

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

MUNICIPAL BUILDING

Tuesday, May 3, 2022 - 7:00 PM - Regular Meeting
Zoom Meeting Link: [http://us02webzoom.us/j/817 0459 7055](http://us02webzoom.us/j/81704597055)
Phone: 1 929 205 6099 | Meeting ID: 817 0459 7055

Draft Minutes

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

Others Present: Town Manager Joseph Gunter, Recording Secretary Jennifer Jackson, Jim Britt of Peg TV, Superintendent of Public Works Aaron Kerber (via phone), John Seighman, Laura Bassette

- 1. Call to Order and Pledge of Allegiance:** The meeting was called to order at 7:00pm by Chairman Cole and the pledge of allegiance was recited.
- 2. Fred Capron Flyers and Concerts:** Rescheduled until next meeting
- 3. Amendments to the Agenda:** Manager Gunter explained that in the New Business section of the agenda there is no Hazard Mitigation Plan to discuss yet so he wanted that item removed from the agenda. Mr. Traverse asked for an addition of an executive session for personnel discussion VSA § 313(a)(3) to the agenda. **Mr. Brown made a motion to make an amendment to the agenda to remove from New Business a. Hazard Mitigation Plan update and add an Executive Session VSA § 313(a)(3).** Mr. Traverse seconded the motion. All were in favor and the motion passed.
- 4. Approval of Minutes of April 19, 2022:** Mr. Brown **motioned to approve the minutes of the April 19, 2022** meeting as written; seconded by Mr. Traverse. Mr. Richards asked if his disagreement with the accusations of sexism was included. It was on page 4 of the minutes. The recording secretary let the board know that Greene Rd had been misspelled. All were in favor of the minutes and passed unanimously.
- 5. Five minutes for Public Comment:**
Ms. Bassette - Stood before the board as the resident of 4 Washington Street, the household discussed at the previous meeting for the junk warning concerning the tires in her front yard. She feels an apology is in order. She had received the letter from the Police Department of the junk warning 5 days prior to the meeting. She gave a packet out to the Selectboard. The packet was addressed to the Town Manager, the Fair Haven Police Chief, and the entire Selectboard. Within the packet Ms. Bassette wrote a letter of her concerns, expectations, and cited a Federal case where a decision was made concerning what

constitutes “junk” vs “planters” and who is responsible for that decision. She stated that the planters have been there for a year, are used for growing tomatoes to feed her family, that they are not empty, and her ultimate goal is to turn them into teacups following an idea from Pinterest.

Mngr Gunter stated that letters are sent when complaints arrive to the town office. That the town doesn't go out looking for trouble, but that they only field complaints. Mr. Traverse stated he looked into the Ordinance after the meeting to clarify its meaning and said that what he saw was only for a pile of tires unkempt in a junk ordinance. He asked Mngr Gunter what the next step is in the process of the junk warning letter, he stated he hasn't spoken since the meeting with the Chief of Police about the letter. Ms. Bassette asked the Selectboard to please look around before warnings are sent and make sure the complaint is validated. The Selectboard stated they hadn't seen the warning letter, that it was only reported to them at the last meeting in general department head reports. Mngr Gunter stated that the ordinance that he works from is “if there are piles of tires” he would send a letter. He received the complaint and he sent the complaint on to Chief Humphries.

Mr. Greenough stated that he drove around town after the last meeting and noticed that there are many “tire gardens” around town, including the Dog Park, and who is to say what is “right” or “wrong” with how they're kept. Mr. Brown stated that if they are kept up and taken care of there shouldn't be an issue. Chairman Cole stated that the hard part is taking the ordinance and interpreting it, it's not Mngr Gunter or PC Humphries fault. Mr. Traverse stated what he was hearing from the board is that the tire planters are ok as long as there is dirt in them and they are cared for. Mr. Richards agreed that the Town should have done more research before a letter was sent. Chair Cole asked Mngr Gunter what the ordinance process is. Mngr Gunter stated he would need to talk to Chief Humphries. Chairman Cole asked Mngr Gunter to work with Ms. Bassette and come back to the Board if there were any other issues.

