

Fair Haven Select Board, March 9, 2010

**TOWN OF FAIR HAVEN  
SELECT BOARD  
WATER AND SEWER COMMISSIONERS  
LIQUOR COMMISSIONERS—CEMETERY COMMISSIONERS**

**MARCH 9, 2010**

**Members Present:** Ron Adams, Ray Bunker, Julie Ellis, Jeff Sheldon (Absent: Claire Stanley)

**Others Present:** Bonnie Rosati, John Lulek, Pat Frazier, Debi Bailey, Karen Close, Larry Hughes, Neil Robinson, Jane Ellis, Roy L. Eckler, Bob Richards, Shaun Tomasi, Dave Ward, Jack Eaton

**CALL TO ORDER**

Ron Adams called the March 9, 2010 meeting of the Fair Haven Select Board to order at 7 p.m.

**ORGANIZATION OF SELECT PERSONS/APPOINTMENTS**

Julie Ellis moved that Ron Adams be elected Select Board Chair. Second by Ray Bunker. Mr. Adams turned the meeting over to Senior Select Board Member Ray Bunker who called for further names to be considered and there being none, he called for a vote. The motion carried with a 3-0 vote, Adams abstaining.

Julie Ellis made a motion to name Claire Stanley Clerk of the Board. Second by Jeff Sheldon. Motion carried with a 4-0 vote.

Jeff Sheldon made a motion to name Julie Ellis Clerk of the Board for this meeting in the absence of Claire Stanley. Second by Ray Bunker. Motion carried with a 3-0 vote, Julie Ellis abstaining.

**Appointments**

Fence Viewers: Jeff Sheldon made a motion to name Ray Bunker, Claire Stanley and Mike Stanley. Second by Julie Ellis. Motion carried with a 3-0 vote, Bunker abstaining.

Keeper of the Pound: Jeff Sheldon made a motion to name Ken Jones. Second by Ray Bunker. Motion carried with a 4-0 vote.

Inspector of Lumber: Ray Bunker made a motion to name Jeff Sheldon. Second by Julie Ellis. Motion carried with a 4-0 vote.

Weigher of Coal: Jeff Sheldon made a motion to name Jack Eaton. Second by Julie Ellis. Motion carried with a 4-0 vote.

Tree Warden: Jeff Sheldon made a motion to name Jack Eaton. Second by Ray Bunker. Motion carried with a 4-0 vote.

Town Service Officer: Ray Bunker made a motion to name Julie Austin. Second by Julie Ellis. Motion carried with a 4-0 vote.

~~Emergency Management Co-coordinator: Jeff Sheldon made a motion to name Jim Heller. Second by Julie Ellis. Motion carried with a 4-0 vote.~~

~~Fire Department: Select Board to approve officers as follows: Chief Dave Ward, 1<sup>st</sup> Assistant Chief Jim Heller, 2<sup>nd</sup> Assistant Chief Jodie McGee, Cpt. Michael Goodwin,~~

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1<sup>st</sup> Lt. Don Proctor, 2<sup>nd</sup> Lt. Brian Rooker. Julie Ellis made a motion to accept the officers as listed. Second by Jeff Sheldon. Motion carried with a 4-0 vote.

Town Agent: Shaun Tomasi had the right number of votes and is agreeing to continue serving.

Trustees of Public Funds: Dick Duel, Andy Brown, Maureen Hall. (Their names were written in on ballots but they did not get the required 18 votes.) Ray Bunker made a motion to reappoint. Second by Julie Ellis. Motion carried with a 4-0 vote.

### **APPROVAL OF MINUTES FOR FEBRUARY 23, 2010**

Ray Bunker made a motion to approve the minutes of the February 23, 2010 meeting. Second by Julie Ellis. Julie Ellis made note of a correction, page 1, last paragraph, line 3-MBT should be MDT. As corrected the minutes were approved with a 4-0 vote.

### **PUBLIC COMMENT**

**Shaun Tomasi** asked about the town's involvement in the Pleasant Street issue. The Board asked Attorney Bloomer for a summary judgment in the matter.

