

TOWN OF FAIR HAVEN, VERMONT
Selectboard; Water & Sewer Commissioners, Liquor Commissioners, Cemetery
Commissioners

MUNICIPAL BUILDING

Tuesday, March 8, 2022 - 7:00PM - Regular Meeting
Zoom Meeting Link: <http://us02webzoom.us/j/84598319916>
Phone: 1 929 205 6099 | Meeting ID: 845 98319 916

APPROVED

Members Present: Chris Cole - Chair, Glen Traverse, Robert Richards, Jay Brown, Rich Greenough

Others Present: Town Manager Joseph Gunter, Recording Secretary Jennifer Jackson, Jim Britt of Peg TV, Rod Holzworth, II, Jeff Sheldon (via phone), Health Officer John Lulek, Superintendent of Public Works Aaron Kerber, Police Chief William Humphries, Neil Robinson, Chris Murray, Karley Morin, Pet Mayor Elsa, Lorraine Brown, Ceceil Hunt, Town Clerk Dani Roberts, Mike LaDuke, Judi Sutherland, Cindy Pritchard, Bree Gunter

1. **Call to Order and Pledge of Allegiance:** Town Manager Joseph Gunter called the meeting to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

Manger Gunter congratulated Robert Richards, Rich Greenough, and Jay Brown on their elections to the Selectboard. This being the first meeting with the newly elected selectboard protocol dictated that they elect a new chair.

2. **Reorganization:** Mr. Traverse nominated Chris Cole for **Chairman of the Board**. Mr. Greenough seconded the motion. Mr. Brown nominated Robert Richards for **Chairman of the Board**. No second. The board voted on Mr. Coles nomination. 4 members in favor, one against and the motion carried. From there, Mr. Cole led the meeting.
3. **Swearing in of Mayor:** Chairman Cole introduced and congratulated newly elected **Pet Mayor Elsa Murry**. Town Clerk Dani Roberts performed the swearing in ceremony and administered Mayor Elsa's Oath of Office. Chairman Cole stated how much the program and the election is loved by the students of the town and that it is a great learning experience.
2. **Reorganization Continued**
 - a. **Clerk** - Mr. Brown nominated Glen Traverse as **Clerk of the Board**. Seconded by Mr. Richards and carried.

- b. **Rules of Procedure** - Mr Traverse **motioned to accept the Town of Fair Haven Rules and Procedures.** Seconded by Mr. Brown. Meetings will be held Tuesday evenings at 7pm every other week. Motioned carried.
 - c. **Paper of Record** - Mr. Traverse made a **motion to continue using the Lakes Region Free Press Newspaper as the Paper of Record.** Seconded by Mr. Richards. Mr. Brown asked if Fair Haven can still use the Rutland Herald for postings. This is true. All were in favor of the motion and the motion carried.
 - d. **Appointed Positions** - Manager Gunter stated that he had reached out to most of the appointed positions for the Town of Fair Haven and that the majority of incumbents were willing to continue their positions. Manager Gunter will post on Facebook and the town website for interest. He will put on the agenda for the next meeting the appointments as needed.
4. **Amendments to the Agenda:** Mr. Brown moved for article B, Town Clerk MOU, under New Business to be moved to the executive session before the round table. Seconded by Mr. Traverse. **Mr. Brown made a motion to make an amendment to the agenda to move article B (Town Clerk MOU) under New Business V.S.A. 313 (a)(3) to executive session;** Mr. Brown stated that as a new board, they should be able to discuss issues as a board. Manager Gunter let the board know that he had spoken with the town lawyer and was told that it is permissible to go into executive session concerning an elected official. Mr. Cole stated that after speaking with Ms Roberts that she wasn't ready to sit before the board. Mr. Traverse asked that instead of after the round table that the agenda point be moved to the already scheduled executive session time. All were in favor and the motion passed unanimously.
5. **Approval of Minutes of February 22, 2022:** Mr. Traverse **motioned to approve the minutes of the February 22, 2022** meeting as written; seconded by Mr. Brown and passed unanimously.
6. **Five minutes for Public Comment:**
Mr. Lulek Let the board know that the Slate Valley Unified School District budget recount again failed; 861 no 853 yes. The next vote will be April 13th.
Mr. Robinson stated that the Pet Mayor made USA Today top story of the day for the State.
7. **Department Head Reports:**
- a. Police Chief William Humphries reported:
 - i. The two week report can be found in the selectboards' boxes. 6 arrests were made. Motor vehicle and other municipal violations including junk tickets and dog violations: 69 traffic tickets and municipal warnings were issued, 30 written warnings, 4 parking violations, 9 overweight permits were issued and 21 sets of civilian prints taken at \$20 a peice.
 - ii. Two officers hit milestone career times; Jason Vanderberg - 16 years, and Shawn Galvin began his 24th year with the department.
 - iii. One untimely death investigation on Washington Street

