

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

**SPECIAL SELECT BOARD SESSION
FEBRUARY 17, 2015**

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

Others Present: Glen Roberts, Shawn Brewster, Brant Duffy, Bob Wilcest, Brian Reed, Cindy Adams, Ray Phillips, Ann Canfield Larkin, Ann Franbrewry, Stephen Diglio, Police Chief William Humphries, John Lulek, Marty Irons, Town Manager Herb Durfee, Recorder Wilma DeSpain

CALL TO ORDER

Chair Cole called the meeting to order at 7:05 p.m. and asked everyone to stand for the Pledge of Allegiance.

AMENDMENTS TO THE AGENDA

Durfee requested to add a liquor license request from the American Legion Post #49. **Motion** by Ward to add the liquor license to the agenda. **Second** by Sheldon. **Motion carried 5-0-0.**

APPROVAL OF MINUTES 1/12/2015 and 2/2/2015

Motion by Richards to approve the minutes of January 12, 2015. **Second** by Sheldon. **Motion carried 5-0-0.**

Motion by Sheldon to approve the minutes of February 2, 2015. **Second** by Richards. **Motion carried 5-0-0.**

PUBLIC COMMENT

Shaun Brewster of the Rutland County RC Flyers thanked the Town for allowing them the use of the airport facility. This year's event will be July 17-19, 2015. They are requesting use of the facility and permission to allow dry camping without campfires during the event. About 15 campers are expected. They will once again give a donation to Fair Haven Concerned for use of the facility. **Motion** by Ward to approve the use of the facility by the RC Flyers on July 17-19, 2015 and to allow dry camping. **Second** by Sheldon. **Motion carried 5-0-0.**

Roberts asked for information regarding an upcoming forum to meet candidates. Asked whether Monday, February 16, 2015 was considered a holiday for Town employees.

NEW BUSINESS

Public Hearing-Mechanic Street Bicycle/Pedestrian Path Scoping Study: Stephen Diglio of KAS Consulting presented an overview of the project and its history. The public hearing is a required step in the grant funding process. The goal of the project is to improve the safety and mobility of pedestrians and bicyclists within Fair Haven village. Proposed Alternatives:

- Alternative #1: 5' wide concrete walk on the east side of the street with a 5' green strip, no curb.

- Alternative #2: 5' wide concrete walk on the west side of the street with a 5' green strip.
- Alternative #3: 5' wide concrete walk on both sides of the street with a 5' green strip.
- Alternative #4: 5' wide concrete walk on either side of the street with a 5' green strip, convert traffic to one-way (north only) between Second Street and Fourth Street, add true bicycle lane the entire length of Mechanic Street.

KAS recommends a combination of Alternatives 1 & 2: South of Fourth Street, a walk with green strip on east side, north of Fourth Street, walk with green strip on west side, add true bike path on east. The estimated cost of this option is \$440,000. If we proceed with the Federal source of funding, Federal share would cover 80%, state would pay 10% and Town would pay 10%. Questions and discussion followed.

Adams Street Bridge: Stephen Diglio of KAS Consulting presented and discussed the history and background of the bridge. The bridge is currently closed due to its severely deteriorated condition. Due to Federal Sufficiency Rating (FSR) of 74.2%, this project would be eligible for rehabilitation funding. Because the condition has deteriorated further since the last state evaluation two years ago, the project would now be eligible for rehabilitation and replacement funds.

Diglio reviewed a 2012 VTRANS Inspection Overview and his findings after a personal inspection of the bridge, approaches, and nearby intersections. As a result, the following alternatives were offered:

- Alternative #1: Do nothing and permanently close the bridge.
- Alternative #2: Rehabilitate the existing structure as a vehicle bridge.
- Alternative #3: Rehabilitate and convert the bridge into a pedestrian bridge.
- Alternative #4: Remove and replace bridge with a new structure meeting current design codes and safety requirements.
- Alternative #5: Remove and replace bridge with a new structure for pedestrian traffic and utility bridge.

Advantages and disadvantages of each alternative were discussed noting that Alternative #5 was the least costly at \$390,000-\$400,000. KAS recommends a combination of Alternatives #1 and #5. Alternative #1 is recommended only as a short term solution. For the long term, the plan would be to address continued support of the utility mains and adding pedestrian improvements. A question and answer period followed.