6. Department Head Reports:

a. Superintendent of Public Works Aaron Kerber reported over Zoom

i. The Highway Department:

1. has been busy near the Dog Park putting in water lines, and erecting the Dog Park Sign. There is still work to be completed up there; sod where the soil was disturbed for the water line.
2. Street sweeping started and Spring Grating.
3. They've filled in potholes and are maintaining equipment when they can.

ii. Water Department:

1. More meters have been changed.
2. Spring Turn-ons have been happening as well as maintenance of the plant.
3. North Tank has been pressure washed and looks nice.

iii. Waste Water:

1. Upgrade continues on and significant headway is being made.

2. Clarifier Number 1 came on-line today. Only one major part is still down. Waiting for equipment to come to fix.
3. Digging and putting in permanent lines to tie in processing equipment and chemical feedlines.
4. Meeting with Aldridge and Elliott and Naylor and Breen today on reworking the garage/dechlorination chemical room and how to update that part of the building with leftover grant money to bring it up to code and more user safe for operators.

Mr. Brown asked about the area down by the bus stop on Main Street. Mr. Kerber stated the top soil added, not seeded or hayed yet. Mr. Brown then stated that these things should have been done sooner because of the current growing season. When will Cedar Grove Cemetery be open? Mr. Kerber responded that Monday and that the water isn't on because of a leak - will hopefully be fixed in a week or 2. Mr. Brown asked that the cemetery be fixed soon so people can attend to their loved ones as needed. Please look at this as a priority.

- b. Police Department. Police Chief William Humpheries was not in attendance so Mngr Gunter shared the highlights of a packet that was given to the Selectboard Members in their mailboxes.
 - i. 97 calls for service in the past 2 weeks.
 - ii. 1217 calls for service in total this year.
 - iii. 2 arrests last week; driver's license suspended and disorderly conduct.

Mr. Traverse reported that the Rabies Clinic this past Saturday went well.

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

- a. Budget: 2 meetings back the Town was above planned spending on 010 general fund budget, but they are back under now at 82.5% spent whereas planned was 84%. The expected "burn-rate"(money spent) for a two week period is 3.85%, and the last two weeks the "burn-rate" was 3.7%.
- b. The Wing Estate on 4th and Mechanic is finalized. The attorney gave a check for \$22,000 in back taxes and water. The previous half owner now owns the whole lot.
- c. The town did NOT receive the Class II grant for Scotch Hill paving.

Mr. Richards asked for clarification as to when the road would be able to be paved. Mngr Gunter explained that the road will not be paved next spring. There wasn't a reason given as to why the grant wasn't passed other than Fair Haven doesn't have enough Class II roads so towns with more Class II roads get more money. Mr. Traverse expressed his frustration with the State and their lack of help in this situation.

- d. Salt Shed bid was put up for bid and no bids were received for the project. Mngr Gunter looked to the State for help; they wanted Fair Haven to wait a week then try to re-bid.
- e. RFP for Downtown Sidewalk next week, will be reviewed and released.
- f. Playground equipment is going in. Depending on the weather it could be finished by Thursday.
- g. Mngr Gunter will be attending a career fair at FHUHS on Wednesday.

- h. Mngr Gunter wanted the board to know that much of his and Eileen Richards' time is tied up with accountant work. NEMRIC will be sending a person to help teach the program the third week of this month.
- i. Mngr Gunter met with Co-Op housing specialists to assist the Trailer Park. They weren't hopeful; no one is paying and the park is far gone and not financially viable.

Mr. Richards asked where the Town was with helping mitigate the fact that these people will have no place to live. Mngr Gunter explained that the Town staff aren't equipped to re-house people. He would suggest they turn to Fair Haven Concerned or Rutland Regional Housing, the Housing Trust. Mr. Brown stated that this issue wasn't just sprung on the people, it's been developing for 2 years. Mngr Gunter did receive the name of a State agency that will help rehome people. Mr. Richards stated We need to be prepared for this, the people need to know that this is happening. Mr. Traverse responded that the Town cannot go another winter with saying we can't do anything about it because it is winter. Is there a plan for a tax sale? The water needs to be shut off and the park shut down. Mr. Richards replied that the people need an exit strategy even if it is only the name of an agency that can help them. Mngr Gunter stated that the water will be turned off at the next water bill cycle unless they can pay the bill.

Mr. Brown stated that water being lost has to be treated and the other taxpayers can't keep "footing" the bill for it. Mr. Greenough asked about the treated water supposedly not supposed to be going back into the ground without treatment. Mr. Kerber responded that yes Chlorine treated water wasn't supposed to go directly back into State waters without being dechlorinated first, but that the area of the trailer park has enough space between it and a water source that enough ground filtration helps the water. Mr. Greenough stated that if the leak doesn't get fixed that paying the bill doesn't help, it's not fair to every other taxpayer.