- iv. Will start issuing junk tickets to Adams St and to the Trailer Park
- v. One car crash
- vi. Two EMS assists

Mr. Brown wanted to know what else the board could do to help with Adams street. Chief Humphries said that the last board acted as the Board of Health with John's help and issued a health warning. Progress was made but then it stopped. The Police Department will start issuing tickets again saying 'hey it's not done'. At some point the Board will have to enlist some legal action and continue that path. Some tickets have been paid, some have gone into default. We try to keep track; Manager Gunter can give more information as needed. Same general issue with the trailer park. Some progress was made, some tenants moved out and left stuff, but it isn't cleaned up completely. Chief Humphries wrote letters to the executor of the estate hoping it would prompt them to start cleaning them up.

Mr. Richards asked about the State and the Dispatch Issue. Chief Humphries will e-mail the board a letter he received from Terry White. There is \$11million in the budget to prop up regional centers. No county government or tax base to draw money from to fund the centers after the \$11 million is used up. VLCT is for the change in theory, but acknowledges that there isn't enough funding for the issue. Maybe Select Boards should use their voice to stand up for who will fund this change and help the Police Departments.

b. Superintendent of Public Works Aaron Kerber reported:

i. The Highway Department;

1. 25 storm events this year; 54 inches of snow using 684 tons of salt and 450 yards of sand.
2. Have been cold patching - rain has been unhelpful as it empties the holes again after DPW fills them.
3. Playground equipment is being removed in hopes of an April installation of the new equipment.
4. Adams Street pump station generator has been replaced. Waiting on Fyles to hook up propane so it can run. Once it can run we can make the call to get the new control panel up and going.
5. Trucks are getting maintenance slowly between storms.
6. Joe signed MRGP letter to send to ANR certifying what was done last year and what is done in regards to meeting the permit. A few segments are not meeting due to invalid data.
7. Plow routes and how drivers respond to storms were presented. Each route takes about 3 hours to complete. Each route, if available, will help other routes as needed. Main priority is the Main Street Hill.

ii. Water Department:

1. New chlorine analyzer is up and running.
2. Chief Officer Mike LaDuke - Participated in Utility ICS Nims training finished
 - a. Will participate in ICS 300/400 level classes next - helps with FEMA and EPA

3. Few new water meters are in, the biggest being the Welcome Center.
- iii. Sewer and Wastewater:
 1. Few more pieces of equipment are closer to being delivered at the sewer. A few pieces have been inputted. A return from sludge pump. Over the next month a few items will come on line - they have April ship dates.
 2. Monthly meeting tomorrow.

Mr. Traverse commented on 4th Street patching. Asked Mr. LaDuke for what water needs from the Selectboard for assistance. Mr. LaDuke stated that they need support and backing for the fines that are issued to those customers who are not scheduling times to have their meter installs. 32 Meters left to change. Mr. LaDuke doesn't understand why they aren't making appointments to complete the installation. PDW has been very flexible working weekends, evenings, mornings, whatever to help the citizens. Mr. Traverse stated that non-compliance shouldn't be rewarded. Mr. Richards suggested a letter be created to send to those non-compliant letting them know that a fee will be applied if they do not comply.

