

**TOWN OF FAIR HAVEN, VERMONT
SELECTBOARD
WATER AND SEWER COMMISSIONERS
LIQUOR COMMISSIONERS-CEMETERY COMMISSIONERS
Regular Select Board Meeting
June 21, 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, Neil Robinson, John Lulek, William Humphries, Police Chief.

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 requested that item 8a, executive session, be moved to the end of the agenda. Add: Adopt Schedule of Water/Sewer Fees/Rates. All agreed.

Approval of Minutes: Mr. Sheldon made a motion to approve the Minutes of the June 7, 2016 Meeting; seconded by Mr. Frazier. The motion passed 5-0-0.

Five Minutes for Public Comment: Glen Roberts requests sending a letter from the Selectboard congratulating the Poultney Town Manager on his retirement. He is the longest serving Town Manager in the State.

Department Heads and Committee Reports: Town Manager Durfee reported:

- A schedule of water/sewer rates and fees is in members' packets. Mr. Cole made a motion to adopt the water/sewer rates and fees schedules as presented; seconded by Mr. Holzworth. The fees are unchanged; the rates are as approved at the June 7, 2016 meeting. The motion carried 4-1-0 with Mr. Frazier dissenting.
- Contacted Vermont Historical Preservation re: the Air Park hangar. They will schedule a site visit. Also contacted the local Historical Society. After the site visit, there will be a notice of intent to demolish that will include public hearing followed by acquiring zoning permit and sending notice for salvage.
- Chief Humphries was the attending officer at the recent overdose, live-saving incident in West Pawlet. The Board acknowledged his efforts.
- Hydrant flushing will continue Wednesday and Thursday nights this week.
- Request for proposals for the Bolger Road paving project has gone out. Will receive \$175,000 class 2 paving grant, the first received by Fair Haven in four/five years.
- There is a petition to change the name of the entire length of Route 22A to a memorial highway related to participants in Desert Storm.
- Acknowledged receipt of an e-mail from Lauritz Rasmussen re: water/sewer rates.

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- Presented photos of bulkhead (rear of Municipal bldg.) that is rusted out; large hole eroded in front of it. Temporary repair is a metal plate over the hole. Bulkhead needs to be replaced.
- Minimal use of the Electric Car Charging Station continues. Reminder that one year is up. Can cancel after the first year of the 3 year contract with proper notice. Durfee indicated he would put it on the agenda, if a Board member requested it.
- Dept. of Public Works Superintendent Bud Panoushek work report is in packets.
- Vermont Structural Slate matter is complete; file is closed; court filings were completed; and, VLCT was notified.
- There was a major water line leak on Colvin Road. Repair was made; this line is one scheduled to be replaced in the upcoming project; water tanks are replenished.
- Indicated VMERS Board will be taking up the Town's request for clarification re: definition of employee "regular time" for payment of retirement.
- Beverly Fidolfi, Office Assistant remains on medical leave and Durfee explained relevant issue and that other staff persons are helping out.
- There will be a Manager's written report beginning of next month.

Police Chief Humphries reported:

- The Fair Haven Police Dept. was awarded a \$10,000 grant for a speed trailer; have not heard from the other grant.
- The Department staffs Devil Bowl as much as possible; cannot staff their full time request; receive \$30/hr. with a two-hour minimum.
- Received \$1,500 for the Crown Vic.
- Sundays are staffed like other days, on a rotating schedule. Mr. Richards feels there is no need for Sunday morning staffing. Durfee indicated there was a burglary this last Sunday morning.
- The four police cars on Dutton Ave (one each from Brandon, Rutland, Sheriff and Fair Haven) were for the "Click It or Ticket" program. For two weeks there is a regional collaboration to cover several Towns.

