

**TOWN OF FAIR HAVEN, VERMONT
SELECT BOARD, WATER AND SEWER COMMISSIONERS
CEMETERY COMMISSIONERS--LIQUOR COMMISSIONERS
SELECT BOARD SESSION
MARCH 31, 2015**

Members Attending: Bob Richards, Sean Galvin, Rod Holzworth, Richard Frazier.

Others Attending: Glen Roberts, Town Manager Herb Durfee, Recorder Wilma DeSpain, DPW Superintendent Bud Panoushek, Dave Ward, John Lulek, George Stannard, Larry Hughes, Neil Robinson, Bill Sweeney, Ann Pelkey, Jake Helm.

CALL TO ORDER

Chair Richards called the meeting to order at 7:00 p.m. and asked everyone to stand for the Pledge of Allegiance.

Presentation of card and plant to Wilma Despain thanking her for her years of service as the Selectboard Recorder since May 2008.

AMENDMENTS TO THE AGENDA None.

APPROVAL OF MINUTES OF 03/16/2015. Motion by Frazier to accept minutes of 03/16/2015 as presented. Second by Holzworth. Motion carries 4-0-0.

FIVE MINUTES FOR PUBLIC COMMENT

Robinson questioned advertised cemetery positions and non-hiring of Bill Sweeney who previously held cemetery position. Sweeney requested that the Town hire him for one more year of employment. Issue is a personnel matter and can only be discussed in Executive Session, but can discuss the position(s). Richards suggested that Sweeney meet with DPW Superintendent and Town Manager. Two seasonal positions were approved by the Board in the upcoming FYE 2016 budget, one 20-hour and one 40-hour. Sweeney can apply for either position. Had conversation with Sweeney previously in which he stated he wanted 30 hours which is not an option.

DEPARTMENT HEAD & COMMITTEE REPORTS

Fire Department: Per Dave Ward, will have a quarterly report for the Board in two weeks. The department has answered 30 calls in the past three months which is about average. The department has transitioned over to the new officers and everything appears to be running smoothly.

Police Department: Per Chief Humphries, 35 arrests to date, only one serious incident-stabbing. A report is forthcoming. Humphries would like to move forward with DUI grant application and requested the approval of the Board. A spreadsheet with previous years' grant data was distributed and a brief explanation as to how grants will work in relation to hours and reimbursement was provided by Humphries. Motion by Galvin to approve the FHPD to apply for grants. Second by Frazier. Motion carries 3-1-0 (Richards opposed). Sgt. Kerber's mother, also Aaron Kerber's grandmother, passed away. Services will be held Saturday in Poultney. In the process of transitioning cars. Need to decide which vehicle to cycle out. Holzworth questioned where the department stands in regards to overtime. Staff to review.

Town Manager:

- We have advertised for a Board Meeting Minute Taker. Preference will be given to those who apply by Wednesday, April 15, 2015.
- Joint meeting with Benson regarding New England Clean Power Link (NECPL) at the Benson Community Hall on April 6 at 7:00 PM. Dept of Public Service to attend.
- Process has begun in getting tax sale deeds of those properties non-redeemed. This will be discussed late in the agenda in greater detail.
- In the process of developing an internal time sheet procedure.
- The airport valve actuator that feeds the south tank is not working. We need to manually operate. The concern is the amount of water that may be available in the event of a fire; we would be dependant on other departments for assistance. This should have no affect on current testing as the result of prior boil water orders. State is aware of the situation.
- Charles Doty sent letter requesting an appeal to the protective order issued against his dog, Muffin. He has until April 2, 2015 to apply for an appeal with Superior Court. Selectboard cannot grant appeal, only Superior Court. Chief Humphries to speak with Doty about this.
- Staff training held on bloodborne pathogens. VLCT provided the training.
- Durfee passed updated Selectboard Rules of Procedure for member's signatures.
- The current tenant of the Town property on Colvin Road had previously stated his interest in purchasing the property. Because of a recent theft at the property, the sub-tenant would like to have electricity restored to the property so that security cameras may be installed which would be an expense to the tenant. Before we move forward, would like to have Dan Grey inspect the property to make sure it is safe to do so. Possible Town expense would be from Green Mountain Power to run power lines from the pole to the building.
- Due to the continued hard work and dedication of Bev Fedolfi, the Town was awarded a "2015 Rising Star Wellness Award." This award is given to organizations participate in promoting employee safety and wellness.
- Town continues to participate in proceedings of New England Clean Power Link. The latest effort was asking discovery questions on property tax benefits as a result of this project and the economic interest to the Town.
- Animal Planet is in the area to tape an episode of *Finding Bigfoot*.
- Durfee sent letter to Senate Rules Committee to address issues of the Open Meeting Law amendments passed last year.
- The Annual Bridge Priority List Recommendation is in Board packets. It includes the River Street and Adams Street bridges. Due to the Colvin Road project, the Depot Street bridge has been removed.
- A meeting will be scheduled probably in mid-May with our auditor and the Concerts in the Park Committee to address the finding from the 2014 Audit.