8. Town Manager Report & Communication: Joe Gunter reported:

- a. Packets given to Selectboard members have a calendar of important days with budgets.
- b. Meters have been a real boon for the town. DPW is quickly able to find leaks and fix issues that arise. They can also alert citizens to these issues if they might be unaware.
- c. Health order on Adams St.
 - i. Have been served by the court. The order stated they must get out of the house, leave the house, clean the property, and for every day after the leave date they will be fined \$10,000.00.
 - ii. They have paid for most of the junk tickets issued for vehicles. They are current on their taxes.
- d. 4th and Mechanic St.
 - i. Meeting with C. Howe and Addison Probate.
 1. Around \$16,000.00 in back taxes are owed.
 2. The Judge is adamant to take care of the issue quickly.
- e. Town Trash disposal contract:
 - i. Hubbard Bros couldn't get their disposal numbers to the town and will be added to Agenda for the next meeting. Manager Gunter needs advice as to whether or not we should push off the contract again. It will be added to the agenda for the next meeting.
 - ii. Mr. Brown asked when the Casella Contract was up. Mr Gunter explained in July.
- f. Green-up day will be May 7
 - i. The town needs a new Green-up Day Coordinator, Bonnie Rosati, who had to resign regretfully; she left after 10 years in the position.
- g. Accountant job posted.

- h. Mr. Hamilton's Remains:
 - i. Thomas Hamilton born in Fair Haven in 1905 died in Florida in 1985. His remains were left at the law firm of DeBonis, Wright and Carris in Poultney for some unknown reason and not buried next to his wife Beatrice in the Cedar Grove Cemetery. No family can be found to pay the \$250 internment fee to the town. Manager Gunter is asking the Selectboard to waive the fee for burial. Mr. Brown **motioned to waive the fee for burial of Mr. Thomas Hamilton**. Mr. Traverse seconded the motion. All were in favor and the motion passed. He will be buried in April or May.
 - i. NMRIC Training on the 10th. A lot of cross training is still going on for turn over.
 - j. Solar Lease Project at the transfer station will bring to the town \$1,000.00 per year while installation is being completed and \$9,000.00 per year after installation and will contain a contract with the town to purchase electricity at a lower cost.

9. Old Business

a. ARPA funds continued:

- i. Committees in town have given their suggestions. The Board listened to suggestions from the public, including:
 1. Fence renovation in the Park
 2. Hydro project with old hydropower plant
 3. Itty Bitty Committee asks for lights in the park and down Main Street.
 4. Legion asked to put in Cannon revitalization
 5. Water Dept. would like the chemical storage tanks upgraded
 6. Mr. Kerber would like to see Main Street and Prospect water line replacement completed before the 2024 paving project by the State.
 7. Manager Gunter believes in the creation of a water bottling facility to bottle Fair Haven Vermont Water.

Mr. Traverse recalibrated the talk and stated that he believes the next step for the Select Board would be to create a rubric to grade/rank the suggestions. Chairman Cole stated the board must hold one more public hearing before they can rank the suggestions. Manager Gunter stated that the town has until 2026 to spend the money. Mr. Brown suggested sharing the rubric with the public for suggestions and ideas. Neil Robinson said he would share Rutland's scoring system with Manager Gunter.

b. Salt Shed bids:

- i. State backpedaled on what could and couldn't be used for a salt shed. Whatever works for the town but what the engineer needs. Will be using jersey barrier type material. Quote from a second tarp company: \$61,000. Numbers fall in line to what was expected two years ago. The shed is smaller now 42' x 60'. About half the size of the original design. RFP will be passed on to the State. Mr. Traverse asked if we could put the whole pad down like we were building the original design so we could build the rest of the shed in the future. Manager Gunter stated that Fair

Haven is just waiting now on the State to say all is good go ahead and build.

