Harry Wyant, seconded by Dick Sears and unanimously approved.
- **Motion:** To approve the minutes of the January 26, 2005 Special Meeting of the Board of Selectmen. By Nick Solley, seconded by Dick Sears and unanimously approved.

**Visitors:** Kelly Boling - see below under Old Business.

### **Communications:**

- The Board of Selectmen has received a letter from **Richard Dutton** expressing his opinion on such items as: the Town's involvement on low cost housing; the use of "slush funds" for the purchase of open space and/or housing; and investing Town monies in higher bearing interest funds.
- The Board of selectmen has received a letter from **J. Winston Fowlkes III** regarding the paving of a portion of Potash Hill Road. The selectmen mentioned that this will be discussed further at budget sessions. An engineer may need to be hired, pricing done, etc.

### **Appointments/Resignations:**

- **Motion:** To appoint Sarah Gager as a regular member of the Planning Commission - term to expire on 12/31/05. To appoint J. Winston Fowlkes III as an alternate member of the Planning Commission - term to expire on 12/31/07. By Dick Sears, seconded by Harry Wyant and unanimously approved.

### **OLD BUSINESS:**

- **Discussion of Proposed Road Discontinuance Regulation:** **Kelly Boling** began his discussion by presenting a brief history of the Road Discontinuance Committee. In 2003 the Committee proposed a number of roads to be discontinued. Currently there is no mechanism to control what happens on these discontinued roads. Attorney Mike Ziska was consulted for his opinion. He felt this should be a zoning issue and become part of that commission's regulations. Kelly spoke with Hank Martin, Chairman of the Zoning Commission, who felt the Selectmen should be made aware of the proposed regulations first. Kelly also asked Mr. Ziska if an ordinance (similar to the Driveway Ordinance) could accomplish the same thing as being part of the zoning regulations - he felt not. Nick Solley felt that by discontinuing roads we are creating "private roads" and adjoining property owners then have rights to do things they did not have previously. An important question has to do with the Town being able to preserve the rural

character and to prevent the property owners from doing things they want to do that would not be in conformity (ex. paving and lighting). Following discussion, the suggestion was made to have the selectmen review the regulations again with Kelly and a representative from the Zoning Commission.

- **West Mountain Road signage:** Dick Sears notified the Selectmen that he had a conversation with Joe Mustich and let him know that a decision about the sign at the intersection of West Mountain Road and Nettleton Hollow Road will be made in two weeks at the next Selectmen's meeting.
- **Date for awarding Elevator Bid:** The Board of Selectmen will award the bid for the Bryan Memorial Town Hall Elevator and ADA Improvement Project at their meeting on February 10, 2005. Once the bid is awarded, Wagner Associates will meet with the contractor and explain the federal guidelines, etc.

**NEW BUSINESS:**

- **Date for Special Town Meeting:** A Special Town Meeting will be held on March 10, 2005 at 7:30 p.m. The proposed agenda will include: Washington Community Housing Trust request for a tax abatement for the affordable housing project on Church Street, New Preston; Elderly Tax Relief Ordinance; Underage Drinking Ordinance.
- **Newly elected officers of the WVFD:** Dick Sears announced the officers of the Fire Department are now: Chief: Matthew Somerset, 1st Assistant Chief Dick Murchison, 2nd Assistant Chief Duncan Woodruff, Captain Mark Collins, 1st Lieutenant Greg Gollsneider, 2nd Lieutenant Brian Ohmen.
- **Town Newsletter:** The next edition of the Town Newsletter is scheduled for mailing on March 1st.
- **Legislative Priorities.** Dick Sears announced that the NWCOG has identified several issues of importance to small towns. He will keep the Selectmen informed.

**Adjournment: Motion:** To adjourn the meeting at 5:43p.m. as there was no further business to discuss. By Dick Sears, seconded by Nick Solley and unanimously approved.

Respectfully submitted,

Mary Anne Greene  
Selectmen's Secretary