

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

**SELECT BOARD SESSION  
NOVEMBER 10, 2014**

**Members attending:** Chris Cole, Bob Richards, Jeff Sheldon, Dave Ward

**Member absent:** Rod Holzworth

**Others attending:** John Lulek, Mary McNeil, Larry Hughes, Neil Robinson, Glen Roberts, Cindy Adams, Zoning Administrator Phil Adams, Lorraine Brown, Police Chief William Humphries, Town Manager Herb Durfee, Recorder Wilma DeSpain

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

Sheldon **moved** to approve the October 27, 2014 minutes. **Seconded** by Ward. **All voted aye.**

**FIVE MINUTES FOR PUBLIC COMMENT**

Neil Robinson asked questions about a proposed commercial development for solar energy on a portion of the Young property on the lower end of Prospect Street. A 45-day Section 248 permit application notice has been filed. The School Board and Energy Committee have received information relating to the Solar Energy project. Robinson pointed out the Beaverwood proposal did not get all the support it should have received.

Larry Hughes had questions about residential development on land adjacent to Cedar Grove Cemetery. He is concerned about the negative affect it might have on the cemetery's appearance. He also had questions about the part-time summer help positions concerning an employee and also whether or not at least one of the positions would be seasonally full-time.

**DEPARTMENT HEAD AND COMMITTEE REPORTS**

**Town Manager:** Durfee noted continuing work being done on overdue property tax bills. He reported the total past due continues to decrease compared to previous months and years. The Manager updated the board on efforts by a solid waste hauler seeking state certification and local approval for transfer station activities at the business location. SWAC soon will be holding a meeting, and locally the project cannot be permitted without either a zoning variance or a change to the Zoning Ordinance. Richards said he felt the current location should be suitable for the activity proposed and questioned why the area currently isn't zoned industrial, adding that was a mistake on the part of the Town. Adams noted he believed the zoning district was mistakenly zoned residential and that the Planning Commission is working to make the change as part of the Town Plan update with Zoning Ordinance amendment to follow.

**Cemetery Committee:** Mary McNeil, Chair, reported on great work young people have been doing at Cedar Grove Cemetery. About 50 headstones have been cleaned, work on the pond and on other projects continues. People are making good comments.

**Shrine Maple Sugar Bowl Parade:** On August 1, 2015, the Shrine Maple Sugar Bowl Football Game will be at Castleton State College. Durfee reported he submitted a cost proposal to host the football game's related Shrine Parade in Fair Haven.

**NEW BUSINESS**

**Slatington, PA Sesquicentennial History Book:** At Lorraine's Brown's request, as its sister city, the board agreed to take out a \$25 page "ad" in Slatington, PA's Sesquicentennial celebration book.

**Additional Handicapped Parking in Downtown:** At the request of Lorraine Brown and Pam Berryhill, the board discussed the addition of a designated handicapped space near the former bank building in the downtown area, where Fair Haven Concerned has relocated. The Board agreed that the idea made sense and asked the Town Manager and the DPW Superintendent to figure out where would be the best location, including taking into consideration space width and any curb/ramp alternations along with any surface water runoff issues.

**Boil Water Abatement Letter:** On behalf of the board, the Manager is working on a letter to be sent to the water/sewer customers in the light of the recent boil water notices. There was significant discussion on the pros and cons regarding allowing each customer some consideration for the eight days they had to deal with the second order. Their inconvenience and other costs were the main discussion. After much discussion, it was agreed to send a letter of explanation with the next sending of water bills explaining why an abatement is not practical given the proprietary (user-based) nature of the water system's funding mechanism. The board's letter is hoped to not only explain the rationale for not granting an abatement but would help to relieve some anger and frustration.

**Cemetery Deed:** Sheldon **moved** to sell two grave sites in Lot 11, Section 36 at Cedar Grove Cemetery to Barry and Mary Breslen. **Seconded** by Ward. **All voted aye.**

**Assistant Chief Operator-Wastewater:** Durfee advised no internal candidates applied. With insight from the board, the position will be advertised with an expected starting date of March 1. The board felt this will allow for adequate overlap with retiring staff to train the new assistant operator. At Richards' request, the board generally agreed that a written notification of retirement from Peter Root is necessary to properly allow for the staffing overlap. Without such letter, the board would not be guaranteed that the overlap would be limited to the 3-month allowance.

