

# Town of Fair Haven

## Board of Selectmen Water and Sewer Commissioners Liquor Commissioners — Cemetery Commissioners

December 15, 2009

Board Members Present: Ron Adams, Claire Stanley, Julie Ellis, Jeff Sheldon

Board Member Absent: Ray Bunker

Others Present: Serena Williams- Town Manager; Jack Eaton- Superintendent of Public Works,  
John Root - Water Department, Cpl. Dale Kerber, Ken Jones, Bonnie Rosati, John  
Lulek, Marian Lulek, Karen Close, Donald Beede

### CALL TO ORDER

Ron Adams, Chair, called to meeting to order at 7:00 pm.

### APPROVAL OF MINUTES

Claire Stanley moved the Board to approve the minutes of the December 1, 2009 regular meeting. Julie Ellis seconded. Discussion: Page 1, last sentence, change "50" to "5-0". Motion carried.

Jeff Sheldon moved the Board to approve the minutes of the December 9, 2009 special meeting. Julie Ellis seconded. Motion carried.

### FIVE MINUTES FOR PUBLIC COMMENT

Don Beede expressed concern about the transportation figures and buying a new truck. He compared Fair Haven road mileage with that of Bristol and Brandon. He feels the town has too many trucks and should use the pickup truck and loader to plow intersections and places such as the water plant and parking lots.

Bonnie Rosati, SWAC Representative reported that the Planet Aid boxes at the Transfer Station had collected 15,520 pounds of clothing so far this calendar year removing this from the compactor.

### APPOINTMENTS WITH INDIVIDUALS

None scheduled

### DEPARTMENT HEAD REPORTS, COMMITTEES

Jack Eaton, Public Works reported Worksafe had visited the town barn and had made several recommendations. They need a flammable storage locker for the gas tank, aerosol sprays, gas cans and anything that is flammable.

### NEW BUSINESS

#### Merchants Bank/Resolution

The resolution is for the purchase of the new truck and a loan agreement for \$55,000. This would be a loan not a lease. The loan would be from Merchants Bank for \$55,000 at 2.75 percent interest for three (3) years with one (1) annual payment per year. The first payment would be due December 17, 2010.

Jeff Sheldon moved the Board to sign the resolution and note, through the Merchants Bank, for the purchase of a new Ford 550 dump truck for \$55,000 at 2.75% interest for three (3) years with one (1) annual payment, with the first payment due December 17, 2010. Julie Ellis seconded.  
Motion carried 4-0.

The proceeds from the sale of the truck that is being replaced will be put in the Public Works Equipment Replacement fund.

Restoration Fund/32 VSA 1671(c)

The fund is for the restoration of town land records. The Board wanted the restoration fund to begin December 2, 2009. The Town Clerk has been setting aside \$1.00 per page since July 2007. Beginning July 1, 2007 the recording fee was \$8.00 per page with \$1.00 set aside for restoration.

Jeff Sheldon moved the Board to table this issue until the next meeting to allow the Town Clerk to provide a breakdown of what the fund contains. Julie Ellis seconded. Motion carried.

Water Project - West Street, Grape Street, Benson Lane, Third Street

Serena Williams reported that before she can go forward with a USDA grant/loan it must first go to the voters for approval of a \$550,000 bond loan.

John Root reported that on Third Street, near Mechanic, there is a piece of lead pipe and there is no flushing hydrant. Benson Lane has an undersized line and the hydrant should be moved. Grape Street has a way undersized line and West Street needs the water line extended to the bridge and This-A-Way and That-A-Way connected to the water line. Sewer line should be extended at the same time as the water line on West Street. The Board asked about cost to water and sewer users.

USDA has a grant that would cover 45% of the cost along with a 30 year loan for the remainder. Any future water project would require an archaeological study.

The Board asked Serena Williams to put together a list of all long term debt with interest payments, including water and sewer, all short term debt and potential long term debt such as a fire truck.

The Board asked for a cost versus payback breakdown for water, by street, for Third Street, Grape Street, Benson Lane and water and sewer for West Street, in that order of priority.

Serena Williams will crunch numbers and report back to the Board.

Sand Shed/Public Works

Jack Eaton reported that at the present time they are only using sand from the big pile. They can not remove the same from the shed even with the loader. An architect evaluated the sand shed and determined that it could be well over \$8,000 to stabilize the shed. One of the support beams has twisted and split.

The sand shed is in a floodway. Serena Williams has been in touch with ANR River Management regarding replacing the shed. To reconstruct the shed in the same footprint would require going through the State and the Zoning Board of Adjustment for permits.

The public sand has been moved and is clearly marked.  
This shed issue will be addressed further in the spring.

Transfer Station/40 Yard Container

Serena Williams reported three bids had been received. Rudco bid was \$4,350 plus \$1,500 shipping for a total of \$5,850, Wastequip bid \$4,311 plus \$460 shipping for a total of \$4,771 and CEJJ, Inc bid \$4,545 which includes shipping.