- j. Mngr Gunter reached out to Sanders Office, Welch Office and DOT for assistance in some of the major projects the town needs funding for.
 - i. Sanders Office wanted more information on Adams Street Bridge for congressionally funded spending programs.
 - ii. Welch Office wanted more information on the Town Hall, \$250,000.
 - iii. State money, Mngr Gunter went to the last TAC transportation Meeting, FH was ranked 4th on the list.

Mr. Richards asked about a program for rural areas to get infrastructure money. Did the Town Manager see anything of the sort? Mngr Gunter explained that he found a USDA and a DOT program that are explicit to rural communities, but places like Manchester, NH can be considered rural, they also have big Staff that can request and get more money; Fair Haven only has him.

- k. Lights in the Park, no movement, they need more info.
- l. Town Hall Reno is moving along. The mansions should be here next week to put in blocks for the elevator shaft.

8. Old Business

a. Paving Plan:

- i. The Town did NOT receive a Class II paving grant this year. PPlan as to pave Scotch Hill, but without the grant it opens up money to pave 4th Street. Mr. Kerber has numbers for changing the plan to pave 4th Street; this would require bumping Union street to next year.
- ii. Supt. Kerber met with Mike Mullen last week to set up a schedule to get the paving lined up for the year. Swamp Rd is already on the plan for the 3rd week of June. Without a Class II grant there isn't enough money to pave Scotch Hill Road and get all the other work done. 4th Street, it would work better for us to get that paved. Furnace needs a mill to come into town before work can be done.
- iii. Supt. Kerber explained the general plan; go forward with Pike coming in and doing the milling on Furnace and 4th, and shim the roads with work on Swamp Rd. Then Pike would leave for a month so, and the Town would do their part before they came back to finish up.
- iv. The budget, expecting the Class II grant, had planned Furnace, Union, and 4th Street; doing that leaves the budget too tight. \$185,000 planned outside roadwork with the voter approved \$50,000 totals \$235,000. The bid for 4th, Furnace, and Union is \$221,000 which wouldn't leave much to any wiggle room. Supt Kerber suggests dropping Union because the road doesn't need milling work, it is expensive to get the mill for small work. Without Union the bid comes to \$200,000, leaving \$35,000 for changes in pricing and crack sealing as needed. This would also add a small section of Airport Rd under Route 4 being milled with the rest of the town roads. The Town must maintain vertical clearance with Route 4 Tunnel. Then pave just under the bridge. Mr. Brown asked how much pavement would need to be put down at the underpass. Supt. Kerber stated 2".
- v. Chairman Cole asked for a recap of what Supt Kerber was expecting to have completed. Supt Kerber explained Swamp Rd has already been contracted. The contract the Town would be looking to sign would include Furnace and 4th Street being milled and paved 2", then just the underpass of Airport Rd.
- vi. Mr. Richards asked what are we going to do about Scotch Hill Rd.? It's not passable in some places. Supt. Kerber stated that with extra money the Town could get Pike to shim spots to get through the winter. We've talked about making it a dirt road again so the town can maintain it, but we can't do that at this time. Mr Greenough asked that the ditches be established again.
- vii. Mr. Traverse asked about piles of milling around town that don't get used and how he does not want to see another pile on Airport Rd. Mr. Brown asked if Pike ever takes grindings and finishes off paving roads. Supt. Kerber stated he'd ask.
- viii. Chair Cole asked the board if in-general the board was ok with the paving plan. He also asked Supt Kerber if he had reached out to homeowners

near the bank end of 4th Street to let them know about upcoming paving work. Supt. Kerber stated he hadn't. Mngr Gunter stated that the Town will send out letters to 4th Street so they know what will be going on. He also wanted the Board to note how without the voter approved \$50,000 the needed paving wouldn't be able to be completed.

