

**TOWN OF FAIR HAVEN, VERMONT**

**SELECTBOARD; Water and Sewer Commissioners; Liquor Commissioners; Cemetery Commissioners**  
**Municipal Building, Fair Haven, VT – August 24, 2021 -- 7:00 P.M. -- REGULAR Meeting**  
**Zoom Meeting Link: <https://us02web.zoom.us/j/86797711626>**  
**Phone: 1 929 205 6099 | Meeting ID: 867 977 11626**

**APPROVED MINUTES**

**Members Present:** Glen Traverse, Chris Cole, Jeff Sheldon (on phone), Rod Holzworth, II, Carol Egan

**Others Present:** Town Manager Joseph Gunter, Recording Secretary Claire Stanley, Jim Britt, Peg TV, Health Officer John Lulek, Ray Pentkowski, Chip Green, Chuck Green, Linda Barker, Lins Sienkiewicz, Dawn DeGraaf, Police Chief William Humphries

**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:** None

**Approval of Minutes of July 27, 2021:** Mr. Traverse moved to approve the Minutes of the August 10, 2021 meeting as written; seconded by Ms. Egan and passed unanimously.

**Five Minutes for Public Comment:** The Board heard from Mr. Ray Pentkowski who reported a two and a half year problem with heavy trucks driving over the manhole at 142 North Main Street. Every time a heavy truck hits the manhole, the house shakes that has caused cracks in the wall(s). He has reported the problem to Listers who lowered the house appraised value. He contacted V-Trans where Ms. Pak told him it is a Class 1 highway and the Town's responsibility to repair. Mr. Pentkowski stated they are not greedy but have lived in the home for 48 years; have had this problem for 2 ½ years and no one can tell him what is the problem; he feels it is the manhole. He is looking for some help to stop the shaking of the house. Mr. Pentkowski stated he is not faulting Manager Gunter but someone has to know what the problem is and how to fix it. Mr. Traverse inquired was there a time when the problem is less severe? No. Mr. Lulek suggests to have DPW inspect the manhole. Manager Gunter said that has been done and stated the three manholes in that area (including the one in front of Mr. Pentkowski's house) have been re-built; the State is scheduled to pave in 2024. From the Town's perspective, the problem is not the manhole. Manager Gunter said can get an Engineer to inspect this; Chairman Cole said he wants to see it first and will meet with Manager Gunter on site to further assess the problem.

Ms. Linda Barker stated the Dog Park plans are about done; the fence is in and presented photos of the space. Linda Sienkiewicz presented a handout addressing signage; using a more attractive entrance gate; inclusion in the Revitalization Plan; examples of surrounding Towns; inclusion on the VT State Dog Park website.

**Department Head Reports: Police Chief Humphries reported:**

- \* There were four arrests
- \* Intoxicated person three a.m. Sunday call; unruly, resisting behavior
- \* Are aware of littering and vandalism issues in the Park; suggests the Board revisit the Park and Playground ordinance; are trying to put in more time on these issues
- \* All radios from Homeland Security grant are received and installed. Fingerprint machine also from a grant, is received (very heavy)
- \* Chief Humphries explained the grant billing/payment process
- \* Would like to see the intersection at Stewart's corner changed to eliminate the merging right turn. There is potential hazard from driveways exiting on the right side of the street. Suggests having a regular four way stop
- \* There has been a lot of (drug activity) traffic at a particular apartment. Finally asked for help and the Federal agency responded immediately making an arrest. Hopefully, this is the first of multiple arrests.
- \* At Chairman Cole's inquiry, the Chief cannot comment on the recent armed robbery

