TOWN OF FAIR HAVEN, VERMONT
SELECTBOARD
WATER AND SEWER COMMISSIONERS
LIQUOR COMMISSIONERS-CEMETERY COMMISSIONERS
Regular Select Board Meeting
May 10, 2016

Members Present: Robert Richards, Jeff Sheldon, Rod Holzworth, II, Chris Cole, Dick Frazier.

Others Present: Town Manager Herb Durfee, Minute Taker Claire Stanley, Bud Panoushek, Glen Roberts, Jeremiah Behnken, PEG TV, Fred Capron, Ceil Hunt, Scott Lobdell, Chief William Humphries, Sgt. Dale Kerber & K9 Sammy.

Call to Order: Chair Bob Richards called the meeting to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance.

Amendments to the Agenda: Mr. Cole moved to **add to the agenda**: New Business: Liquor Licenses: Contemplating Life Café, LLC d/b/a Contemplating Life Cafe; seconded by Mr. Sheldon and carried 5-0-0.

Approval of Minutes: Mr. Cole **made a motion to approve the Minutes of the April 26, 2016 Meeting**; seconded by Mr. Holzworth and passed 5-0-0.

Mr. Holzworth **made a motion to approve the Minutes of the May 3, 2016 Meeting**; seconded by Mr. Sheldon and passed 4-0-1 with Mr. Richards abstaining.

Five Minutes for Public Comment: None

Department Heads and Committee Reports: Town Manager Durfee reported:

- Letter from Atty. to go with the Vermont Structural Slate quit claim. There is still a liability issue to be reviewed.
- Letter from Fair Haven Animal Hospital re: the Pearo dog protective order. The owner has met restriction order criteria. Mr. Richards asked that the letter be signed by Dr. Dru Pollinger, who is the Vet.
- Since permit checks at the Transfer Station, there are more folks with stickers. Found approx. 30% of folks who write checks don't have permit -- some with good reason (e.g., sticker on other vehicle). Will send out postcards after list is compiled.
- Chief Humphries report is in packets.
- Manager report in packets.
- June 23rd, Manager Durfee will be absent for year medical checkup.
- Thank you letter from FHUHS Cheer Team for coin drop permit -- they raised $1,100, one quarter of their goal for camp.
- Received a decision re: the Billewitz Union Street case. Can discuss details in executive session.
- Town Plan public hearing has been noticed. Received letter confirming the Wood property issue.
- Mr. Stannard and Manager Durfee had a good conversation with Brad Stevens re: hydro land.

- The PACIF grant has been approved in total. Can now install the water treatment plant stairs/ramp and purchase dump truck bed locks.
- Superintendent of Public Works Bud Panoushek's report is in packets.
- Latest delinquent tax summary is in packets.
- There was a recent site visit at the DPW garage and barn by PACIF Insurance. The report shows only two "A" category action plan items – combustibles in the furnace room; need better eye wash station. Both are amid correction.

Fair Haven Police Department (FHPD) Ticketing Procedure: Chief Humphries prepared a detailed report of ticketing revenue for members stating the funds go to the Fair Haven General Fund. He noted that since the more aggressive parking ticketing, there has been some push back, but problem is mostly solved. Chief Humphries explained the ticketing/fines process, in detail; authorities; points; court appearance; fines; (that sometimes ticketed "kids" are given community service in lieu of fines); no roadside exchanges; the varied percentages that go to the state. Chief Humphries recognized Sargent Dale Kerber with a life saving commendation pin due to his involvement with reviving three drug OD patients with the administration of Narcan.

Mr. Frazier made a **motion to authorize Chief Humphries to apply for the Governor's Highway Safety/DUI grant**; seconded by Mr. Holzworth. The Chief noted that $251,000 has been received during his tenure; he explained the criteria/documentation/incidents covered by the grant; it is a re-imbursement grant. $8,000 is expected this year. The motion carried 5-0-0. The Department recently received $103 resulting from a federal drug seizure case on Liberty Street. Chief Humphries reported working on a Highway Safety grant to purchase a solar powered speed trailer. The consensus of the Board is to go ahead with the application.

Mr. Sheldon made a **motion to authorize applying for Dept. of Justice grant funds for needed bullet proof vests**; seconded by Mr. Frazier. It is recommended that vests be replaced every five years. The current cost is approx. $800/$900 each. It is a 50/50 match grant. Need 4 or 5 vests. Town match would be funded by the equipment reserve fund. The motion carried 5-0-0.

Chief Humphries is in the process of preparing a contract for the School Resource Officer (SRO). The cost is shared by FHUHS sending Towns. Discussed possible changes if school consolidation is approved. The Board would review and approve this contract.

There seems to be an up-tick in drug related arrests. There were four alone last evening. The Chief reported he feels they are not ready for legalization of marijuana -- have been deemed responsible for one $300 drug test(s).

