

TOWN OF FAIR HAVEN, VERMONT

SELECTBOARD; Water and Sewer Commissioners; Liquor Commissioners; Cemetery Commissioners

Municipal Building, Fair Haven, VT – October 5, 2021 -- 7:00 P.M. -- REGULAR Meeting

Zoom Meeting Link: <https://us02web.zoom.us/j/81990915500>

Phone: 1 929 205 6099 | Meeting ID: 819 909 5500

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, Jim Britt, Peg TV, Health Officer John Lulek, Chuck Greeno, Charles Greeno, Linda Barker, Deborah Fallon, Linda Sienkiewicz, Rose Mary Stone

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.

PUBLIC HEARING -- Fireworks Sales in Fair Haven: Mr. Greeno said he is looking forward to working with the Board. There were no public comments. Members reviewed the draft one-year permit for fireworks sales in Fair Haven. Mr. Greeno stated since they were last here, they met with the West Rutland Board, but are hoping to reach an agreement in Fair Haven, their preferred location. Mr. Traverse noted that though no one is here to discuss the permit, social media response has been 50/50 pro and con. He supports a \$5,000 permit fee stating this would increase the police coverage. Mr. Greeno stated this is for sales only, would not be shooting any materials at the location. They cannot do a \$5,000 annual fee and cover rent, and insurance. They also plan to donate \$1,000 to the Town for Fire, Police or service organization(s). Mr. Holzworth feels the debate will occur when a location is known -- they are looking at locations at exit 2 and at Welcome Station exit (across the street from weigh station). He does not support a \$5,000 permit fee; is OK with the \$1,000 donation (not addressed in the permit). Discussion included: there are no existing new business fees; the Fire Chief controls and writes fireworks use permits; no utilities are required. The consensus of the Board is to change permit item #8 to \$1,000 donation to the Town to be used at the Town's discretion; and that Mr. Greeno go to the Zoning Board for location approval.

The **Public Hearing** was closed to 7:36. The **Regular Meeting** was called to order at 7:36 p.m.

Amendments to the Agenda: Mr. Sheldon **made a motion** to remove “*Water line Repairs at Adams Street and Special Events Permits – for Tasting Event on 10/15/21*” from NEW BUSINESS; remove “*and approval*” from Park Ordinance Review. The motion was seconded by Mr. Holzworth and passed

Five Minutes for Public Comment: Linda Barker presented a handout of e-mails between her and Zapata Courage and Laura Lapierre, Wetlands Program Manager offering interpretation(s) of accidental wetland encroachment and fines for knowing and willful violations. She notes folks want to use the space and assures there will be no violations during the permit process.

Manager Gunter stated he will not give permission to use the space before the permit is submitted unless outvoted by the Board. He will not volunteer the Town to pay \$15,000 fine for violation. Ms. Egan spoke of her step-father's incident who built a permitted pond on Scotch Hill; the State found there was a wetlands violation and assessed fines. It cost \$55,000 to return the land back to its original state. So, it can and does happen.

Approval of Minutes of September 21, 2021: Mr. Sheldon **moved to approve the Minutes of the September 21, 2021 meeting** as written; seconded by Mr. Traverse and passed unanimously.

Department Head Reports: Town Manager Gunter reported:

- * Police Chief Humphries is on his honeymoon
- * There was an incident at corner of Mechanic and Fourth Streets; a container truck hit the telephone wires
- * Sand and gravel are coming in
- * Vehicle winter readiness (oil undercoating) is done
- * Met with Municipal Road General Permit (MRPG) re: water runoff on Sheldon Road. It was determined the proposed work is not necessary and will not be done.
- * Received a bid from Casella Construction for repair of the Adams Street Bridge water main.
- * Have contacted a diving company to check out the Inman Pond intake pipe to determine where the water is coming from
- * The new water/sewer connection is done at Stewarts; the old connection will be disconnected and capped. DPW Supt. Kerber should be credited for negotiating to have Stewarts construct a new manhole that will be connected next week
- * The wastewater plant upgrade project is “chugging” along; there is delay in being able to bring equipment to the site; they are talking about working through winter shut down
- * Sewer flushing October 19 & 20
- * Expect Mr. Holzworth on site for repair of paving at three North Main Street manholes
- * May receive funds from the National opioid settlement; the Town needs to sign up
- * The folks at 3 Grove Street have applied to The **Vermont COVID-19 Arrearage Assistance Program (VCAAP)** for assistance with their water bill
- * The salt shed project is up for bids; a mandatory pre-bid meeting on October 22nd; bids are due November 1st
- * Meeting with the Railroad tomorrow re: Docking Facility Storage and Distribution Ctr. Building
- * Received the “go ahead” on Oct. 1st for the playground equipment; will re-bid the project, bids are now two years old; looks like Spring construction
- * Met with Rutland Regional Development Corp. re: advertising for the Town; they will be managing the sidewalk project for us, facilitating public meetings, etc.
- * Have started work to get a flashing light on South Main Street
- * Have signed up for a coaching session
- * Will re-write the zoning regulations for the Downtown and Revitalization project
- * Discussed ideas to get public input for the expected American Rescue Plan Act (**ARPA**) funds

