

Fair Haven, VT Select Board, July 22, 2013

**TOWN OF FAIR HAVEN, VERMONT  
SELECT BOARD  
WATER AND SEWER COMMISSIONERS  
SELECT BOARD SESSION  
JULY 22, 2013**

**Members Present:** Christopher Cole, Jeff Sheldon, Bob Richards, David Ward. Absent: Claire Stanley

**Others Present:** Lucia Suarez, Glen Roberts, John Lulek, Debi Bailey, Ron Eckler, Mike Stannard, Bud Panoushek

**CALL TO ORDER**

Select Board Chair Christopher Cole called the July 23, 2013 meeting of the Fair Haven Select Board to order at 7:05 p.m. and asked everyone to stand for the Pledge of Allegiance. In the absence of the Clerk the Chair asked for a nomination for someone to serve as clerk for this meeting. Ward nominated Sheldon. Second by Richards. All voted aye and the Chair declared Sheldon to be Clerk for this meeting.

**AMENDMENT TO AGENDA**

Richards moved to amend the agenda by adding legal settlement with George Pritchard. Second by Ward. All voted aye.

**APPROVAL OF MINUTES**

Richards moved to approve the minutes of the July 8, 2013 Select Board meeting. Second by Ward. All voted aye.

**PUBLIC COMMENT**

Debi Bailey asked about the town's participation in a crosswalk program. She also expressed concern over the abundance of grass and questioned who is responsible for maintenance around the "Welcome to Fair Haven" signs.

John Lulek is also concerned about the appearance of the amount of cut grass in the park. It is in great quantity and brown.

Panoushek spoke of the speed with which grass is growing just now, the thickness of it, and the resulting maintenance issues. The Chair, in addition, noted the maintenance crew is one person short at this time.

Mike Stannard wanted to first acknowledge his Monday had been a very stressful day and then to publicly thank the Police Chief for his handling of a situation.

**PUBLIC HEARINGS**

Public Hearings were held for the purpose of receiving comment on proposed changes relative to the Park and the Purchasing Ordinances. For the Park, discussion related to prohibiting smoking in the park, enforcement problems, and whether it is necessary. Discussion included no smoking in the park at all, designated areas for smoking, no smoking during special events, problems with enforcement, also the issue of redundancy. For Purchasing, the board clarified the ordinance was being repealed since the board recently adopted a policy addressing Town purchasing.

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## DEPARTMENT HEADS

Nothing to report.

## NEW BUSINESS

**Sewer Plant Equipment:** Peter Laramie, Sewer Plant Operator, is asking the Board to approve the purchase of a new mixer for the plant. The purchase price is about \$9,000. He has researched this and no other type is available that would suit the intended purpose. This equipment is necessary for plant operation. Sheldon moved to approve the purchase of the mixer. Second by Ward. All voted aye.

**Prichard Claim Settlement:** Richards moved to authorize the Chair to sign the insurance document relative to the proposed settlement agreement between the Town of Fair Haven and George Pritchard as recommended by the attorney. Second by Sheldon. All voted aye. The agreement reads as follows:

*Be it resolved that the Select Board of the Town of Fair Haven resolves to approve the settlement agreement as negotiated with Plaintiff, for the purpose of resolving the differences between the parties, to avoid protracted litigation, and to achieve savings for our Taxpayers by resolving the lawsuit entitled Prichard vs. Town Of Fair Haven, Docket No. 296-4-12Rdcv, and that Christopher Cole, Select Board Chair, and Brian P. Monaghan are hereby authorized and empowered to sign all documents to effectuate the aforesaid settlement on behalf of the Town of Fair Haven.*

In the settlement, the insurance is liable for \$5,000 and the town is liable for \$500

**Town Park:** Richards moved to amend the park ordinance to prohibit smoking. Second by Sheldon. There was lengthy discussion on the outcome of the proposal. The Chair asked for a vote. Richards and Sheldon voted in favor of the motion. Ward and Cole opposed the motion. The motion failed due to a lack of a majority.

## ROUNDTABLE

Richards asked if the DPW Superintendent gets paid overtime.

Panoushek said he gets overtime pay when he works over 45 hours a week. It is a provision in his contract. Richards said he does not like salaried persons to receive overtime pay and he will discuss this with the Town Manager.

## SIGNING OF THE WARRANT

Sheldon moved to pay the bills as follows: General Fund--\$347,050.68; Payroll--\$30,274.70  
Second by Richards. Motion carried.

## EXECUTIVE SESSION

Ward moved to go into Executive Session to discuss personnel at 8:10. Second by Richards. All voted aye.

Sheldon moved to come out of Executive Session at 8:14. Second by Richards. All voted aye. No further action was taken.

## ADJOURNMENT

Ward moved to adjourn at 8:15 p.m. Meeting adjourned.

Respectively submitted,  
Wilma B. DeSpain

  
Jeff Sheldon, Acting Clerk