

TOWN OF FAIR HAVEN, VERMONT

SELECTBOARD; Water and Sewer Commissioners; Liquor Commissioners; Cemetery Commissioners
Municipal Building, Fair Haven, VT – July 27, 2021 -- 6:00 P.M. -- REGULAR Meeting
Zoom Meeting Link: <https://us02web.zoom.us/j/85286152297>
Phone: 1 929 205 6099 | Meeting ID: 852 861 52297

UNAPPROVED MINUTES

Members Present: Glen Traverse, Chris Cole, Jeff Sheldon, Rod Holzworth, II, Carol Egan

Others Present: Town Manager Joseph Gunter, Recording Secretary Claire Stanley, John Lulek, Jim Britt, Peg TV, Linda Barker, Linda Sienkiewicz, Deborah Fallon, Kevin Burch, Aaron Miner, Garrett Traverse, Chuck Greeno, Chip Greeno, Don Howard, Claudia Stacey, Rich Greenough, Jim, Rooker, Nancy Rooker, Peg Miller, Roger Bowen, George Rogers, Albert Green, Rick Wilson, Dorothy Brothers, Bill Brothers

Call To Order: Chairman Chris Cole called the meeting to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance to the Flag.

Amendments to the Agenda: Mr. Sheldon **moved** to add *Sale of Cemetery Plot* to NEW BUSINESS, seconded by Mr. Traverse and passed unanimously.

Approval of Minutes of July 13, 2021: Mr. Sheldon **moved to approve the Minutes of the July 13, 2021 meeting;** seconded by Mr. Traverse and passed unanimously.

Five Minutes for Public Comment: Mr. John Lulek commented that issues on South Main Street, Scotch Hill and Pine Street have been resolved.

Mr. Jim Rooker asks the Board for some help/advice to protect his property value from being further dragged down -- he has been told by up to \$30,000. He has spoken with Zoning Board Administrator Phil Adams; don't know what can be done; now here asking for help. After a recent fire on Grape Street across from his property, the family is expected to be moving in a trailer. Several neighbors in attendance attested that before the fire, there were cats (13), rats, skunks, chickens (rooster crows at 4:30 each morning), unkempt lawn, and uncollected garbage. Aren't there zoning restrictions that prohibit a trailer (and chickens) in this neighborhood? Lengthy discussion followed including: health issues -- Health Officer Mr. Lulek said he will check tomorrow; permit (?) for chickens; neighbors would like to see a modular home, not (an old) trailer on the property. Mr. Rooker feels he and neighbors have been very patient with the years long eviction process effort by the Town with the property on Union Street across from his. Manager Gunter stated the Grape Street property is up for tax sale on August 24th owing approximately \$5,000 in delinquent taxes. They continue ownership for a year after tax sale. The Union Street Billewicz property is in Supreme Court, the Town having received a favorable decision in a lower Court. Chairman Cole stated the concerns are heard and Manager Gunter will do the research, consult with Phil Adams of Zoning; Mr. Lulek will check out health issues tomorrow; we will do all we can. Mr. Sheldon noted, it is important

that all rules are applied evenly throughout the Town. Mr. Rooker re-stated that what he and neighbors are looking for is advice and any help possible to protect property values in their neighborhood. One person noted there is a drain in the back of the property in question that needs to be protected. Manager Gunter stated that there are vacancies on both the Planning and Zoning Boards -- issues such as these can be addressed as a member of the Board(s). One can apply by writing a letter to the Town Manager. Chairman Cole thanked everyone for their time and for voicing their concerns.

Ms. Claudia Stacey, 11 Cedar Street reported her neighbor Ms. Griffin has chickens after going through the process of getting permits doing it the right way. The chickens cause no issues in the neighborhood, attract no vermin and there is no unwanted smell. Now she is being told chickens are not allowed and may be fined. Does not seem fair.

Ms. Deborah Fallon reported the Friday Street Market is growing every week; 14 vendors the first week; 17 the second and 24 last week. She thanks the Town and Manager Gunter for permission to use the space on South Park Place. She feels the project has the potential to help the Town in many little ways; have heard positive remarks from tourists; working on screening movies this summer.

Mr. Don Howard commented on placement of six (6) dry wells on Furnace Street meant to mitigate water pooling issues. Manager Gunter and DPW Supt. Kerber noted Engineer Wayne Elliott walked the Street and reported the best siting to realize the most beneficial results while avoiding all underground utilities. While this action will correct water pooling/puddling, it does not correct water in basements that are homeowner responsibility. Mr. Kerber noted installation of eaves gutters to move water away from basements could be helpful. Paving is weather dependent but is expected to start late September.

Manager Gunter will check on reported activity by the RC Flyers at the Air Park

Department Head Reports: Superintendent of Public Works (DPW) Aaron Kerber reported:

- * Have been working to repair the sink hole and manhole at the corner of Washington and West Streets. The problem(s) were explained; Green Mountain Pipeline and Fabian Construction are working with us to determine the most cost effective/best result of future needed repair to the bottom of the manhole
- * Did grader work on West Street
- * Replaced a culvert on Swamp Road
- * Did hot mix patch work on Scotch Hill
- * Doing tree trimming and brush cutting
- * The Water Plant is working very well; are checking the intake pipe (divers) to determine reason for dirtier than usual water intake
- * Have poured 400 cubic yards of cement at the Wastewater Plant; continuing this week
- * Will do the sewer pump station work when material arrives; expected middle of September
- * Did the crosswalk on Caernarvon Street and at Stewarts with the longer lasting material yesterday; its application was explained. This work is weather dependent; expect to be working on crosswalks next week

