

TOWN OF FAIR HAVEN, VERMONT

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

REGULAR Meeting -- Tuesday, March 31, 2026 -- 7:00 P.M.

Zoom Meeting Link: <http://us02web.zoom.us/j/85646551688>

Phone: 1 929 2005 6099 | Meeting ID: 8564 655 1688

UNAPPROVED MINUTES

Members Present: Sam Lucci, Chadd Viger, Rich Greenough, Keith Hier, Dennis Reid

Others Present: Town Manager Joe Gunter, Recording Secretary Claire Stanley, Jim Proctor, Rose Anne Vanlew, John Lulek, Marion Lulek, Judy Sheldon, Ceil Hunt, Walter Sperr, Ann Finley, Judith Folmsbee, Scott Folmsbee, Cynthis Hutchins, Aaron Hutchins, Ann Ellis, Bob Richards, Phil Adams, Janice Kelleher

Call to Order: Chairman Viger called the meeting to order at 7:00 p.m. and led the assembly in reciting the pledge of Allegiance to the Flag.

Appointment with John Lulek -- South Main Street Properties: Mr. Lulek gave a brief history of former occupants of the Steve Wolk property with a failed septic system. He reached out to the Agency of Natural Resources that did an inspection finding an underground brook; he presented photos that showed no effluent on the dry property. He recommends the State re-test the system, and the Town not spend any more funds there.

Appointment with the Fair Haven Historical Society -- Matthew Lyon Proclamation: The Board heard from Walter Sperr who gave a brief biography of Matthew Lyon, his history and accomplishments starting with the fact that he was an immigrant at age 14 and was sold as an indentured servant, ending up as one of the founders of Fair Haven owning 400 acres. He developed industry in Fair Haven and, as Judy Sheldon added, donated The Park property to Fair Haven. Matthew Lyon owned 10 slaves and gave them a path to freedom; he served 2 terms in legislature. Mr. Sperr said he has studied Matthew Lyon for two years and people should know about him. He and the Historical Society are looking to create an event that will draw people here to celebrate his life; they are asking the Select Board to approve a proclamation for a Matthew Lyon Day on July 18th and thereafter the 3rd Saturday in July, celebrated at the gazebo with a concert and reading of his letter to then President John Adams. Mr. Hier **made a motion** to support the proclamation for a Matthew Lyon Day on July 18th and thereafter the 3rd Saturday in July; seconded by Mr. Greenough. Chairman Viger said he does not believe in re-writing history but has an issue with dedicating a whole day to a slave owner. Mr. Sperr said, should we cancel Presidents' Day? George Washington owned 300+ slaves. Mr. Lucci said all Fair Haven founders should be included. Mr. Sperr said there were 77 founders including one woman. The motion carried with Mr. Lucci and Chairman Viger dissenting. Manager Gunter read the proclamation and Chairman Viger proclaimed July 18 will be Matthew Lyon Day and thereafter the 3rd Saturday in July. The Board thanked Mr. Sperr for his efforts.

Appointment with Cynthia Toftness Hutchins regarding “Chicken Ordinance”: The Board heard from Cynthia Hutchins who requests updating the Zoning regulations to allow hens on less than one acre lots. She met with the Zoning Board and presented suggested amendments to the Zoning by-laws that include: no minimum acreage, proper removal of manure, prohibiting roosters, permit(s), fee requirement, and violation enforcement. Also included is restriction research in other towns. Members had in their packets, handouts, section 910 -- Keeping of Animals from the ordinance, and an information sheet regarding chickens. Ms. Hutchins read a narrative of reasons they want to keep chickens including food cost and an opportunity for children to learn responsibility and where their food comes from. She noted there are now multiple households that are keeping chickens on less than one acre. Modern standards and clear rules will improve compliance. She hopes the Board will consider reviewing and updating the ordinance to reflect today’s realities. Members feel this is a lot of information and want time to study it. Brief discussion included that the current ordinance was upgraded 3 years ago. The Board will consider and make recommendations to the Zoning/ Planning Commissions and re-visit this at the next meeting.

Amendments to the Agenda: Mr. Hier **made a motion** to include in Executive Session, “contract 1 VSA 313 (a)(1); seconded by Mr. Greenough and passed.

Approval of Minutes: Mr. Greenough **made a motion** to approve the minutes of the March 17, 2026 meeting; seconded by Mr. Hier and passed.

Town Manager Report & Communication: Manager Gunter reported:

- * Police Chief is on vacation; there is no report
- * Green Mountain got their Certificate of Public Good and are working on the Airport Road property for a sub-station
- * Applefest will be September 19th with the 20th as a rain date
- * The first Food Truck Frenzy is scheduled for the first Wednesday in May; free tables are offered to local businesses at these events.
- * The Consumer Confidence report is out saying that our water is clean
- * Water-sewer budgets are due back the 17th
- * There is a meeting tomorrow, April 1 re: class 1 paving
- * The audit is complete -- there are no findings
- * Have received 3 responses for the housing project
- * Have \$31,000 back from the Municipal Energy Resilience Program (MERP); most of that money went for insulation
- * Thursday, the 2nd, at 5:00 is a meeting with the Green Mountain Mobile Home Park residents to inform them that the Park is closing and to offer alternative housing.
- * The Work Safe violations found have been resolved.