**Town Manager Report & Communication: Manager Gunter reported:**

- \* The roadside mowing is done -- done with rented tractor
- \* Most small roads grading is done
- \* Dry wells on Furnace Street are done
- \* Because of weather conditions (excessive rain) paving has been backed up to next spring
- \* Expect to finish crosswalk painting this week
- \* Watching the intake line at the Water Treatment Plant -- no particular problems
- \* Getting together a Capital Program for water line work before paving. Will update the Aldrich and Elliott engineering plan
- \* Considering the size of the Wastewater plant upgrade, the project is running very smoothly
- \* The Academy Street pump station control panel is installed; waiting for the new generator
- \* Still waiting for materials for the Adams Street pumping station
- \* At Chairman Cole's statement that folks are frustrated with the Washington County Regional Dispatch multiple transfers, Chief Humphries reported he has no control over this. The Chief explained the complicated system and noted that calls to his office and/or 911 are referred to this dispatch system.
- \* The budget work has started; will get a first draft to the Board in October
- \* Will present a proposal for addressing installation of remaining water meters in November; the remainder of the meters are where folks refuse to allow entry for installation
- \* Have reached out to vendors to patch at the corner of West and Washington Streets. Even though DPW has the equipment, they are not pavers and given that this is a very busy intersection, feels a better outcome would be achieved if done professionally. Mr. Holzworth commented that the area has been open for some time, is well compacted, have the equipment and requests that DPW make the best effort to do the job
- \* There are two tax sales left. Both the Prospect and Grape Street properties are sold; both for more than the outstanding tax amount(s).
- \* Spoke with the Town Hall renovation contractor who stated that their cost has come down; can do the job without the expected modification; waiting on the engineer for a start timeline.

- \* Have been getting good feedback about the good work done by the Rec Dept. this summer. Thank you to Nicole Rice and Hunter Buxton for a wonderful job well done
- \* Mr. Sheldon requests to have the cost of the intersection patch work before paving starts

## **OLD BUSINESS**

**C & C Fireworks Permit:** Copies of the draft permit in members' packets. Manager Gunter stated he had reached out to other Towns and had the Town Attorney review it. Mr. Traverse noted Facebook recorded about an even number of pros and cons. Chairman Cole suggests holding a Public Hearing since this is new to Fair Haven. Discussion included: there have been no complaints in Pittsford; planning to start in the spring; both Mr. Green will attend the Public Hearing; they plan to donate \$1000 to the fire department; need no utilities; if/how it might impact the police dept.; welcome the Town thorough vetting. A Public Hearing will be scheduled.

**Sidewalk Grant Match:** Have officially received the almost \$400,000 grant for downtown sidewalk improvement. Mr. Traverse **made a motion to pay the \$100,000 grant match using the Streets and Sidewalks Capital Reserve;** seconded by Mr. Holzworth. The improvements start at the Grade School and end at the Wooden Soldier; and across the street at Durfees. The steps between Durfees and Auto Supply would be eliminated; all trees would come out. The motion carried unanimously.

**Letter of Support for Street Lighting Grant:** Mr. Traverse **made a motion to write a letter in support of the Main Street America Street Lighting grant;** seconded by Ms. Egan. It is a \$35,000 no match grant. The motion carried unanimously.

**Traffic Ordinance Edits -- No Parking on North Park Place:** Copies in members' packets. Mr. Traverse **made a motion to change the Traffic Ordinance adding section 12 – B;** seconded by Mr. Holzworth. Section 12-B is to disallow parking on the north side of North Park Place between North Main Street and Caernarvon Street. The change requires a 60 day waiting period for public review; would become effective October 23<sup>rd</sup>. Manager Gunter stated he did not talk with the school re: parking in the rear parking lot. Chief Humphries noted the rear parking lot is full; difficult to enlarge since that area is designated wetland. The motion carried unanimously.