**FYE 2014 Audit & Management Letter:** Durfee reminded board members he provided draft copies of the audit when he handed out the FYE 2016 budget books. He also indicated that he, the Town Treasurer, and the Town Accountant had reviewed the audit and found no issue with the draft. The management letter contained three deficiencies. One continued to relate to the potential cash exposure at the Transfer Station. The second requested that the Town be more vigilant about up-to-date signatories on Trustee accounts. The third related to the need to improve financial controls with the Concerts in the Park since the program's growth from a small to a large, successful series of events. The Town Manager is working to correct these findings. Durfee reminded board members that Ron Smith, RHR Smith & Assocs., will be at the November 24<sup>th</sup> meeting to go over the audit and answer any questions. Sheldon **moved** to accept the FYE 2014 Audit as prepared. **Seconded** by Holzworth. **All voted aye.**

**FYE 2016 Budget Preparation:**

- **Planning Commission.** The board discussed the Planning Commission stipend and Durfee's suggestion to restore it, indicating this should be an annual discussion to remove it from the budget rather it automatically remaining at \$-0- due to last year's budget

discussion. There also was general discussion about the amounts for Secretarial Services and for Professional Services. Durfee explained what historically the minute-taking receives per meeting versus what the Planning Commission is budgeting for. Durfee also explained that the larger request for Professional Services would cover the local match for a Municipal Planning Grant award and the usual contingency for legal services. Richards wondered if the Grants Reserve could cover the anticipated match amount. No decisions were made.

- **Zoning.** Phil Adams said he is not asking for any budget change. However, he is suggesting an increase in Professional Services for legal assistance so the Town would be better prepared for zoning enforcement action, if necessary. Based on conversation with Bill Bloomer, Adams indicated that one case usually amounts to about \$2,500. The board at length discussion the nature of Professional Services and how to address the “over-budgeted” of the various but related line items throughout the budget. Two suggestions were discussed – having a pooled but lesser amount as a single line item in the budget (e.g., Legal under Selectboard) and having a similar pooled amount but established as a new reserve line item. There seemed to be general agreement that some level of pooled resources made sense. However, no final decision was made.
- **Zoning Board of Adjustment.** There were no questions on the ZBA line items.
- **Municipal Buildings and Grounds.** The board general were provided insight on the various line items by staff. Durfee indicated there are several items needing attention as well as basic supplies relating to maintenance. He listed making the bathrooms handicapped accessible, rewiring the phone system, working on the electrical service, and purchase of and bringing on-line a mass notification system.

**Wells Fargo Offer:** Property located at 30 West Street is in bank possession due to foreclosure. Durfee indicated he’s been contacted by a Wells Fargo official saying that the bank is willing to give the home to the Town, or an appropriate non-profit, with the contingency that it be rented or sold for affordable housing. The board discussed the offer and, though there was no action, they generally agreed that this would be better accomplished with through the Housing Trust of Rutland County.

**Compactor/Charge Hopper Bids:** The Manager reported four bids were received but only three were received by the deadline. Timely bids were submitted from Harmony (\$21,440) and two from T.W. Ferguson (\$29,790 and \$27,956). Durfee reported since he did not fully include in the specification bid sheet that the “hopper” would require some custom work, he contacted Harmony and allowed them to revise their bid. Ferguson’s local knowledge resulted in their already accounting for the custom work. Harmony responded with an increase of \$4,214 for the custom work, which increased their bid \$25,654. Richards **moved** to award the compactor and charge hopper bid to Harmony for an amount not to exceed \$25,654 and to allow the Town Manager to expend funds from the Transfer Station Reserve Fund for such expenditure.

**Seconded by Sheldon. All voted aye.**

### **BOARD ROUNDTABLE**

Richards asked about the DPW seasonal summer staff questions raised earlier by Hughes. Durfee said if the board wished to talk about personnel the board would have to enter Executive Session. But, from the positional standpoint, Durfee indicated that the Superintendent would like to have at least one of the part-time summer positions be elevated to full-time. This would allow DPW to take better care of the cemeteries, especially Cedar Grove.

Cole reported the School Board is willing to share in the cost of printing the Town Report.

**EXECUTIVE SESSION**

It was agreed to table the Executive Session discussion until all board members are present.

**REVIEW OF FINANCE REPORTS**

**Revenue Reports:** The manager provided the Board with Finance Reports.

**Checkbook Status:** The balance in the checkbook is \$735,150.33.

**Expenditure:** Sheldon **moved** to pay the bills as follows: General Fund-- \$25,956.49; Payroll-- \$29,832.44. **Second** by Ward. **All voted aye.**

**ADJOURN**

Sheldon **moved** to adjourn at 9:58 p.m. **Seconded** by Richards. Meeting adjourned.

Respectfully submitted,  
Wilma B. DeSpain, Recorder

  
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Jeff Sheldon, Clerk