10. New Business

- a. **Water allocation approval** - Needs to be postponed as the applicant did not turn in the final request. Didn't get final signatures from landowners.
- b. **Town Clerk MOU** - amended agenda and moved to executive session
- c. **Appointment of Treasurer** - Manager Gunter stated that he had one applicant, but the person backed out. Currently, Jenny Bertrum, the Accountant/accounts payable, Eileen Richards, Accounts Receivable and himself are splitting the duties of the Treasurer. The Secretary of State stated that it is ok to proceed as such legally, but a treasurer needs to be found. Manager Gunter is posting on Facebook and letting the job spread word of mouth.
- d. **Appointing authorized signer for town account** - The Selectboard needs to appoint an authorized signer of the account with the bank because there is no current treasurer. The Chair must fill out a form from the bank. Manager Gunter is requesting that he be the authorized signer. Mr. Brown was surprised that two signatures weren't required and Mr. Traverse was concerned about the appearance of impropriety. Mr. Brown **motioned to approve the select board clerk, Mr. Traverse, as the authorizer of the town checks until a treasurer is found.** Mr. Richards seconded the motion. All were in favor and the motion passed. Manager Gunter let the board know that Jenny Bertrum needed to be approved in public session as the administrator of the town account. Mr. Richards **motioned to authorize Jenny Bertrum as the administrator of the town account until a new treasurer is appointed.** Mr. Brown seconded the motion. All were in favor and the motion carried.

11. Parking Lot: Added inclusion policy and removed tax stabilization policy

Meter Changes	Adams Street Bridge replacement
Downtown Designation	Zoning Regulation Update
Town Plan	

Mr. Traverse wanted the new board members to know that a letter had been sent to the Secretary of VTrans saying they needed some help with the bridge. A letter was received back from one of the chief engineers of that department saying that VTrans was confused as to what the town wanted to do. They also made it sound as if getting funding would be difficult to replace it. Manager Gunter is doing a good job of going to transportation meetings and letting them know that it needs work. Mr. Richards asked about a guarantee of \$90,000 that was already promised. Mr. Traverse stated that it was an issue of getting the bridge on a list to be completed with RRPC. Mr. Brown asked if a letter had been sent back in reply. The entire board believes the bridge is an important project to be completed.

Mr. Richards gave an updated on the Zoning Regulation Update. Hopes will be completed by the end of April. Chairman Cole stated that the Planning Commission might want to look into the newly added marijuana legislation for the town.

12. Board Roundtable:

- a. Mr. Greenough - observation/learning currently
- b. Mr. Brown - Would like to see a step up in patching roads - bad roads reflect bad on the foreman.
- c. Mr. Richards -three things:
 - i. Broadband CUD board? Manager Gunter stated that that is coming up at the next Selectboard meeting.
 - ii. Poll of Selectboard on hydro plant first right of refusal for town. Manager Gunter will add that discussion in the next meeting agenda.
 - iii. Bomoseen Watershed - Would like to see the Fair Haven Selectboard write a letter of support for the group for their opposition to chemical use in the Lake. Chairman Cole asked the board after a discussion if they would like Manager Gunter to draft a letter to bring to the next meeting. The board agreed.
- d. Mr. Greenough again - He notices that the road is acting like a ditch so he sees it as the side of the road needs work before the road itself can be fixed completely. Do less and do it right, it might be better. Hydro dam - He has worked in hydro reals. They are a lot of work and it needs a fair workforce to properly run.

13. Review of Financial Reports:

a. Expenditure/Revenue Reports:

Mr. Traverse **motioned** to approve the payroll warrant for \$34, 399.71; seconded by Mr. Brown. All in favor and motion carried.

Mr. Traverse **motioned** to pay the general fund warrant for \$723, 614.49; school deposit: \$526,861.00 and quarterly payments:\$72,505.00. Seconded by Mr. Brown. All in favor and motion carried.

b. Checkbook status: \$848, 057.45

14. Executive Session: Mr. Traverse motioned to enter Executive Session with the Town Manager to discuss labor relations and attorney communications 1 VSA § 313 (a)(1) and Town Clerk MOU; seconded by Mr. Brown, passed unanimously and the motion carried.

- a. Labor Relations and Attorney Communications 1 VSA 313 (a)(1)

Recording Secretary was excused at 8:56 p.m.

15. Adjournment

Upcoming Meeting Schedule: March 22nd, April 5th and 19th

Auxiliary aids and reasonable accommodation shall be made upon request. A two-week notice may be required for some requests.

Respectfully submitted,
Jennifer Jackson

Glen Traverse, Board Clerk