

TOWN OF FAIR HAVEN, VERMONT
WATER AND SEWER COMMISSIONERS
LIQUOR COMMISSIONERS; CEMETERY COMMISSIONERS
SELECT BOARD Meeting

August 4, 2014

Members Present: Chris Cole, Bob Richards, Jeff Sheldon, Rod Holzworth, David Ward.

Others Present: Town Manager Herb Durfee, Minute Taker Claire Stanley, William Chmielewski, Glen Roberts, John Lulek, Ray Phillips, George Stannard, Mike Stannard, Kevin Durkee, Neil Robinson, Larry Hughes, David Camara, Police Chief Bill Humphries.

Call to Order: Chairman Chris Cole called the meeting to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance.

Agenda Amendments: Add "Petition"; Correction to item 7.c. ("pets" replace "dogs")

Approval of Minutes: Bob Richards moved to approve the Minutes of the July 21, 2014 meeting as presented; seconded by Jeff Sheldon and passed with Mr. Cole abstaining.

Public Comment: Mr. Lulek asked what is the petition for. It states for the November 4, 2014 general election, to require permanent employees of the Town reside in Fair Haven with two three-month extensions.

Mr. Robinson commented that most of the crosswalks are obliterated. He suggests different paint and design. He inquired re: signage for Amish traffic. Both the Town Manager and Police Chief have made contact determining routes traveled and establishing understanding.

Planning Commission – Town Plan Update Status: George Stannard reported it has been slow going as many changes / review work is needed. The updated Town Plan is due the end of September and they realize the time constraint. Bonnie Rosati has resigned. No response was received from the ad for new members. Dani Roberts was approached and has indicated interest. Mr. Durfee expects to apply filing for a Municipal Planning grant to hire a technical assistant to help with the work. He expects to factor in public input also.

Recreation Committee (interim): No names / response were received from the ad for Committee members. Dave Camara indicated that Brad Kendall has shown interest. Dave researched on-line for portable buildings that meet the need. Price range is \$5,000 to \$20,000. A portable building would allow for attendance at other Town events for fundraising. Work will continue toward full seven member committee membership. He will solicit three building price comparison(s) for consideration. Mike Stannard suggested investigating some kind of building to house (locked) port-a-lets to reduce the incidents of vandalism.

TOWN OF FAIR HAVEN, VERMONT
Select Board meeting -- August 4, 2014

Energy Committee: Mike Stannard reported a busy July continuing work on a presentation to a future Select Board meeting. He said the completed study was very well received and it is on-line on the Fair Haven site under Committees. He reported having an informal, verbal, possible agreement on the Depot Street dam property with a steel building on it. He reported Mr. Marcrow is upset with earlier discussions with the Town -- the committee is working with him. Mike is preparing a memo of their findings for the Board, but the Committee wants all questions answered before making a full presentation to the Select Board. Mr. Durfee has tried to make informal contact with the Agency of Natural Resources to have a group of Town representatives, including engineer completing the Town's study, meet with the state to determine whether or not to proceed with the hydroelectric project. It is the Board's consensus to continue the study.

Cemetery Committee: John Lulek reported a work day scheduled for August 9th. The second half of the fence can go ahead anytime.

Police Department: Chief Humphries reported two arson fires: one on Park Avenue, and on Crippen Ave. Both owners commented favorably on the timely response. There was a prostitute arrest and a choking arrest (narcotics involved). He reported all agencies have been approached to have an officer involved in the Drug Task Force. 100% of cost is reimbursed--there is no cost to the Town. The application deadline is August 22nd and two of Fair Haven's full timers are interested; only one may attend. Discussion followed.

Town Manager: Mr. Durfee prepared a thank you letter to Bonnie Rosati who resigned from the Planning Commission for member's signature. Mr. Durfee presented a delinquent tax report and commented on the good work done by Bev Fedolfi, Office Assistant. He notes this will help at the time of audit--there may not be a deficit. He reviewed the tax sale process. Mr. Durfee and Bev Fidolfi are took some public WiFi training learning, among other items, how to block some inappropriate use of the service. The Department of Public Works update was in member's package. Mr. Durfee suggests members subscribe to the Vermont Gas System newsletter. Mr. Durfee reported working with the Regional Planning Commission on the Local Hazard Mitigation Program. If kept up, there is eligibility for a greater percentage of FEMA funds if / when necessary.

Agreement Between AFSCME Local 1201, Council 93, AFL-CIO and the Town of Fair Haven: The agreement has been ratified by the Union. This matter was tabled as the final signed copy was not yet received by the Board for signature.

Request for Sewer Abatement: Bob Richards made a motion for a one time sewer abatement of \$592.54 as requested by Lynn Allin-Hall at 15 Dutton Avenue; seconded by David Ward. Frozen pipes were at issue and water did not enter the sewer system. The motion carried unanimously.

