

**TOWN OF FAIR HAVEN, VERMONT
SELECTBOARD
WATER AND SEWER COMMISSIONERS
LIQUOR COMMISSIONERS-CEMETERY COMMISSIONERS
Regular Select Board Meeting
September 13, 2016**

Members Present: Jeff Sheldon, Chris Cole, Rod Holzworth, II, Richard Frazier.

Members Absent: Robert Richards

Others Present: Town Manager Herb Durfee III, Minute Taker Claire Stanley, Glen Roberts, Jeremiah Behnken, PEG TV, John Lulek, Neil Robinson, Shirley Robinson, Patrick Frazier, Rose Anne Van Lew, Emily Cutts, Rutland Herald, Kristine Provencher, Michael Provencher, Cassandra Chandler-Allen, Daniel Allen, Sr., Cindy Adams, Police Chief William Humphries.

Call to Order: Acting Board Chair Richard Frazier called the meeting to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance.

Acting Chair Frazier appointed Chris Cole to serve as Board Clerk.

Amendments to the Agenda: Motion was made and seconded to add to the agenda: New Business, Approve and Sign Loan Agreement for Loan RF3-342-2; motion carried 4-0-0.

Approval of Minutes: Mr. Sheldon made a motion to approve the Minutes of the August 30, 2016 Meeting; seconded by Mr. Holzworth. The motion passed 4-0-0.

Five Minutes for Public Comment: Mr. Lulek inquired re: status of Town Plan. It goes before the Community Issues Committee on September 20th. Manager Durfee explained the process of approval and confirmation after which several state programs and grants can be applied for.

Michael Provencher presented an overview of Fair Haven Rescue scheduling that had 38 open shifts (634 hours) in the last month, almost half the time. There were only four full days with two people scheduled. The lack of coverage causes dropped calls, delays in response and impacts the health of the community it is expected to serve. The Town pays a fiscal appropriation for full coverage and is not getting it -- maybe should ask for taxpayer re-imbusement. Fair Haven Rescue is an independent entity with tax free status. The Select Board invited Fair Haven Rescue to a previous meeting at which they were unable to attend. Chief Humphries is attending their September 19th meeting at which time he will try to set a date for them to meet with this Board. This Board has no jurisdiction over Fair Haven Rescue; they are allowed to contract with and serve other entities; concerns with coverage can continue to be brought to this Board; it is suggested that the District Rescue Director be notified of the issue. Fair Haven Rescue is not a volunteer organization -- all employees are paid.

Department Heads and Committee Reports: Town Manager Durfee reported:

Town of Fair Haven, VT, Selectboard Meeting Minutes, 09/13/16

- Notice of intent to demolish the Air Park hangar went out -- Rutland Herald did an article
- Manager's monthly report is in members' packet
- Chief Humphries monthly report is in members' packet
- Water assessment grant work is well under way -- report in packets
- VLCT Municipal Action #1 re: Self Governance -- information in packets
- Members are invited to attend REDC meeting on October 20th at Castleton University Cassella Center.
- There was a sewage backup near Washington St. and Pelky Ave. when debris caused line blockage near West St. Contact the Town Manager with problems/issues/concerns.
- Downtown Designation program information is in members' packets
- Memo re: no PO's past May 1st was sent out. Late invoice procedure was explained/discussed
- Members are invited to attend the meeting of the Vermont Community Development Association at Castleton University Cassella Center on October 18th
- The heating oil bids went out last week
- Fund balances report is in members' packets for 010 and 030
- Finance Workshop for small water systems will be offered for free on October 3rd -- Manager Durfee plans to attend since it will address water rates in small systems.
- Mr. Sheldon made a motion to officially recognize the dedicated service of Fire Chief David Ward; seconded by Mr. Cole. Mr. Ward has notified the Town that he is stepping down as Chief of the Fire Department after seven years in that role and 36 years on the force. The motion passed 4-0-0
- Dept of Public Works (DPW) work report (including list of work not yet done due to health issues in the dept.) is in members' packets. Mr. Frazier requests more details (hours spent on each task)
- Schedule of household hazardous waste collection is out to the public and in members' packet. At Fair Haven Transfer Station on September 17th, 1:00 p.m. to 3: p.m.
- Revised Financial Management questionnaire is in members' packet
- Castleton University students painted the park fence (very short time -- many student participated)

Police Chief Humphries reported the Department has been very busy; have received the \$10,000 grant for a speed cart; Ed Hayes is still at the Academy; two officers worked on Labor Day; by contract all officers are paid on Holidays.