Liquor Licenses:

- **Motion** by Sheldon to approve a liquor license to American Legion Post #49. **Second** by Holzworth. **Motion carried 5-0-0.**
- **Motion** by Sheldon to approve a liquor license to RL Vallee, Inc. (d/b/a Maplefields at Fair Haven). **Second** by Holzworth. **Motion carried 5-0-0.**
- **Motion** by Sheldon to approve a liquor license to SW Wolk, Corp. (d/b/a business as Liberty Street Market). **Second** by Holzworth. **Motion carried 5-0-0.**

William Bloomer, Esq. re: VT Structural Slate & Dam: Durfee felt it important that Bloomer be aware of the Board's standing in regards to the existing VT Structural Slate's Small Claims lawsuit and discussion involving the hydroelectric project. At 8:45 p.m., **motion** by Richards to enter into Executive Session to include Attorney Bloomer and the Town Manager to discuss

pending litigation with VT Structural Slate. **Second** by Sheldon. **Motion carried 5-0-0.** At 9:15 p.m., **motion** by Richards to come out of Executive Session. **Second** by Sheldon. **Motion carried 5-0-0.** No action was taken but the board indicated its consensus was for Bloomer to continue negotiations with VT Structural Slate in regards to the dams.

Water/Sewer Abatement Request-David Driscoll, Acct. #32: Documentation provided shows the excess water usage was due to a leak in the tenant's kitchen faucet. Because water exited via the sewer system, a sewer abatement is not an option. Ratepayer would be responsible for the extra cost. **Motion** by Holzworth to deny the request based upon the information presented in the letter and by staff and due to irresponsible water use. **Second** by Sheldon. **Motion carried 5-0-0.**

OLD BUSINESS

Social Service Agency Appropriation Policy Reconsideration: Wording needs to be reviewed regarding an agency attending the public informational meeting prior to voting. Durfee will work with Holzworth to redraft the paragraph for the Board's reconsideration. **Motion** by Sheldon to table the Social Service Agency Appropriation Policy. **Second** by Holzworth. **Motion Carried 5-0-0.**

March Town Meeting Preparation, Including Survey Draft: Survey draft was reviewed and revised.

DEPARTMENT HEAD & COMMITTEE REPORTS

Town Manager:

- Warrant for payroll will need to be signed on March 2, 2015. Board agreed to meet to sign warrant at 6:45 p.m. just prior to the informational meeting.
- The Public Service Board will hold a public hearing on February 24, 2015 at 7:00 p.m. in the band room at FHUHS. Would like to have a Board member present to paraphrase Town of Fair Haven's Motion to Intervene. Richards to attend for Board.
- Received notice that some employees may have been hit by Anthem bug. BC/BS will notify any that may have been affected.
- Chief Humphries is requesting a resolution from the Board in regards to upcoming bills involving E911 consolidation that will affect Rutland County. Will be reviewed at upcoming meeting.
- Our Equalized Grand List has been amended. CLA is down 0.5; COD is down 0.05. This will increase the Grand List and cause a slight increase in the tax rate.
- Impact Fair Haven will be holding a teen dance in the near future.
- The Summer Recreation & Baseball/Softball position has been posted, James Aldrich will head baseball and softball this year. If all goes well, this position will then be combined with the Summer Recreation Director. Person hired for this position will start with directing the summer rec program and then also take on baseball/softball beginning in FY 2016.
- Chief Humphries report is included in Board packets.
- Holzworth asked about e-waste at the transfer station. Notified during a pick-up that had improper storage of electronic waste. As a result, got quotes to have cement pad poured in the spring which would cost less than a winter pour. Per state guidelines need to store on impervious surface. Impervious not well defined, but Town believes the definition should include packed ground surface. At this point a state staff person disagrees. Until resolved,

e-waste won't be collected at the Transfer Station. Other SWAC locations are available until then.

- New trash compactor delivered today. Install planned for spring after inspection of current pad.

ROUNDTABLE

Cole was approached by member of the public asking about possibility of the installation of an electric car charging station. Reiterated that the Town Plan needs to be completed. Per Durfee, the Planning Commission is appointed by the Board. The Board needs to impress the importance of the Town Plan's completion on the Commission. There are currently two vacancies and the possibility of one more.

FINANCE REPORTS

Expenditure/Revenue Reports: Reports were provided to Board for review.

Checkbook Status: The checkbook has a balance of \$842,826.37.

Sign Warrants: Sheldon made a **motion** to authorize the warrants as presented: General Fund \$64,594.19; Payroll \$28,347.40. **Second** by Holzworth. **Motion carried 5-0-0.**

EXECUTIVE SESSION

Motion by Holzworth to enter Executive Session with the Town Manager to discuss his annual performance evaluation. **Second** by Sheldon. **Motion carried 5-0-0.** At 10:28 p.m., Holzworth made a **motion** to come out of Executive Session. **Second** by Sheldon. **Motion carried 5-0-0.** Holzworth made a **motion** to place the Town Manager's evaluation into his personnel file. **Second** by Richards. **Motion carried 5-0-0.**

ADJOURNMENT

Holzworth made a **motion** to adjourn at 10:29 p.m. **Second** by Ward. **Motion carried 5-0-0.**

Respectively submitted,
Wilma B. DeSpain, Recorder


Dick Frazier, Clerk