Julie Ellis moved the Board to accept the bid of CEJJ Inc. for a 40 yard container with 11 gage sidewalls and 7 gage floor for a total cost of \$4,545 delivered, with the funds to be taken out of the Transfer Station equipment reserve fund. Claire Stanley seconded. Motion carried.

Peter Partch/Sewer Permit

The Board received two sewer permit application for the former Ann Shaw log cabin property located on Route 4A. The engineering plan was included. There is sufficient capacity to serve the two connections. All fees have been collected.

Jeff Sheldon moved the Board to approve the two applications for sewer permits submitted by Peter Partch for the former Ann Shaw log cabin property located on Route 4A. Julie Ellis seconded. Motion carried.

West Street Complaint /Water Runoff

John Lulek stated that when West Street was repaved it was not ground off at the edge and the road was raised about two inches and crowned. This causes the water to run down his driveway into his garage. There is no catch basin or storm drain in the area. Mr. Lulek stated he would not give the Town any easement to run drainage across his property. The Board asked Jack Eaton, DPW, to look at all the properties in the area for water problems, take some measurements and report back to the Board at the next meeting.

Brook Field/Service Agreement

The service agreement involves the generator at Fair Haven Grade School. The question has been raised as to whether or not DPW should do the maintenance on the generator. There is a five (5) year warranty on the generator. Serena Williams will check to see if the town maintains the generator how the warranty will be effected and report back to the Board.

The Board took a short break from 8:30 pm to 8: 40 pm.

**REPORT OF BOARDS**

Serena Williams reported that Brad Stevens will hold the Lumberjack Roundup in the park with the road race on July 3, 2010. The will be posted to the web site.

Mr. Adams requested that the Recreation Department update their roster on the web site.

The Secretary of States Opinions indicates that active duty service members can be exempt from the penalty and interest due on delinquent property taxes.

Quotes for the cost to print the Town Report are due December 29, 2009.

A copy of the Feasibility Study for the hydro project was distributed for the Board to review. The study includes three scenarios.

The final cost of the Prospect Street water line project was \$41,536.39.

Claire Stanley distributed a draft of the Selectman's and Town Manager's message for the Town Report for review and suggestions.

Jeff Sheldon asked about the abandoned property on the corner of Cottage and River Street. Mr. Sheldon, Mr. Adams and Mrs. Ellis had been contacted by a couple of residents concerning the town stepping in to secure the property.

A complaint was filed with the Town Health Officer who in turn had to report the complaint to the Vermont Department of Health and the Select Board acting as the Town Board of Health. The property went up for tax sale, the property owner filed for bankruptcy and the bank is attempting to foreclose but must wait for the bankruptcy. The property is an abandoned building with a serious health and safety issue.

DPW was scheduled to board the building up but was asked to delay until the Board could review the issue again.

Two attorney's, the town attorney and the attorney for the foreclosure both recommended that the town secure the property and place a lien on the property for the cost to secure it.

Mr. Adams asked if DPW could secure the building by boarding up the windows and doors and removing the pool. DPW can board up the building.

This type of action will only be taken if the Vermont Health Department states that the legislative body (Select Board) of the town must take action to secure the property.

Ms. Williams sent a certified letter to the property owner stating that the Board had decided to take out the water meter and secure the property with a lien on the property for the cost and copied it to the bank. The certified letter was received by the property owner.

The consensus of the Board was to have DPW secure the property.

## **OLD BUSINESS**

### 10-11 Budget

Ms. Williams reported that emergency management funds had been added to cover maintenance of the generator.

The FY10-11 General Fund increased 7.5%. The total increase is \$131,915. The tax rate based on the grand list, without any of the appropriations, would increase by about \$0.017 over the current tax rate of \$0.8196. Some of the appropriation have increased and new requests for funding have come in. This is a two year increase as the budget was flat over the last two years.

The Chair asked if there were any questions on the draft budget through the first reading. The budget will be reviewed again.

Ms. Williams asked if the Transfer Station service fee to West Haven will remain the same or should it increase. It will remain the same. Ms. Williams is waiting for Hampton, NY to respond with a contract for fire service.

**REVIEW OF FINANCE REPORTS**

The Board reviewed the finance reports. Ms. Williams reported everything has been paid and there is \$149,000 left in the check book.

**SIGNING OF WARRANT**

Claire Stanley moved the Board to sign the warrant with total payroll of \$28,809.76 and total General Fund expenses of \$188,657.34. Julie Ellis seconded. Motion carried.

**EXECUTIVE SESSION**

Julie Ellis moved the Board to enter an executive session for a personnel matter with the Town Manager included. Jeff Sheldon seconded. Motion carried.

Entered executive session at 9:43pm. Out of executive session at 10:13 pm. No action taken.

Julie Ellis moved the Board to adjourn. Jeff Sheldon seconded. Motion carried.

**ADJOURNEMENT**

10:15 PM - Meeting adjourned

Respectfully Submitted, Bonnie Rosati

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Claire Stanley  
Clerk of the Board

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Date