Concerts in the Park -- Committee Report & Park Lighting Discussion: Fred Capron thanked the Board and Town for their continued support -- this is the sixth year. Also thanked the Police Department for their presence walking through on concert nights. The dates and bands are complete (the Army Band is expected on July 7th). There is concern re: lack of pathway lighting since it gets dark before concerts end late in the season. The committee will work with the Board and share the estimated $1,500 cost to have an analysis done. Need to get a plan in place -- style, placement, number, design, and timeline. Park lighting is included in the proposed Town Plan. The Board

thanked the Committee whose members include Scott Lobdell of Castleton, Fred Capron of Poultney, and Ceil Hunt of Fair Haven.

Transfer Station Fee Schedule: Manager Durfee prepared an updated spreadsheet showing existing/proposed fee structure. Discussion included: goal is to be self-sufficient; review of proposed fees; cost of earth waste management; there is one more year on the three year hauling contract; extra charges for mattresses; need for lead time after approval of fees to allow purchase of new punch cards, and public notification. More detailed report will be at the next regular meeting.

Water Department Furnace Bids: Copy of the three bids received are in packets; all bids are for the same Modine ceiling mounted gas furnace; Smalley, $14,500; Craig Roberts, $8,200; Proctor Gas, 6,805.90. Mr. Cole made a **motion to award the Water Dept. Furnace bid to Proctor Gas, not to exceed $6,802.90**; seconded by Mr. Holzworth and passed 5-0-0.

Liquor Licenses: Mr. Sheldon made a **motion to grant a Liquor License as requested to Contemplating Life Café, LLC d/b/a Contemplating Life Café**; seconded by Mr. Holzworth and passed 5-0-0.

Highway Department Dump Truck with Wing Plow -- Authorize Town Manager to Solicit Bids: In packets are specification sheets designed to be inclusive of brands including International (state spec truck) to solicit competitive price quotes. The estimated total cost of the truck with wing plow is $125,000. The consensus of the Board is to allow the Town Manager to proceed with soliciting bids.

Airport Road Drainage Resolution: Mr. Panoushek described the elevations he took. He also found no evidence of an existing culvert. He and Manager Durfee discussed possible options: do nothing; install approx. 420' of culvert on the east side; culvert to the west side that would drain onto the Howard property; and, culvert to the west side and then to the Rte. 4 bridge (requiring significant digging) emptying to Mud Pond. There is no simple resolution. Part of the problem seems to be run off from FHUHS athletic fields. Culverts on the east side impacts two driveways. The project would take about four days and approx. $4,000 of culvert. Total cost is unknown at this time. Discussion: This drainage issue does not impact any Town property; no useful photos were found; original permits are most likely pre-zoning for most properties involved. Further reports will be included on a future agenda.

Mr. Cole inquired the status of the burned building at the playground -- it seems an attractive nuisance, has a snow fence around it. After discussion it is the consensus of the Board to remove the building and safely deal with the septic system. Staff will research the purchase of a storage trailer for the playground using the insurance claim funds.

FYE 2017 Water/Wastewater Budget: Manager Durfee prepared an updated year-to-date spreadsheet and reviewed the highlighted changes including those addressed at the last meeting. Only the reserve, capital improvement and sinking funds have not been discussed in detail. This matter and rate structure is scheduled for the May 17th special meeting.

Town Officials Policy & Expectations – 2nd Reading & Possible Adoption: The board opted not to proceed with the policy and ordered it to lie.

Board Roundtable Discussion: Mr. Frazier spoke of vandalism at the Cedar Grove cemetery at his daughter's grave. Mr. Panoushek noted two other grave sites were vandalized.

Mr. Cole asked to review the Park policy (re: smoking). A public survey is to be done. He reported there is a meeting on Thursday re: the Rutland Mayor's refugee issue. Mr. Richards was the only board member that felt he was able to attend. Durfee indicated he would be at a Managers' conference.

Mr. Richards inquired the status of the Town Service Officer. Mr. Durfee reported there is no longer a need as most issues are dealt with at the State level due to recent legislation. He mostly does referrals. Fair Haven is well served by Fair Haven Concerned.

The **Checkbook Status** is $694,174.11.

Mr. Sheldon **made a motion to Sign Warrants**: Payroll, $26,691.52; General Fund, $31,873.19; seconded by Mr. Frazier and passed 5-0-0.

Mr. Frazier made a **motion to amend the agenda to include executive session for legal matters (Billewicz Union Street property, update on discussion with Brad Stevens, and update on staff termination/arbitration);** seconded by Mr. Sheldon and passed 5-0-0.

Mr. Frazier moved the Board into **executive session to include the Town Manager** at 9:34 to discuss the legal matters cited above; seconded by Mr. Cole and passed 5-0-0.

The recording secretary was excused at this time.

At 10:33 pm, Mr. Frazier moved to exit Executive Session, seconded by Mr. Sheldon. The motion passed 5-0-0. No action.

At 10:33 pm, Mr. Frazier moved to adjourn, seconded by Mr. Sheldon. The motion passed 5-0-0. Meeting adjourned.

Respectfully submitted,
Claire Stanley

Richard Frazier, Board Clerk