

**TOWN OF FAIR HAVEN, VERMONT  
SELECT BOARD  
WATER AND SEWER COMMISSIONERS  
LIQUOR COMMISSIONERS--CEMETERY COMMISSIONERS  
SELECT BOARD SESSION  
April 28, 2014**

**Members Present:** Chair Christopher Cole, Rod Holzworth, Bob Richards, Jeff Sheldon, and Dave Ward

**Others Present:** John Lulek, Claire Stanley, DPW Superintendent Bud Panoushek, Jay Brown, Tim Langlois, Richard Frazier, Glen Roberts, Mary McNeil, Greg Cox, Olga Sears, Kevin Durkee, Ilene Durkee, Ray Phillips, Police Chief William Humphries, Brian Ward, Recorder Wilma DeSpain, and Town Manager Herb Durfee

**CALL TO ORDER**

Chair Christopher Cole called the meeting to order at 7:10 p.m. and asked everyone to stand for the Pledge to the Flag.

**AMENDMENTS TO THE AGENDA**

Richards moved to add discussion of the budget-related petitions to the agenda. Second by Holzworth. All voted aye.

**FIVE MINUTES FOR PUBLIC COMMENT**

There is to be a celebration of the life of Dick Reid Saturday afternoon at the American Legion. He was employed by the Town for more than 20 years. The board asked Durfee to get a card for the board to sign and if persons wanted to donate to the Rutland Area Humane Society in his name they encouraged members to voluntarily do so.

The Board was asked about the status of the Adams Street bridge closure. Durfee reported that additional engineering assessment and study is required but, preliminarily, the cost to replace the deck and some railing could amount to up to \$300,000. As additional information becomes available, Durfee said he would let the public know. In the meantime, the bridge will remain closed indefinitely due to safety.

Richard Frazier inquired if there are plans for sidewalk construction on the south side of town. Panoushek indicated that recent priority has been focused on infrastructure improvements related to school-aged children and sidewalk connectivity to the schools. Durfee added that the recently completed sidewalk inventory will help in determining priority considerations as would available funding for construction/repair. Brown emphasized in many instances there is no sidewalk and people have to walk in the road.

**DEPARTMENT HEAD & COMMITTEE REPORTS**

Durfee reported Peter Laramie, Wastewater Operator believes there is significant wear and tear at the Waste Water Treatment Plant. He is asking that an engineering study be completed to assess whether or not a major capital overhaul is necessary. The plant is 26 years old. He has received a letter of resignation from the members of the Recreation Committee. Cole

indicated his disappointment by this action. He believed the board members all are supportive of the Recreation Department and the efforts of the Recreation Committee but the board has to take into consideration the fiscal limitations of the budget, especially fiscal year 2014-15 given the lack of surplus funds to rely upon.

Durfee stated that the Town is gaining ground on delinquent property taxes. Due to staff's efforts the total amount of \$318,663 in June 2013 has been reduced to an outstanding balance of about \$75,000. The bulk is either paid or in a tax agreement with the Town. The balance has either gone to tax sale or is about to. He reported this is a significant difference compared to this time last year.

Humphries and Panoushek gave overviews of their recently completed work and on-going efforts that is detailed in their written summaries provided to board members.

### **NEW BUSINESS**

**Farmers' Market:** Greg Cox, who oversees the Fair Haven Farmers Market, reported he has about 10 vendors committed for this season. He wants to rebuild it and would like to carry out whatever promotional efforts would be appropriate (e.g., sandwich board and banner weekly). The board and Durfee agreed to help where possible. The board also expressed its appreciation of the Market and its value to the town.

**Canfield Abatement Request:** Bill and Grace Canfield, 15 Pine Street, have a high water meter reading and can't figure out why. They find no leaks and the meter appears to be working. The Board decided to table the request until more work can be done.

**Hillier, 2 Cottage St.:** This is a request to remove a mortgage lien. Durfee introduced the request. The board agreed to discuss the request during the May 12 meeting.

**Ordinance-Aggressive Panhandling:** Based on the recommendation of Humphries, Durfee indicated that the issue of panhandling is becoming more present in Fair Haven. To address the issue before it becomes a bigger problem, Durfee and Humphries recommended that the draft ordinance be considered by the board. The board agreed to have the draft ordinance on a future agenda.

### **OLD BUSINESS**

**Proposed FY 2014-15 Budget:** Two (2) petitions were received by the board. Durfee reported he asked the VT Secretary of State's Office and the Vermont League of Cities & Towns what options the board had concerning the petitions. Both offices indicated in response that the duty of presenting a proposed budget to the voters is reserved solely for the Selectboard. And, accordingly, the Selectboard is not required to warn and include on the ballot a petitioned article that separates out part of the budget. Durfee advised the Board, if they were ready to go forward on schedule, they needed to take action at the meeting or within the next two days, given statutory deadlines for warning a Special Town Meeting. Sheldon moved to recommend a revised FY 2014-15 Selectboard budget of \$1,861,421 for voter consideration on Tuesday, June 3, 2014 and to approve the Warning as presented by Durfee. [Copy of Warning attached.] Holzworth seconded the motion. The motion carried on a vote of 4-1-0 (Richards opposed).

**Coin Drop Requests:** Four coin drops annually are allowed by policy. Five requests were received: Knights of Columbus, First Baptist Church, American Legion Auxiliary, ARSU Project Graduation, and St. Mary's Roof Fund. By means of a lottery drawing, the First Baptist Church request was eliminated.

**Solid Waste Hauling Contract:** On motion by Holzworth, seconded by Richards, the Board

unanimously voted to authorize Durfee to execute the draft contract with Earth Waste & Metal with inclusion of additional contract language addressing a performance guarantee.

**CDL Drug and Alcohol Amended Policy:** The general consensus of the Board is to move forward with adopting the amended policy but all agreed the Union needed to review the draft.

**Recreation Committee Membership Policy:** Richards moved to adopt the updated policy as drafted along with advertising for persons to fill the vacancies on the committee. Ward seconded the motion. All voted aye.

**Damage to Objects/Obstructions in Highway ROW Policy:** There was some discussion by board members and the public on the draft policy but no clear consensus was determined. The board agreed to continue its discussion at a future meeting.

#### REVIEW OF FINANCE REPOTS

Durfee provided financial reports for the Board's review. The checkbook balance is \$185,236.26. Warrants were signed as follows on motion by Sheldon, seconded by Richards: Payroll = \$26,146.34 and General Fund = \$54,144.00. All voted aye.

#### EXECUTIVE SESSION

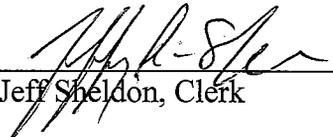
At 9:45 p.m., Holzworth made a motion to go into Executive Session with the Town Manager to discuss pending Union contract negotiations. Seconded by Richards. All voted aye.

At 10:10 p.m., Richards moved to come out of Executive Session. Seconded by Holzworth. No action taken.

#### ADJOURNMENT

Ward moved to adjourn at 10:10 p.m. Seconded by Sheldon. Meeting adjourned

Respectively Submitted,  
Wilma B. DeSpain, Recorder

  
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Jeff Sheldon, Clerk