Town Manager Gunter reported:

- * Police had two arrests and two driving without a license
- * The Chief is working with people in New Jersey re: a new car
- * Officer Kerber will be attending School Resource Officer (SRO) school
- * Have been asked to step up patrol in the Park to curb vandalism
- * Manager Gunter is working on the Downtown designation; requires work from the Planning Commission; that committee is in transition
- * Received a letter from Bob Richards, Energy Committee who stated he found the DPW garage well organized
- * Letter from Capitol Hill folks thanking Manager Gunter for listening to their complaint about speeding
- * Letter from Killington thanking the Fire Department for helping during a recent fire there
- * Manager Gunter and DPW Supt. will meet with VTrans re: paving Rte. 4A omitting the section through Fair Haven beginning early August
- * Of the six pending tax sales, one paid; 38 West Street is now in foreclosure
- * There is no interest for participation in a Heroes Parade in conjunction with Applefest; meeting August 8 with that committee to re-schedule and/or focus only on Memorial Day
- * Working on the Wetland permit -- dog park
- * Union Street paving is off the list; include second half of Airport Road
- * Had conversation with Fair Haven Grade School re: no residents allowed on the playground during school hours; playground is Town property; folks ought to have access. Mr. Traverse commented is it worthwhile to have a school representative attend a Board meeting; as tonight, members like to have people come to meetings to voice questions, concerns, ideas; this matter will be on a future agenda

OLD BUSINESS

Dog Park Discussion -- Flower Garden: The Dog Park committee prepared a detailed presentation of the proposed park that includes a “flower garden” with bench south of the fence. Ms. Fallon stated the intent is to have an attractive buffer between the pavilion and the dog park; this area is not included in the wetland designation. Mr. Traverse reported he received a phone call from someone who commented this is a change from what the Board agreed to. Ms. Egan commented that the dog park has been addressed for months and each time, there seems to be change. Discussion included: can use bushes or green screen instead, but felt an attractive small flower garden is better. It is the consensus of the Board for Manager Gunter to continue work to finalize the wetland permit and work with the committee with the details provided.

NEW BUSINESS

C & C Fireworks: The Board heard from Chip and Chuck Greeno who propose starting a Fireworks retail sales business in Fair Haven. They have researched locations in Fair Haven that would place them closer to their out of State customer base. Discussion included: that Vermont Legislature expects to take up Vermont fireworks sales this winter; retail sales permit is required in each Town location; they sell to people over age 21 only; follow all local, state and federal regulations;

would like to be ready by late Spring; presently have a site in Pittsford. Chairman Cole stated a lot of research and homework needs to be done since there is no fireworks ordinance in Fair Haven. The consensus of the Board is to go ahead with the research; reach out to Pittsford Town Manager and return on a future agenda. Mr. Greeno will be contacted.

Ditch Box Purchase: This has been a years long issue -- since an accident. DPW Supt. Kerber has gotten three prices -- the low bid (\$19,200) is 6' wide; 8' long; 10' high with open end option, constructed of aluminum with steel reinforcement. Mr. Sheldon **made a motion to authorize purchase of a ditch box from National Trench Safety Co. (low bid) funded as recommended by Manager Gunter;** seconded by Mr. Traverse. Payment is: \$5,000 grant; \$5,000 from current budget; \$2,500 each from water and sewer; \$4,200 from grant match. The motion carried unanimously.

Cemetery Lot: Mr. Sheldon **made a motion to grant** the sale of cemetery lot #95 in Section 11 as requested by Steven and Geraldine Whalen; seconded by Mr. Traverse and passed unanimously. Members signed the document.

Policy Review – After Hours Vehicle Policy: Copy in members' packets. There was question whether or not the policy meant driving the vehicle home after work. Mr. Holzworth commented that was necessary for the Police Chief but not other department heads. More information will be gathered and the policy will be reviewed again.

Round Table: There was discussion re: the earlier Grape Street discussion: how to contest the trailer permit; different message re: chicken policy; Health Officer Lulek will check out the Junk.

Mr. Sheldon noted there is a berm on the roadside near the Wetherby farm that hinders mowing.

Mr. Sheldon noted there is a lot of change in the Town Office; see about cross training so there would be a checkbook balance even when Jenny is not there.

The Roadside mower tractor is red tagged because of tire defect(s) -- repair up to \$4,000. DPW Supt. Kerber feels the tractor has never ending problems; hates to continue putting money into repair without knowing end result. Are actively working to find / rent a tractor. Manager Gunter noted the roadsides will be mowed.

Ms. Egan re-stated her request for a list of capital purchases.

Review of Financial Reports: Checkbook Status: Not available until fiscal books are closed

Mr. Sheldon **moved to approve payment of the Payroll warrant for \$38,812.04;** seconded by Mr. Traverse. The warrant includes some overtime, Rec Dept. employees and training for new Office Assistant. The motion carried unanimously.

Mr. Sheldon **moved to approve payment of the General Fund Warrants of \$85,434.70;** seconded by Mr. Traverse and passed unanimously.

Executive Session: Mr. Traverse **made a motion for the Board to enter into executive session** at 9:22 p.m. for Town Manager performance review under 1 V.S.A. 313 (a)(1); seconded by Mr. Sheldon and passed.

The recording secretary was excused at this time.

The Board came out of executive session a 9:55 pm;
No action was taken in executive session.

Mr. Traverse motioned to adjourn; Ms. Egan seconded
Meeting adjourned at 9:56

Respectfully submitted,
Claire L. Stanley

Jeff Sheldon, Board Clerk