NEW BUSINESS

Town Plan Status-Joint Meeting with Planning Commission: George Stannard, Chair of the Planning Commission, reported that they are moving forward with the plan. They will be meeting in two weeks with a Rutland Regional Planning Commission staffer who will review their work to date and provide assistance and suggestions. Once the document

is completed and critiqued by RRPC, the Commission is hoping to warn a hearing in June. The job of the RRPC in critiquing the plan is to ensure it coincides with statute. **Sewer Abatement Request – Charles and Amy Pregger:** Due to loss of heat in the unoccupied property at 2 Caernarvon St., a pipe froze and burst leaking water into the basement. Water did not enter the sewer system. Given past practice, **motion** by Frazier to abate \$570.53 sewer usage charges. **Second** by Galvin. **Motion carries 4-0-0.**

Lillian Billewicz Request – 2/4 Willard Ave., 16/18 River St., 5 and 7 Union St.: On March 18, 2014, these properties were sold at tax sale. Redemption period ended March 18, 2015. None of the properties were redeemed and are now owned by the Town. Lillian Billewicz, on behalf of the former owners Michael and Johnathon Billewicz, submitted a written request asking the board to consider selling back the properties to the Billewicz. A fifth property was sold to Jake Helm who has no interest in selling the property back to the previous owner. Helm voiced an interest in purchasing one or two of the properties that the Town obtained through the tax sales. Per Billewicz, she had been trying to secure financing prior to the end of the redemption period. This has not yet occurred. If financing is secured, Billewicz would like to purchase the four properties from the Town through a Quit Claim deed. Town Attorney Bloomer believes that properties obtained by the Town through a fiduciary interest (e.g., tax sale) could be disposed of by the Selectboard without voter approval. Board could agree to or not with the Billewicz proposal. If yes, Durfee stated to be very specific regarding deadlines, type of payment to receive, require paying redemption amount plus FYE 2014 property taxes, penalty, and interest, plus FYE 2015 property taxes and interest. The redemption amount only pays through FYE 2013 property taxes, penalty, interest and fees associated with the sale. Durfee noted if the Board only allows the tax sale redemption amount, the Town will be conducting tax sales again for the FYE 2014 property taxes and probably the FYE 2015 ones as well. If no to the proposal, the Board could opt to find an organization that deals with housing rehabilitation to purchase for taxes owed, or the Board could put the properties up for auction/sealed bids. Durfee, subject to legal opinion, believes that any profit made on the property sales would go to the former property owners. **Motion** by Frazier to deny the Billewicz request. **Second** by Galvin. **Motion carries 4-0-0.** Once the deeds are recorded, Durfee will contact VLCT-PACIF for coverage, can then initiate the process for having the properties vacated. The preference of the Board is to move the properties and put them on the tax rolls.

VTrans Annual Financial Plan Approval: Tabled until more information available.

Liquor License:

Motion by Holzworth to approve 2nd Class liquor license to Midway Oil, Corp. (d/b/a Fair Haven Mobil). **Second** by Frazier. **Motion carries 4-0-0.**

Motion by Frazier to approve a 1st Class Liquor License to Ieremias Family Enterprises, Ltd. (d/b/a Fair Haven Inn). **Second** by Holzworth. **Motion carries 4-0-0.**

Recreation Committee Appointment(s): **Motion** by Frazier to appoint Kim Ransom and Joey Williams to the Recreation Committee. **Second** by Holzworth. **Motion carries 4-0-0.**

Correct Zoning Board of Adjustment Terms and Appointments: It is unclear who on the ZBA was appointed when. Terms are for 4 years and not 3. **Motion** by Holzworth to ratify terms as presented to bring ZBA into a consistent term schedule:

Cindy Adams:	Term to expire 2017	Bonnie Rosati:	Term to expire 2016
Edward Brown:	Term to expire 2018	John Lulek:	Term to expire 2017
Tom Brusco:	Term to expire 2016	Kevin Durkee:	Term to expire 2017
Vacant Seat:	Term to expire 2018		

Second by Galvin. **Motion carries 4-0-0.**

Motion by Holzworth to appoint Pat Frazier to the vacant ZBA position with term expiring in 2018. **Second** by Galvin. **Motion carries 3-0-1 (Frazier abstained).**

Fire Extinguisher Coverage Evaluation – Authorize \$3,075.35 Expenditure from Emergency Reserve Fund to Bring Town Fire Extinguishers to Code: Corrected amount to come from Emergency Reserve Fund \$2,100.35 the balance would be paid via the regular budget line item. **Motion** by Frazier to expend \$2,100.35 from the Emergency Reserve Fund to bring all the Town's extinguishers up to code. **Second** by Galvin.