9. New Business

- a. **Hazard Mitigation Plan:** Nothing to report removed from agenda
- b. **Road and Bridge Standards:**
 - i. Annual affirmation that the town will follow State Standards.
 - ii. Mr. Traverse **motioned to have the Board sign the Certificate of the Bridge and Road Standards.** Motion was seconded by Mr. Richards. All were in favor and the motion carried.
- c. **Highway Financial Plan:**
 - i. Annual report to the State about our approved highway budget.
 - ii. Mr. Richards voiced concern about the lack of support for Class II grants
 - iii. Mr. Traverse **motioned to have the Board sign the annual financial plan for the State Hwy 19 VSA § (306)(j).** Motion was seconded by Mr. Greenough. The board felt saddened that the State does not give much back to the Town. Motion carried with a vote of 3 in favor and 2 opposed.
- d. **Local Emergency Management Plan Adoption:**
 - i. Annual update of our LEMP
 - ii. Mr. Traverse **motioned to have the selectboard chair sign the local emergency management plan.** Mr. Richards seconded the motion. Mr. Brown asked if the Shelter Manager still lived in Fair Haven and if Mngr Gunter would reach out to her and make sure she still understood her position. All were in favor of the motion and the motion passed.
- e. **National Incident Management System Proclamation:**
 - i. The standard that is used across the country for incident (emergency) management. The town was last approved in 2006. Steffanie from RRPC felt Fair Haven should reaffirm our commitment to the system.
 - ii. Mr. Traverse **motioned that the selectboard chair sign the National Incident Management System Proclamation.** The motion was seconded by Mr. Brown. All were in favor of the motion and the motion carried.
- f. **Water Sewer budget - First Look:**
 - i. First look - no action needed at this meeting.
 1. Highlights for Water include:
 - a. \$39,920 increase; (83% of the increase is from \$28,973 for salary increase and \$4,400 for associated costs.)
 2. Highlights for Sewer include:
 - a. \$48,711 increase; (67% of increase is from \$23,701 for salary increase and \$8,860 for associated costs.)

3. Salary increases are built into the budget already.

Mr. Brown would like to take the budget home, look it over and come back at another meeting to discuss. Chairman Cole asked the board if they agreed that waiting was a good idea. It was noticed that the sewer report wasn't included in the packet handed out. Mngr Gunter apologized and said he'd have it ready tomorrow for the board.

10. Parking Lot:

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

Mr. Brown asked Supt. Kerber about the amount of remaining water meters needing to be changed out. Supt Kerber stated he didn't have the exact number in front of him, but movement has been made. Mngr Gunter stated that the weekly readings have been very helpful for water management and control of billing.

11. Board Roundtable:

- a. Mr. Greeno:**
 - i. Garbage at 6 Grape St. - where is the town with managing that? Mngr Gunter stated he would reach back out to the mortgage holder. The health officer may need to be sent out.
- b. Mr. Brown:**
 - i. Asked Mngr Gunter about the candidates for accountant. Mngr Gunter stated that he wants to fill the position with the right person, but just a body. There have been 2 people interested in the accountant job. Mr. Richards asked Mngr Gunter to place the ad in the paper again. Mr. Traverse stated that the compensation for a treasurer is low comparatively.
 - ii. The Clerk position now costs the Town of Fair Haven \$49,000 per year with the town paying for insurance. He still isn't sure where the extra \$6,000 will come from.
- c. Mr. Richards:**
 - i. Would like a report of delinquent taxes
 - ii. At the last Planning Commission Meeting, Ed Bove of the RRPC was at the meeting to answer questions the Planning Commission might have on updating the Fair Haven Zoning Regulations. He and Mrs. Laiacona will be getting together to edit the document and correct formatting. He will meet again with the Planning Commission in June.
 - iii. It may be time to "bite the bullet" and stop asking the voters for the extra \$50,000 and just put it in the budget. It is what the Town is needing for spending. Chair Cole thought if we could pay off loans on equipment we could possibly start a small bond for paving jobs.

- d. Mr. Traverse:
 - i. Who is the contact for Green-up Day this Saturday? Mngr Gunter has contacted Bonni Rosati and will get the contact's name out on Facebook.
- e. Mr. Brown:
 - i. The car show this past weekend, was a permit received? Mngr Gunter explained yes. Mr. Brown stated that the car show was very well attended and a well run show. He was pleased with the turnout.

12. Review of Financial Reports:

a. Expenditure/Revenue Reports:

Mr. Richards **motioned** to approve the payroll warrant for \$35, 125.92; seconded by Mr. Brown. Motion carried with one abstention from Mr.Traverse.

Mr. Richards **motioned** to pay the general fund warrant for \$87, 097.21; fuel delivery was a large bill this round. Seconded by Mr. Brown. Motion carried with one abstention from Mr.Traverse.

b. Checkbook status: \$630, 258.39

13. Executive Session: Mr. Traverse **motioned** to enter Executive Session for Personnel Discussion - VSA § 313(a)(3) ; seconded by Mr. Brown, passed unanimously and the motion carried.

- a. Recording secretary was excused at 8:15 pm.
- b. Mr. Brown **motioned** to come out of executive session at 8:42pm, seconded by Mr. Richards.

14. Adjournment: Motion to adjourn by Mr. Brown at 8:43pm. Seconded by Mr. Traverse.

Upcoming Meeting Schedule: May 17th, 31st

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

Respectfully submitted,

Jennifer Jackson
Recording Secretary

Glen Traverse, Board Clerk