

**TOWN OF FAIR HAVEN, VERMONT  
SELECTBOARD  
WATER AND SEWER COMMISSIONERS  
LIQUOR COMMISSIONERS-CEMETERY COMMISSIONERS  
Regular Select Board Meeting  
May 24, 2016**

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

**Others Present:** Town Manager Herb Durfee, Minute Taker Claire Stanley, Glen Roberts, Jeremiah Behnken, PEG TV, Emily Cutts, Rutland Herald, Eric Gross, Adrienne Gross, Jean Henski, Rose Anne Van Lew, Cindy Adams, John Tracey Adams, II, Robert Farkag, Kellie White, Walter White, George Stannard, Dani Roberts, Neil Robinson, Rod Ethier, Ellen Lynch.

**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. Frazier made a motion to add to the agenda, reaffirm Assistant Health Officer appointment effective June 1, 2016; seconded by Mr. Cole and passed 5-0-0.

**Approval of Minutes:** Mr. Cole made a motion to approve the Minutes of the May 10, 2016 Meeting; seconded by Mr. Holzworth and passed 5-0-0.

Mr. Frazier made a motion to approve the Minutes of the May 17, 2016 Meeting; seconded by Mr. Holzworth and passed 4-0-1. Mr. Cole abstained -- he was absent.

**Five Minutes for Public Comment:** Jean Henski is looking to purchase a house at the end of West Street, past Fair Haven Avenue. She inquires, are there any plans to extend the water/sewer line? There are no current plans to extend; not in current/or proposed budget; much planning is involved for such a project; current size or end of line is unknown; in the process of repair of existing water lines; can request to be considered for the next budget season; first draft is Oct./Nov. Ms. Henski indicated she would send a letter to the Board/Town Manager for consideration of her request.

Eric Gross requests the Board to re-visit the Pearo vicious dog request. He presented a lengthy document of challenges to the Order, including: deadlines were not met; is the reviewer qualified to make assessments; stated seriousness of injury/surgery, continues with pain, health issues and stress to family members; dog owner continues without consequence. Members, due to the length of the document, agreed to discuss the matter at their next meeting.

**2016 Town Plan, Draft -- PUBLIC HEARING -- Possible Plan Adoption and Resolution to Submit Plan to RRPC for "Approval":** Tracey Adams noted Town Plan map shows change of his 50 acres from rural to light industrial designation. He sees no reason for the change and requests that no change be made. Lengthy discussion followed including that if any significant change is made to the Town Plan, statute states another public hearing must be scheduled. Mr. Frazier made a motion to designate as

**rural, one parcel, 48 acres, map #27-01-14 starting 348' east of So. Main Street and north of Town Highway #63 as requested.** The motion was seconded by Mr. Sheldon and carried 5-0-0.

Kellie White noted her property is now designated light industry -- requests it stay residential as there is a house on their property and the Spaulding solid waste operation has a negative impact. The Sbardella's request their property stay in light industry. Discussion included: historical designation(s); no one seems to know why/when changes were made; impact on abutting properties; state permitting for Spaulding's desire to increase capability as his solid waste business; need for light industrial properties. Rose Anne Van Lew stated she felt the Planning Committee did a good job preparing the Town Plan but found flaws in the process and notification, including a solar array (eyesore) next door to the Welcome Center. Chair Richards noted there have been a number of meetings re: the Town Plan and two public hearings by the Board. Mr. Cole **made a motion to remove #25-52-41 and #25-52-42 from the proposed industrial designation so they remain in the residential designation;** seconded by Mr. Sheldon and passed 5-0-0.

Ellen Lynch, Rattle Snake Ridge inquired the meaning of "mixed river" designation. Their property was changed from mixed river to industrial. Mr. Stannard stated mixed river was designed for areas that included "a bit of everything". It was noted that a portion of the property is in the federally designated flood plain area.

Given the changes discussed, the Board agreed to **warned another public hearing at a special meeting** for Tuesday, June 28, 2016 at 7:00 p.m. in the Board conference room,

The **Town Plan PUBLIC HEARING** was closed noting that discussion would continue at the June 28 public hearing.

**Department Heads and Committee Reports:** Town Manager Durfee reported:

- Beverly Fidolfi is on sick leave. The Board wishes her a speedy recovery.
- Jack Eaton will be on medical leave most of June for surgery. May need to hire temporary help for scheduled paving. Will be only for a limited time.
- Supt. of Public Works Bud Panoushek's monthly report is in packets.
- Thanked Emily Cutts for article re: Police Seargent Kerber's citation.
- Draft of Town Manager contract in packets, and will be on the next agenda.
- Town granted the water asset management grant for the full amount requested to evaluate the water treatment plant and two water storage tanks.
- The wing plow specs went out to bid (due Friday, June 3). Some companies have been here to see the trade in truck.
- Manager's written monthly report will be provided at the next meeting.

Mr. Cole made a **motion to reaffirm Ray Phillips as the Town's Assistant Health Officer, effective June 1, 2016;** seconded by Mr. Frazier and passed 5-0-0.