**Pat Frazier** suggested one of the signs that tell the drivers how fast they are going be placed at the top of "Town Hill" so they know how fast they are going as they hit the downtown section. He was advised we are waiting for the results of a traffic study scheduled for spring.

**Bob Richards** asked about the status of the quit claim deeds from Vermont Structural and was advised this is being worked on. He wondered what the town is getting for a ton of scrap metal. He questioned a mention in the Poultney Select Board minutes of a contract with Fair Haven for police coverage. He was told this does not exist.

**Karen Close** noted the automatic phone answering system is back in and wanted to say she opposes it. She spoke of problems she has had with it in the past and it was suggested the problems might have been with her system. She believes we are small enough to not require such a system.

**John Lulek** pointed out the West Street Cemetery fence is in bad condition and wondered when it would be fixed. He was advised it is in this year's budget.

**Larry Hughes** expressed concern over the loss of Town employees.

**Jane Ellis:** She is disturbed with the negative coverage of Fair Haven in the Rutland Herald.

**Neil Robinson** echoed the concern over negative newspaper coverage and said Fair Haven, in his opinion, had "a best Town Meeting." He asked about zoning of the airport and stated he believes it should be zoned industrial, as protection if the property is sold.

**Chair Ron Adams** reported he had made a phone call to the Secretary of State to ask what constitutes a "binding" or "non-binding" article. Clarification of this will be in the Secretary's next newsletter.

### **APPOINTMENTS WITH INDIVIDUALS**

None

**DEPARTMENT HEAD REPORTS, COMMITTEES**

Nothing that is not on the agenda.

**NEW BUSINESS**

**Cemetery Deed:** Julie Ellis made a motion agreeing to sell Lot 8 South, Section 11, to Stacy Trevellyan. Second by Ray Bunker. Motion carried with a 4-0 vote.

**FHUHS Project Graduation:** Julie Ellis made a motion to donate \$250 to Project Graduation. Second by Jeff Sheldon. Ray Bunker suggested the amount be \$50. School Board member Pat Frazier spoke in favor of the motion. Neil Robinson asked why taxpayers' money should be used for this organization and suggested this item be on the ballot. The Chair said the program involved all volunteers. This year's Project Graduation is being held in New York State because no place is available in Vermont. The motion carried with a 3-1 vote. Ray Bunker voting no.

**Annual Financial Plan-Highway/Approval:** Fair Haven is listed to receive \$84,608. The Chair believes we should plan on a lesser amount. Julie Ellis made a motion to approve the Annual Financial Plan for the State Highway. Second by Jeff Sheldon. The motion carried with a 4-0 vote.

**Zoning By-laws:** Required hearings have been held on this document. Bonnie Rosati, Commission member, was asked for an overview. She stated the document contained a lot of clarification and sections to bring us into compliance with state statutes. The zoning of only one district was changed. A new color map is on the wall in the town office. Julie Ellis moved to adopt the proposed Fair Haven Zoning By-laws as submitted by the Planning Commission. Second by Jeff Sheldon. Motion carried with a 4-0 vote. The new by-laws become effective in 21 days.

**Fire Truck:** The Chair asked the Fire Dept. Chief where we are in the process related to the new truck. The report indicated the specs will be finalized in a couple of weeks. Manufacturers will look at them and they will come before the Select Board. The Town Manager indicated she is hoping for a \$75,000 grant, the rest (above the amount the department has on deposit) would be a loan at 4% interest. She is working with USDA for the best financing. The Chair said the proceeds from the sale of trucks being retired will go to the Fire Department's Reserve Account. It was suggested the money be applied against the purchase of the new truck.

**Cross Walk:** The voters have indicated they want the cross walk on Main Street put back. There are some questions regarding the replacement. The Town Manager will see what action must be taken and it will be on the agenda for the next meeting. There was also discussion on changing from a two hour parking limit to a four hour limit. (The Chair declared a recess at 8:25 pm. Back in session at 8:34 pm.)

**Time Clock Use-Sharon Mallette:** She is the only person in the building who uses the time clock. The Union indicates it has no problem with allowing her to not use the time clock, but she is to record her comings and goings on a form. Ray Bunker moved to approve the time clock issue for Sharon Mallette. Second by Jeff Sheldon. Motion passed with a 4-0 vote.

