

## TOWN OF FAIR HAVEN, VERMONT

Selectboard, Water & Sewer Commissioners, Liquor Commissioners, Cemetery Commissioners

**Tuesday, June 14, 2022 – 6:30 PM Agenda**

**Zoom Meeting Link:** <https://us02web.zoom.us/j/88106286034>

**Phone: 1 929 205 6099 | Meeting ID: 881 062 86034**

### UNAPPROVED MINUTES

**Members Present:** Glen Traverse, Chairman Chris Cole, Bob Richards, Jay Brown, Rich Greenough

**Others Present:** Town Manager Joe Gunter, Recording Secretary Claire Stanley, Water Dept. Chief Mike LaDuke, Jim Britt (PEG TV), Linda Barker, Deborah Laiacona, Health Officer John Lulek, Dept. of Public Works Supt. Aaron Kerber, Animal Control Officer Mark Gutel, John Seighman, Mary Hermion, Dillon Young, Josh Illsley, Sewer Dept. Chief Carrie LaFond, Rescue Squad Director Wendi Fitz-Geraud, Keith Whitcomb (on phone)

**Call to Order:** Chairman Chris Cole called the meeting to order at 6:30 P.M. and led the assembly in reciting the Pledge of Allegiance to the Flag.

**Vicious Dog Hearing:** Officer Gutel noted the two parties are not here – the plaintiff is at work; the defendant is on the way from Rutland. Officer Gutel was sworn in by Mr. Traverse. He reported responding to a call from unit 26 at Appletree Apartments re: a dog bite where the victim was bitten in the face and required medical treatment. There had been two previous incidents where the Pit Bull was cited and fined for biting another dog; this is the first incident of biting a human. Officer Gutel felt a third incident merited a vicious dog hearing. The dog is not a registered service animal, rather a companion dog owned and living with a disabled person. The options are to order the dog muzzled, to remove the dog to another location, or destroy the animal. Mr. Young has stated that if the dog is removed, he will move with his dog. Mr. Dillon Young and his aide arrived at 6:45 P.M. Mr. Young was sworn in by Mr. Traverse. Chairman Cole stated the Board had received a letter from Mr. Young, heard testimony from Police and would hear from Mr. Young. He opted to read the letter he had written to the Select Board as his testimony and presented two supporting letters. He summarized his condition resulting from an accident that left him quadriplegic requiring 24/7 care. He addressed the tickets (citations) noting that all three were from the same neighbor. Mr. Young feels his dog, on all occasions was defending herself and her master, though he was asleep during the third incident. He described Bella's demeanor as gentle, well behaved, gets along with adults and children and goes everywhere with him. Chairman Cole thanked officer Gutel and Mr. Young for coming to the hearing and presenting their testimony.

Mr. Traverse **made a motion to enter into a deliberative session** including the Town Manager at 7:03 P.M.; seconded by Mr. Richards and passed unanimously.

Mr. Brown **moved the Board out of deliberative session** at 7:19 P.M.

Mr. Richards **made a motion to direct the Chairman to write a letter to Mr. Young** stating that the dog, Pit Bull "Bella", be muzzled any time she is outside; and that one strike will cause Bella to be removed from the property. The motion was seconded by Mr. Brown and passed unanimously.

**Amendments to the Agenda:** Mr. Richards **made a motion** to add 1 VSA ¶ 313 (a)(1) “*Contract Negotiations*” to Executive Session; seconded by Mr. Brown and passed unanimously.

**Approval of Minutes of May 17, 2022:** Mr. Traverse moved to **approve the Minutes of the May 31, 2022** meeting; seconded by Mr. Brown. CORECTIONS. Pg. 3, Policy Review, last word *signature*. The minutes were approved as corrected

**Five Minutes for Public Comment:** Deborah Laiacona reported the dog park grand opening was well attended, went very well and thanked Mr. Traverse and Mr. Greenough for attending. She noted the gate is painted, the committee has purchased their own mower and weed whacker. She reported water leaking in ladies room toilet and sink; they have taken it upon themselves to close, clean/tidy up the pavilion area and expressed frustration that Manager Gunter deems it unsafe to store the mower and weed whacker in the kitchen area given the design of the entry having two steps. She presented photos of the entryway.

**Department Head Reports:** **Mr. Kerber Dept. of Public Works (DPW) Superintendent reported:**

- \* Have been grading roads
- \* Are screening grindings for use on Swamp Road
- \* There was a burial at Cedar Grove cemetery
- \* Changed signage on the East side of the Park
- \* Pike quoted \$10,000 using Town materials to do the Swamp Road shoulders
- \* The cost to rent a machine to work the Swamp Road shoulders is \$2500/week
- \* Did a hydrant repair on Washington Street
- \* Investigated and found no problem(s) in the water line across from Maplefields
- \* There is a visible leak at the Trailer Park -- work is on hold for now
- \* At the Sewer Plant -- they are finishing up compact testing readying for paving
- \* Today, moved out the chemical room to allow work in that area
- \* Project will be complete after work in the mechanical building is done
- \* Mr. Brown noted brush on South Main Street and Sheldon Road needs to be cut back  
The manhole at the bus stop is loose  
Tree on Dutton Ave needs to be trimmed; it obstructs the view of oncoming traffic