**Town of Fair Haven, VT, Selectboard Meeting Minutes, 05/24/16**

**Sewer Abatement Request – Jean Haley, 10 Second St. , Acct. #293:** No action was taken. Based on meter reading analysis, there is nothing to abate. A follow-up letter will be sent.

**Re-Appoint Rose Anne Van Lew as RRPC Alternate:** Mr. Sheldon moved to re-appoint Rose Anne Van Lew to the Rutland Regional Planning Commission; seconded by Mr. Frazier. Ms. Van Lew thanked the Board, and added that she hoped a member of the Town Planning Commission would agree to serve as the Commissioner citing the effectiveness of such appointment. The motion carried 5-0-0.

**Cartographic Associates, Inc. d/b/a CAI Technologies – Approve 2017 Tax Map Contract:** Mr. Sheldon moved to approve the CAI Technologies Tax Map Contract not to exceed \$1,950; seconded by Mr. Cole and passed 5-0-0. Members signed the document.

**Town Office Heating Fuel Tank -- Consideration for Refilling in Current Fiscal Year:** Mr. Frazier made a motion to refill the Office heating fuel tank in current budget; seconded by Mr. Holzworth. There is an existing contract with Champlain Oil. The motion carried 5-0-0.

**Town Manager Contract – Renewal (subject to Executive Session):** Draft of contract is in member's packets; and, will be an executive session item at the next regular meeting. The current contract ends June 30<sup>th</sup>.

**Transfer Station Scale Repair – Authorize Repair with Payment from TS Reserve:** There was a previous handout of needed repair, including a cost quote; inspection was done; does not involve the scale framework; repair cannot be done locally for any less money; it is felt the repair cannot wait; the scale has an estimated 50-year life with repair. Manager recommends going ahead with Farnham Scale Systems. Discussion included whether it is better to not repair and purchase a new scale; reconfigure the traffic pattern and move the scale needing a new concrete foundation. The cost would almost deplete the reserve fund. Mr. Holzworth made a motion to approve the Farnham Scale System contract to refurbish the Transfer Station Scale not to exceed \$22,600; seconded by Mr. Sheldon, and passed 5-0-0.

**Airport Road Drainage Cost Estimate for East Side Option -- Possible Authorization to Proceed:** A cost estimate is in member's packets. Discussion included: is this the Town's responsibility; Town did not create the problem; Town is obligated to care for Town Road drainage; impacted properties; can impacted property owners be expected to share the cost. Mr. Holzworth made a motion to proceed with the project as soon as it can be funded, or unless the two affected property owners can come up with another solution (i.e., the property owners pay for the materials, then, the Town would be able to do the work earlier). The motion was seconded by Mr. Sheldon and passed 3-2-0 with Mr. Cole and Mr. Frazier dissenting.

**FYE 2017 Water/Wastewater Budget -- Approve Budget:** Mr. Durfee noted Board members have updated copies of the proposed budget in their packets. The two changes included updated year-to-date figures and addition of the \$75,000 in the water capital reserve line item, as discussed at last week's meeting. Mr. Sheldon made a motion to approve the FYE 2017 Water/Wastewater Budget as presented; seconded by Mr. Holzworth and passed 3-2-0 with Mr. Cole and Mr. Frazier dissenting.

**Transfer Station Fee Schedule – Possible Revision to Increase Fees Beginning in FY 2016-17:**

Manager Durfee prepared and expounded on four graph(s) handouts, 1) Categorical Material Collection; 2) Aggregate Material Collection; 3) Revenues vs. Expenses; 4) Comparison of Net Revenue over Expenses to Aggregate Material Collected. He noted revenues still do not cover expenses, but the gap is much closer than it was several years ago; the goal is to be self-sufficient; new recently implemented rules are mostly working; the percentage of persons who write checks that do not have permits continues to run somewhat high, but Manager Durfee is continuing to work on that issue.

**Town Manager End of Month Follow-Up:** No comments, with Board members indicating that “silence” is good.

**Board Roundtable Discussion:** An updated information sheet re: the water improvement bond will be enclosed in utility bills.

The checkbook status is: \$347,385.76.

Mr. Sheldon moved to **approve payment of Warrants: Payroll, \$28,790.63; General Fund, \$523,473.83;** seconded by Mr. Frazier and passed 5-0-0.

Mr. Holzworth **moved the Board and Manager Durfee into executive session at 9:55 p.m. for a legal matter concerning VT Structural Slate agreement;** seconded by Mr. Frazier and passed 5-0-0.

The recording secretary was excused at this time.

Mr. Frazier moved to **exit Executive Session** at 10:19 p.m., Mr. Holzworth seconded, with the motion passing 5-0-0.

Mr. Sheldon moved to **approve the Quit Claim Deed Agreement with Vermont Structural Slate and to authorize the Chair to sign any necessary documentation,** Mr. Frazier seconded, with the motion passing 5-0-0.

At 10:22 p.m., Mr. Frazier moved to **adjourn,** Mr. Sheldon seconded, with the motion passing 5-0-0. Meeting adjourned.

Respectfully submitted,  
Claire Stanley

  
Richard Frazier, Board Clerk