OLD BUSINESS

Dog Park Permit Review: Manager Gunter stated he had to stop the permit application process because contacts at the State were not answering questions; the breakdown permit cost numbers did not add up to the total cost number. Committee members discussed the information they received from State sources; do not understand the determination that the park impacts wetland. Mr. Traverse noted there is a need to submit the application; check must accompany the application; need to determine how to pay the \$8600 wetlands permit fee. He noted the feedback is that folks support the dog park; do not support using tax dollars to pay the wetland impact permit fee. Manager Gunter explained the risk (huge fines) of using the park without the permit in place; a permit would be received two months after submission. Chairman Cole asked for Board members' suggestions for payment. Mr. Holzworth said the Grant Match fund was voted for specific necessary infrastructure projects; feels this does not qualify for emergency or sidewalk fund use either. So far, approximately \$20,000 has been spent on the dog park project. Board members took exception that committee members feel the Town has not negotiated in good faith. The Board has committed countless hours and meeting time, in good faith, to this project taking time away from other important items. Mr. Sheldon noted this has received so much media attention, are not willing to take the chance of being fined. Mr. Sheldon **made a motion to pay the \$8600 dog park wetland impact permit fee using \$2500 from the Economic Development fund; \$2500 from the Rec fund ; and \$3600 from the Dog Park fund and to submit the application as soon as possible;** seconded by Mr. Traverse. Committee members will be notified when dog park use is permitted; members ask that social media contact be kept at a minimum; Manager Gunter said he will work on this all day tomorrow if necessary. The motion carried unanimously.

Park Ordinance Review: Draft ordinance in members' packets. This process started when the School requested that the playground be closed during school hours. Ordinance edits include adding the dog park and playground in the ordinance language. Discussion included: need to start by enforcing the existing ordinance without closing the playground; that folks should be allowed to use the playground during the day -- such as Moms with small children, older kids who want to "shoot hoops"; the need for public hearing(s) before adoption. The consensus is to re-draft adding the dog park and playground and remove item #10 closing the area before presenting at a public hearing.

NEW BUSINESS

Budget Review -- Brief Overview: Draft 2022-2023 budget in members' packets. Manager Gunter reported it shows a 2.51% increase; it is a minimum operating budget. He noted funding reserve accounts again; did not fund them last year; added \$50,000 to paving; reduced the Town Clerk salary line to \$37,000, similar to neighboring Towns; Ms. Dechame is retiring. He also presented an "a-la-carte" budget -- these items not included in the regular budget are: such as picnic tables; park fence painting; website re-design; fence repair, etc. The DPW budget will be presented for review at the next meeting; will include updated capital plan.

Parking Lot: Mr. Traverse reported there will be a report from the **Tax Stabilization** committee at the next meeting.

Board Roundtable: Ms. Egan reported that on September 11th she saw a car with New York license plates, the folks taking photos of the 9/11 display in front of the Municipal Building. It seemed very somber and patriotic.

Review of Financial Reports: Checkbook Status: -\$1,055,318.21

Mr. Sheldon **moved to approve payment of the Payroll warrant for \$34,819.47**; seconded by Mr. Traverse and passed unanimously.

Mr. Sheldon **moved to approve payment of the General Fund Warrants of \$161,687.04**; seconded by Mr. Traverse and passed unanimously.

Executive Session: None

Mr. Traverse moved to **adjourn** at 9:37p.m.; seconded by Mr. Sheldon and passed

Respectfully submitted,
Claire L. Stanley

Jeff Sheldon, Board Clerk