Requested Tenant Hearing – Daniel Allen re: Water/Sewer Account #902, 8 Lockburn Ave: The Allen's request extra time to pay the outstanding water bill; they are not currently in a payment agreement since the property owner is responsible for water/sewer charges; tenants have legal right to request hearing before the service is turned off. Mr. Frazier made a motion to grant the request for extra time to pay charges and allow the tenant to make an agreement with the Town Manager; seconded by Mr. Sheldon and passed 4-0-0.

Petition Submittal re: Water/Sewer Rates (Neal Robinson) and Decide on any Procedure: Mr. Robinson reported 267 validated signatures on a successful petition bid. He noted comments from signers of anger over increased bills. Mr. Cole asked if there was discussion re: the bond at the time of signing the petition. Most folks are unaware that there is a water bond; it is not a separate item on the bill. The bond vote was approved by voters. Mr. Frazier supports the petition and spoke to a memo from the Town Manager that he felt implied the desire for the petition to fail. Lengthy discussion followed. Is there a need to appoint a separate Water Commission; some folks reported excessive usage billed (could be a plumbing problem); is any of the base rate due to State/Federal mandates; Manager

Town of Fair Haven, VT, Selectboard Meeting Minutes, 09/13/16

Durfee reached out to the Town Attorney, VLCT, and Secretary of State for opinions on the binding aspect of such a petition; history is that (past) Boards have tried to keep the base rate as low as possible causing increased costs to be borne by usage; larger users pay for increases; usage has gone down; costs remain the same; per gallon charge increases; this Board has started the process to review options. Mr. Cole **made a motion to accept the petition as binding with a notation that the Board has until July 2017 to arrive at an agreed to rate structure**; seconded by Mr. Frazier. Manager Durfee cautions that this motion may be premature before receiving legal counsel. Mr. Frazier stated he felt a legal opinion is not necessary since it is "our Town" to make decisions as we see fit. Chief Humphries stated he feels the Town Manager is making recommendations in the best interest of the Town to assure procedures are legal. The motion carried 3-1-0 with **Mr. Holzworth** dissenting. A copy of the petition is attached.

Request of Olga Lawrence for Improved Street Lighting for Crosswalk between Interior Connections Store and the Bus Stop Building: There was a (color) photo showing lights at both ends of said crosswalk. Options were discussed. Mr. Sheldon **made a motion to table the matter to the next meeting**; seconded by Mr. Cole. Manager Durfee will research signage and light wattage. The motion carried 4-0-0.

Approve and Sign Loan Request for Loan RF3-342-2: Mr. Sheldon **made a motion to approve loan agreement RF3-342-2 and to authorize Chair Richards and the Board to sign in the designated areas of the agreement**; seconded by Mr. Holzworth. This loan is for \$85,400, the second of two from the state. The first was previously approved/signed by the Board and is from the Planning Loan Funds. This agreement is from the Vermont State Revolving Fund for the Water Improvement Project. The motion carried 3-1-0 with **Mr. Frazier** dissenting.

Transfer Station Fees: Manager Durfee presented updated spreadsheet information (in packets); audit is in the works; Board budgeted a revenue increase of \$25,000. To generate the increase the proposed bag fee is increased from \$1.50 to \$2.00; scale tonnage from \$130 to \$175. This discussion was tabled a couple of months ago so Board members would have fiscal year 2015-16 actual figures before acting. Discussion included: current contract; services; town wide pick up; privatizing the facility. Mr. Holzworth **made a motion to table the matter to the next agenda to allow time to study the information**; seconded by Mr. Cole and passed 4-0-0.

Board Roundtable Discussion: There was brief discussion re: the P.O. process, looking for checks and balances; explaining the three refund of tax credits.

The **checkbook status** is \$254,995.76. Mr. Sheldon moved to **approve payment of Warrants: Payroll, \$24,604.76; General Fund, \$674,451.44**; seconded by Mr. Cole and passed 3-0-1 with **Mr. Holzworth abstaining for reasons related to the General Fund amount**.

Mr. Cole **moved to adjourn** at 9:10 p.m.; seconded by Mr. Sheldon and passed 4-0-0.

Respectfully submitted,
Claire Stanley


Richard Frazier, Board Clerk