Mr. Holzworth made a **motion to enter into executive session** at 7:28 p.m. for the SRO contract to include the Town Manager and Police Chief; seconded by Mr. Frazier. Mr. Cole recused himself. The motion carried 4-0-0. Mr. Holzworth moved **out of executive session** at 7:55 p.m.; seconded by Mr. Frazier and passed 4-0-0. No action taken. Manager Durfee and Chief Humphries are directed to get clarification and updates to the contract. Mr. Cole returned to the meeting.

Neil Robinson -- Education Property Tax Repeal Resolution for VLCT: Mr. Robinson reviewed his meeting with Maura Carroll, VLCT Ex. Director and the reasons he presented a resolution to the Board at their last meeting. The resolution to be presented to the Vermont Superior Court asks that funding for education be no longer coupled to local property taxes due to issues of discrimination of property tax payers. Mr. Frazier made a **motion to endorse the resolution as presented and send to VLCT**. He requests that the vote on this matter be roll call. The motion

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was seconded by Mr. Cole. Lengthy discussion followed including that law suit in (Superior Court) would by-pass the Legislature; feeling is that this matter should be taken up by the Legislature. The motion failed 1-4-0: Frazier, yes; Holzworth, no; Richards, no; Cole, no; Sheldon, no.

Sewer Abatement Requests: Acct. # 256, 23 Pleasant St., Richard Frazier: Was postponed at the request of Mr. Frazier, since additional information was being collected and prepared.

Acct. #627, 16 Dutton Ave., Christine Kipphut: Mr. Holzworth made a **motion to deny the request**; seconded by Mr. Frazier. The ordinance requires that pool owner submit (in writing) a meter reading before and after filling; the requirement was not met. The motion carried 5-0-0.

Rite Aid (Steve/Tammy Howard) -- Final Capacity Allocation Approval: Mr. Frazier made a **motion to approve the project as designed**; seconded by Mr. Sheldon. They have received State water/waste water allocation and access permit, and have local zoning permit. The motion carried 5-0-0.

School Resource Officer (SRO) Annual Contract Renewal: Taken up earlier in executive session.

Water/Wastewater Ordinance Review for Possible Amendment: Both documents are in members' packets for careful review. Will be on a future agenda for consideration.

Board Roundtable Discussion: Mr. Sheldon asked to have benchmarks re: the retirement issue. The person worked full-time for a short period of time; members received a letter.

Mr. Sheldon commented to be sure to have adequate coverage for the Office Assistant.

Mr. Richards inquired, will there be an advertising impact with the Rutland Herald cutting back on print circulation. Manager Durfee will contact VLCT for an opinion.

Mr. Cole inquired re: confidential letter in packets; is there any public update? The arbitration is scheduled for July. For unemployment there has been no appeal to the Court.

The **checkbook status** is unavailable. Durfee will get that information to Board members.

Mr. Sheldon moved to **approve payment of Warrants: Payroll, \$29,935.68; General Fund, \$59,873.04**; seconded by Mr. Frazier and passed 5-0-0.

The recording secretary was excused at this time.

Mr. Frazier **moved the Board (only) into executive session at 8:45 p.m. for Town Manager contract**; seconded by Mr. Cole and passed 5-0-0. At 9:23 p.m., Mr. Frazier **moved the Board out of Executive Session**; seconded by Mr. Holzworth and passed 5-0-0. No action taken. At

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9:23 p.m., Mr. Frazier moved the Board and the Town Manager into executive session for Town Manager contract; seconded by Mr. Holzworth and passed 5-0-0. At 10:10 p.m. Mr. Frazier moved the Board out of executive session; seconded by Mr. Richards and passed 5-0-0. No action taken.

At 10:10 p.m., Mr. Frazier moved to adjourn; seconded by Mr. Sheldon and passed 5-0-0. The meeting adjourned.

Respectfully submitted,
Claire Stanley

A handwritten signature in black ink, appearing to read "Richard Frazier", is written over a horizontal line. The signature is stylized and somewhat cursive.

Richard Frazier, Board Clerk