**Liquor and Tobacco License Renewals:** Julie Ellis made a motion to approve tobacco and liquor license renewals for Mac's Convenience Store/Truck Stop #20,

Stewart's Shop #190, Maplefields at Fair Haven, Rite Aid Pharmacy #3201, and American Legion/Fair Haven Post 49, and Liberty Street Market. Second by Jeff Sheldon. After discussion, Ellis amended the motion to exclude the license of Liberty Street Market, because of back taxes. Second by Sheldon. The motion passed as amended with 4-0 vote. Julie Ellis made a motion to renew the liquor license for Fair Haven Inn and the Eagles (Fair Haven Aerie #3907). Second by Ray Bunker. Motion passed with a 4-0 vote. Julie Ellis made a motion to table Liberty Street Market's renewal of liquor and tobacco license until the next meeting. Second by Jeff Sheldon. Motion carried with a 4-0 vote.

**Position Available/Roustabout:** After discussion it was decided to advertise for a Driver/laborer and roustabout. Because a second employee is leaving town employment, the Chair asked that the record show the men are leaving on their own freewill for better employment. Roustabout will be a seasonal position, summer and winter. Julie Ellis moved to have the Town Manager bring a job description for seasonal summer and winter roustabout to the next meeting. Second by Jeff Sheldon. Motion carried with a 4-0 vote.

### **OLD BUSINESS**

There was no Old Business.

### **REVIEW OF FINANCE REPORTS**

Financial Reports were given to Board members for their review. The Town Clerk said at Town Meeting someone asked about availability of the reports. They are available at Town Hall to see or to request a copy.

### **REPORTS OF BOARDS, ETC**

**Public Works Director Jack Eaton** reported his crew is working on town clean up. **Town Manager Serena Williams** said the water and sewer department budgets have been given out for review. She asked if we want a Hydro-Citizens Committee. If yes, we need to advertise for letters of intent which must be in by April 6. At 10 a.m. tomorrow there will be a meeting of the three police departments discussing merger. The Welcome Center Festival is Saturday, June 19. The Fire Dept. and Historical Society will be set up. Select Board members are encouraged to attend. The Slate Valley Youth Center Agreement is ready to be reviewed by our attorney. It will then come to the Select Board for review. The lease for the Center must be for 10, 20, or 30 years due to grant requirements. The lease will need to allow the auditorium to be used for things other than the teen center: Town Meeting, for example. She is pleased to have recently confirmed the Town Hall building is on the National Register of Historic Sites. She is requesting proposals for sealing and striping the tennis court. Proposals to be in by April 5 for consideration by the Select Board at the April 6 meeting. Next is the proposal for the fence to go around the tennis and basketball courts. These are to be in by April 19 for a Board decision on April 20 and the work to be completed by May 28. Spaulding is fixing ~~our old 40-cu. yd. hopper and will return it (no charge) to Public Works when it is done.~~ She is encouraging Board members and others to contact Tom Roberts (Highway Dept.) and encourage him to move up the date for work on South Main Street...suggest doing it in two years.

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**Ron Adams** says the hope is to have the Fourth Street sidewalk ready to go out for bid in May. Manager still working on details. He asked Jack Eaton about paving plans for the summer. Swamp and Sheldon Roads are on the list for repaving.

**Jack Eaton, Public Works**, reported construction people are coming to look at the Depot Street Bridge. Hopefully, some grant money will be available for it.

**Ray Bunker** noted the overhead sign is missing from the railroad bridge on River Street.

#### **SIGNING OF WARRANT**

Julie Ellis made a motion to pay the Warrant as follows: Payroll--\$26,016.16; General Fund--\$100,195.90. Second by Jeff Sheldon. Motion carried with a 4-0 vote.

#### **ADJOURNMENT**

Jeff Sheldon made a motion to adjourn at 9:35 p.m. Second by Ray Bunker. The meeting adjourned.

Respectfully submitted,  
**Wilma DeSpain**

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**Julie Ellis, Acting Clerk**