**Town Manager Report and Communications:** **Manager Gunter reported:**

- \* **Police Report** in members’ packets
- \* There were 97 Municipal traffic violations
- \* 20 civil finger printings done @ \$20. each
- \* Mr. Brown expressed concern that there is a motorcycle being worked on while parked on Main Street at the Park. Manager Gunter will make contact and inquire

**Manager’s Report**

- \* Economic Development grant funds were released today. Will be advertised and posted on the Town website
- \* A slight design change was made to the Municipal Building project. A handout was made available
- \* Manger Gunter informed members that the tax rate is usually set the beginning of July.
- \* Rescue Squad report and information in members’ packets
- \* Liz Ambuhl started work last Monday (6<sup>th</sup>); is doing very well in the bookkeeper position
- \* Trailer Park water is back on; will be shut off again on the 29<sup>th</sup>.

- \* Met with staff from Champlain Valley Office of Economic Opportunity (CVOEO) who are planning to visit Mobil Home Park residents re: housing options including purchase of the Park
- \* Have met with the auditors; still reviewing
- \* There is no change in the water/sewer payment status for 10/12 Adams Street
- \* A meeting is scheduled on the 28<sup>th</sup> for final design discussion for Park lighting and free parking project
- \* It is hoped to have the Municipal Building elevator installed in July; not sure all components will be delivered
- \* The playground is done
- \* There is a meeting tomorrow re: RFP for the downtown sidewalk project
- \* Mr. John Seighman is interested to be considered for Assistant Health Inspector
- \* Re: storing the mower at the Air Park pavilion. Manager Gunter explained he is wary of injury given there are two steps to get in. That is his job. Ms. Barker and Ms. Laiacona take exception noting the tools are electric powered and light weight. Mr. Richards suggests a ramp; Mr. Greenough suggests simply using two planks to move the mower. Chairman Cole stated the many dog park discussions are not personal but feels the efforts and weeks of work by the Dept. Of Public Works have not and are not appreciated.

A five-minute break was taken

## **OLD BUSINESS**

**Water/Sewer Budget -- Water Budget Discussion:** Information in members' packets. Manager Gunter prepared handouts of three budget reducing options and explained the impact of each on the budget. The options include change in rates, use of nearly half of American Rescue Plan Act (ARPA) funds to pay down the debt. There followed lengthy discussion re: how best to proceed including rising cost of infrastructure maintenance, supplies; Mr. LaDuke noted the over \$1.00/gal increase in the cost of chlorine; impact on reserve and capital funds. It is expected that the sewer plant being new should have little impact on the budget. Mr. Brown **made a motion to use option 2, understanding \$20,000 has been cut from the Capital Improvement fund.** The motion was seconded by Mr. Traverse and passed unanimously. The final budget will be prepared for the June 28<sup>th</sup> meeting when rates will be set.

Mr. Traverse **made a motion to use not to exceed \$296,000 of ARPA funds** to pay off the water/sewer debt; seconded by Mr. Brown and passed unanimously.

Chairman Cole thanked DPW Supt. Kerber, Water Dept. Chief LaDuke, Sewer Dept. Chief LaFond and Manager Gunter for their time and effort.

Rescue Squad Director Wendi Fitz-Geraud said she is here to monitor the meeting and to answer questions if needed. Their membership drive is coming up soon. At Mr. Greenough's inquiry, she stated that the Squad is studying and putting together a plan to replace their aging fleet. There was brief discussion re: the Squad may be eligible for Economic Development grant funds

**Parking Lot:** There were no updates

**Board Roundtable:** Mr. Greenough inquired is there any chance there will be ditching done on Scotch Hill. Supt. Kerber stated further work on Scotch Hill is budget dependent

Mr. Brown expressed concern that the Rutland Fliers are using the Air Park more frequently, limiting use by others. Suggests that if this continues, maybe impose fees. The matter will be on a future agenda for discussion

Mr. Richards inquired, are there any other large unpaid water bills? The concern being that everyone is treated the same.

**Review of Financial Reports:** Mr. Richards **moved to pay the General Fund Warrant, \$980,149.15;** seconded by Mr. Brown. Included are Waste Water Treatment Fund Engineering, \$67,470; WWTF Upgrade, \$760,515; Playground, \$102,222. All three are grants and will be refunded. The motion carried with Mr. Traverse abstaining.

Mr. Richards **moved to pay the Payroll Warrant, \$35,698.44;** seconded by Mr. Greenough and passed with Mr. Traverse abstaining.

The **checkbook status** is -\$278,972.97

**Executive Session:** Mr. Traverse **moved the Board and Town Manager into executive session** at 8:35 pm to discuss Contract Negotiations, 1 VSA ¶ 313 (a)(1); seconded by Mr. Brown and passed unanimously.

The Recording Secretary was excused at this time.

Mr. Brown **moved out of Executive Session** at 9:05 pm; seconded by Mr. Richards and passed

Mr. Brown **moved to adjourn** at 9:06 pm; seconded by Mr. Greenough and passed

Respectfully submitted: Claire Stanley

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Glen Traverse, Select Board Clerk