Motion carries 4-0-0.

Conflict of Interest Policy, Draft: Durfee presented draft policy. Written using VLCT model. Send an email to Durfee with any questions or changes. Changes should also be sent to other Board members. Revised policy to be placed on future agenda.

OLD BUSINESS

Winter Water Department Issues, Individual Incidents – Service Line, not Main Related: Revised spreadsheet in packets. Unable to add requested column until Board makes a decision on individual situations. Board would like Durfee to move forward as per the Water Ordinance. The Board will deal with individuals on a case-by-case basis, as requested.

Social Service Agency Appropriation Policy Reconsideration: Durfee collaborated with Holzworth to amend the document regarding attendance by social service agency at Annual Town Meeting. **Motion** by Frazier to amend the policy as recommended by the Durfee and Holzworth. **Second** by Holzworth. **Motion carries 4-0-0.**

Adams Street Bridge Engineering Study Discussion: A summary sheet of cost expenditure options was included in Board packets. The Selectboard survey indicated that the bridge should be opened to vehicular traffic. Bridge will have to be addressed due to the water and sewer mains that are attached to it. Options, cost and funding sources were discussed. A decision was tabled until a future meeting.

Mechanic Street Sidewalk/Path Scoping Analysis Status: Our report has been submitted to VTrans and we have been reimbursed for the cost of the feasibility study that was done by KAS Engineers. The report found that the project is feasible and provided us with multiple options. Because we had a feasibility study done, now opens the door to apply for project funding. The consensus of the Board was to move forward subject to future discussion of the Board on alternatives.

Mass Notification System – Execute CodeRed Service Agreement with Emergency Communications Network, LLC: Durfee provided a brief overview. The service contract will run through June 30, 2018. There will be annual payments of \$2,500.00 with a total cost of \$7,917.81 through the life of the service contract. The annual payment is included in the FYE 2016 approved budget. Durfee will contact Fair Haven School District to see if they would like to add on to our system and share the cost. **Motion** by Frazier to authorize the Town Manager to execute the service agreement with Emergency Communications Network, LLC for an amount not to exceed \$7,917.81 over a period of four installments through June 30, 2018. **Second** by Galvin. **Motion carries 4-0-0.**

Peddler or Itinerant Vendors Ordinance: Is an existing ordinance. However, the original signed document nor a copy of the signed document can be located. Durfee made technical changes to the document presented. Because it is an ordinance, will need to follow procedure and advertise the ordinance. Board asked Durfee to move forward with the process.

Transfer Station Fee Schedule Adjust Punch Card Minimum \$1.50: Change pricing to coincide with punch card denominations to be divisible by \$1.50 suggested by Abby Greene, Transfer Station Head Attendant. Durfee recommends: Demolition to be raised from \$5.00 to \$6.00; Couches to be raised from \$10.00 to \$10.50; and tires to remain \$0.10/lb. but add "*Round up to the nearest \$1.50 if a punch card is being used.*" **Motion** by Frazier to approve the revised Transfer Station Fee Schedule as presented by Durfee. **Second** by Galvin. **Motion carries 4-0-0.** The Board will discuss the scale ton weight at a later date.

BOARD ROUNDTABLE DISCUSSION

Galvin: Trying to find ways to increase property tax revenue. Wondered if possible to offer incentive to property owners who renovate their properties by granting a rate freeze of their taxes for a period of time. Per statute, not an option for residential property owners per Durfee.

Richards: There is a hole on the Main Street bridge that needs filling. Asked if we knew the cost per bag necessary to break even at the transfer station. Durfee responded that the current net difference between transfer station revenue vs. expenses is approximately \$25,000, but he would have to verify the figure. This figure divided by cost per bag would be approximate cost to break even.

REVIEW OF FINANCE REPORTS

General Fund expenses = \$96,824.79. **Motion** by Holzworth to sign the warrant as presented. **Second** by Galvin. **Motion carries 4-0-0.**

Payroll Expenses = \$18,833.15. **Motion** by Holzworth to sign the warrant as presented.

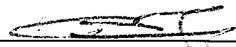
Seconded by Galvin. **Motion carries 4-0-0.**

Checkbook balance = \$411,754.23.

ADJOURN

Motion to adjourn at 10:10 PM by Frazier. **Second** by Galvin. **Motion carries 4-0-0.**
Meeting adjourned.

Respectfully submitted,
Beverly Fedolfi, Substitute Recorder



Richard Frazier, Clerk