**Water Abatement -- 3 Grove Street:** Mr. Traverse and Ms. Egan met with the Chorneyi's as they were unable to attend this meeting. They reported they first noticed a leak in 2019; a neighbor had asked if they were aware of the problem; said they never received letter(s) from the Town alerting them of a leak; were not aware that one was sent with a water bill. They said they called the Town Manager and the call was not returned (?). They said they had someone do a repair in the past; the quarter mile long pipe is PVC; have not drilled a well or installed septic for fear of being sued. When asked what they want, they said to average the \$6,889 last bill to an average of the two years they have been there; have the Town turn off water. Board members feel that the Chorneyi's were taken advantage of; have little choice but to follow the ordinance; that the water line problem was not addressed at the time of subdivision; since they

not addressed at the time of subdivision; since they do not have right of way to repair the line, they are a good candidate for COVID relief fund application; will need a State permit to drill a well. Mr. Traverse **made a motion to deny the appeal to average the high water bill; given the circumstance, to offer a 12 month payment plan** (the ordinance allows only six months); and **to waive penalties making the amount owed \$6,751**. The motion was seconded by Ms. Egan and passed unanimously.

## **NEW BUSINESS**

**Review and Edit Economic Development Committee (EDC) Bylaws:** The Board previously approved Town Manager as Ex-Officio voting member to the Committee. This action is to amend the Bylaws to reflect that action. Mr. Sheldon **made a motion to approve amending the EDC bylaws to reflect the appointment of the Town Manager as Ex-Officio voting member of the committee;** seconded by Mr. Holzworth and passed unanimously.

**Budget Prep 2021-2022:** In an effort to streamline the process, Manager Gunter asked the Board for guidance, to give an idea what is a realistic increase percentage desired. Mr. Traverse stated, if salary increase is 2 ½ %, department heads should be expected to keep their budget within that amount. Discussion included: could be more, or less -- not use a percentage target; with new equipment, should be seeing maintenance savings and doing more of the work ourselves; want to see efficient, thoughtful department budgets, not to a target; expected capital plan submitted with budgets.

**Appoint Zoning Board of Adjustment Alternate -- Rosanne Van Lew:** Mr. Holzworth **made a motion to appoint Rosanne Van Lew** alternate to the Zoning Board of Adjustment; seconded by Ms. Egan. Phil Adams talked with her; she has agreed. The motion carried unanimously.

**POLICY REVIEW -- Americans with Disabilities Grievance Procedure:** Mr. Holzworth **made a motion to eliminate the Americans with Disabilities Grievance Procedure** policy; seconded by Ms. Egan. Manager Gunter reported it is obsolete; the procedure is now governed by State and Federal law(s). The motion carried unanimously.

**Parking Lot:** No changes.

**Round Table:** Mr. Traverse suggested that at the corner of South Main and Prospect Streets (foot of the hill), installing a flashing light to alert of a vehicle coming north (over the hill) on South Main Street would make the intersection much safer.

**Review of Financial Reports:** Checkbook Status: \$1,061,261.36

Mr. Sheldon **moved to approve payment of the Payroll warrant for \$35,554.23;** seconded by Mr. Traverse and passed unanimously.

Mr. Sheldon **moved to approve payment of the General Fund Warrants of \$1,064,394.92;** seconded by Mr. Traverse. The warrant includes the first two payments for the Wastewater Treatment Plant upgrade (\$945,000). The motion passed unanimously.

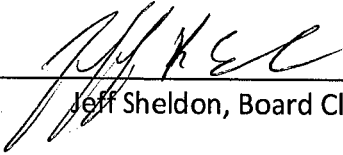
**Executive Session:** Mr. Traverse **moved the Board, Manager Gunter and Police Chief Humphries into Executive Session to discuss personnel under 1 V.S.A. ¶313 (a)(3) at 9:10 p.m.;** seconded by Ms. Egan and passed unanimously.

The Recording Secretary was excused at this time.

The Board came out of executive session at 9:48 pm

Mr. Holzworth motioned to **adjourn** at 9:49; seconded by Mr. Traverse and passed

Respectfully submitted,  
Claire L. Stanley

  
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Jeff Sheldon, Board Clerk