Predator Pet Concern: Neil Robinson expressed concern re: a person walking around Town and at events with either a python or boa constrictor around his neck frightening folks seemingly for attention. He feels that most pets are leashed, this is not and is an out of control menace. Mr. Durfee read from the Department of Fish and Game statute, Title 10 that lists different types of animals including a "restricted" list that require permitting. Chief Humphries has spoken with the man and reports that fewer calls have been received since then. Mr. Robinson gave Mr. Durfee some additional statutory reference to the regulation of domestic pets.

Cemetery Lot Approval: Jeff Sheldon moved the Board to approve a Cedar Grove Cemetery lot as requested by Emily Stockwell in Section 11; lots 42 and 43 (four graves); seconded by Rod Holzworth and passed.

Vehicle Replacement (Police Cruiser): The status of Police Department vehicles was addressed at length during the budget process and Town Manager Durfee agrees with Chief Humphries that it's time to replace the Durango that has almost 130,000 miles. There is sufficient funds in a reserve account, and all equipment (light bars, etc) is in place. No one is opposed to a used vehicle if one can be found. Rod Holzworth made a motion to sole source a used vehicle to a maximum of \$13,000. Also solicit bids for a new vehicle for a 90-day period. This is for the purchase of one (1) vehicle only. The motion was seconded by Bob Richards and carried unanimously.

Vehicle Replacement (Dept. of Public Works): Bud Panoushek scoped out a Freightliner 108SD with full package – no extended warrantee at \$160,000. Right now, a dealer has a demo, the same truck (bigger engine, heavier gauge steel) for \$140,000. A plow would add \$4,500. Lengthy discussion followed re: is voter approval needed (at November general election); can we get along with a smaller truck; budgeting. Members have questions for Bud. No action was taken.

Town Treasurer Memorandum of Understanding: Town Manager Durfee prepared a Memorandum of Understanding citing State Statute, Town Policies and the amount of \$1,765 that covers the time from Town Meeting to the start of the fiscal year. It is a three year elected position. Bob Richards made a motion to approve the Town Treasurer Memorandum of Understanding subject to the Treasurer's agreement; seconded by Rod Holzworth and passed unanimously. Because of a spelling error, the document will be signed by Board members at a later date.

Accept and Review Financial Internal Controls (24 VSA §872(b)): Treasurer Suzanne Dechame and Accountant Jenny Bertrum jointly prepared the document that was due June 30th and needing acceptance by the Board on July 31st. Rod Holzworth made a motion that the Board has received and acknowledges answer to the Financial Internal Controls Checklist. They expect further feedback from the Treasurer and Accountant. The motion was seconded by Bob Richards and passed unanimously.

Reconvene Public Hearing – Park Ordinance Amendment to Include Recreation Fields: Jeff Sheldon reconvened the Public Hearing at 9:23 p.m. Based on insight during the July 21 meeting, Mr. Durfee made the suggested change to #10. (Paraphrased) "Persons using the park shall adhere to the Animal Control Ordinance." Discussion.

TOWN OF FAIR HAVEN, VERMONT
Select Board meeting -- August 4, 2014

Mr. Sheldon, hearing no additional public comment on the ordinance, adjourned the Public Hearing at 9:30 p.m.

David Ward made a motion to adopt the Park and Recreation Field Ordinance as presented for amendment; seconded by Rod Holzworth and passed unanimously. The ordinance takes effect in 60 days without appeal.

Board Roundtable Discussion: Jeff Sheldon commented on the fantastic job done to repair the Railroad crossing in Rutland at Ray Nuttings. He questions why such work is not considered in Fair Haven by the RR.

Someone asked if the Drug/Alcohol policy (not yet adopted) applied to everyone including school board members. School and Town are separate entities.

Mr. Sheldon thanked the Historical Society for a very good day hosting the Lyon Family reunion. He attended and found it a good time. Mr. Richards also noted the tour and presentation given by Michael Stannard at the dam site where Matthew Lyon started his business.

Bob Richards reported the playground gate closed at 10:30 a.m. today. It was noted that the gate is closed at all times except for events and / or maintenance.

RE: The Caernarvon St./Allen Ave. catch basin. DPW was waiting for the budget to pass to order paving material.

Mr. Richards asked that DPW look into a sink hole at the home of Sean Tomasi.

Rod Holzworth expressed concern that the taxpayers are not thanked for the support given to Concerts in the Park as a budget item.

Checkbook Status: \$261,065.09

Sign Warrants: Jeff Sheldon moved the Board to sign warrants: Payroll, \$30,461.57; General Fund, \$201,893.39; seconded by Rod Holzworth. It was noted that all reserve funds were paid in this warrant. The motion carried unanimously.

Executive Session: Jeff Sheldon moved the Board and Town Manager into executive session at 9:45 p.m. to discuss a Step 3 Grievance; seconded by Rod Holzworth and passed unanimously.

Jeff Sheldon moved the Board out of executive session at 10:06 p.m.; seconded by Rod Holzworth and passed unanimously. No action taken.

Adjourn: Rod Holzworth moved to adjourn at 10:06; seconded by David Ward and passed unanimously.

Respectfully submitted,

Claire L. Stanley



Jeffrey Sheldon, Clerk