NEW BUSINESS

Cemetery Deeds -- Approval: Mr. Lucci **made a motion** to approve the sale of 1 grave in lot number 151, section 11 to Kazin and Noor Hussane for \$545.00; seconded by Mr. Reid and passed unanimously.

Mr. Lucci **made a motion** to approve the sale of 1 grave in lot number 82, south section 11 to Anthony and Charlene Amerio for \$415.00; seconded by Mr. Greenough. It was noted that the difference in amount is the cost of corner stones. The motion carried unanimously.

Mr. Lucci **made a motion** to approve the sale of 1 grave in lot number 82, north section 11 to Gregory Amerio and Karen Kehoe-Amerio for \$545.00; seconded by Mr. Greenough and passed unanimously.

Mr. Lucci **made a motion** to approve the sale of 2 graves in lot number 106, section 11 to Connie Weatherby and Michael Weatherby for \$945.00; seconded by Mr. Greenough and passed unanimously.

Mr. Lucci **made a motion** to approve the sale of 2 graves in lot number 75, section 11 to Robert Bertram for \$945.00; seconded by Mr. Reid and passed unanimously.

Mr. Lucci **made a motion** to approve the sale of 1 grave in lot number 149, north section 11 to Jessica and Gavin Ezzo for \$545.00; seconded by Mr. Hier and passed unanimously.

Cemetery Fees -- Discussion and Approval: Manager Gunter thanked Mr. Greenough and Mr. Reid for their work researching surrounding Town cemeteries and providing a spreadsheet with cost comparisons. It is in members' packets along with suggested fee adjustments. Research cost average for burials is \$1,100; Fair Haven is \$575. General discussion included that this a huge difference; that fees should be increased, but what is fair; what is the cost of a burial given the man hours and cost of equipment used. Mr. Lucci said he appreciates the research done but there is not enough information to just pick a number. Mr. Greenough said he can do more research to determine cost. Chairman Viger tabled the matter to the next meeting.

Transfer Station Fees -- Discussion and Approval: Manager Gunter said fees were adjusted about a decade ago; now capturing only about 45% of Transfer Station costs with user fees and permits, the rest comes from property taxes. He and the staff recommend 100% full coverage. A proposed Transfer Station fee schedule is in members' packets. Mr. Reid said he has done extensive research and identified multiple issues including: staff scheduling, weekend overtime, paying high transportation fees, and metal should be separated from recycling. General discussion included: current bag and punch card fees; what are fees of other public/private stations; efficiency should determine what is an appropriate fee for service, not what is fair; setting new fees effective July 1. More to come.

Liquor/Tobacco Licenses: Mr. Lucci **made a motion** to approve a first-class restaurant/bar license and a third-class liquor license for Jekyll and Hyde Inc. (AKA Tomasi's); seconded by Mr. Hier and passed unanimously.

Mr. Lucci **made a motion** to approve a first-class Club license and a third-class club license and an outdoor consumption permit for The Eagles club Aerie 3907; seconded by Mr. Greenough and passed unanimously.

Mr. Lucci **made a motion** to approve a first-class restaurant/bar license, a third-class restaurant/bar license and an outdoor consumption permit for Fairley Buzzed LLC; seconded by Mr. Hier and passed unanimously.

Use of Sewer Reserve Funds -- Check Valve Purchase: Mr. Hier **made a motion** to use \$52,250 from the sewer reserve fund to hire professional engineering services to find and make a determination about the Fourth Street water problem; seconded by Mr. Lucci. There is \$384,666.40 in the fund. The motion carried unanimously.

Parking Lot: No Discussion

Two Minutes for Public Comment: The Board heard from Judith Folmsby who said this is information for the Board since they had been in contact with the State. There is water flowing into their basement since December 19, 2025, when there was a deep freeze. Scott Folmsby added that water flows in up to 15 gallons per minute. They have contacted professional basement companies that told them it is a Town issue; the Town says it is an aquifer. If the power goes out, the sump pump does not work. Erin Stewart of the Dept. of Water Resources was contacted and replied with a letter finding this is unusual. Ms. Folmsby said they cannot sustain this much water coming into the basement, fearing the foundation will fail. Manager Gunter said he, Water Supt. Mike LaDuke and a State representative will follow up at the site tomorrow

Board Roundtable: Mr. Reid said he wants to “unfreeze” the budget so DPW can have funds to work until July trying to stay operational.

Mr. Hier said he does not agree with pulling employees from their regular work (roads/sidewalks) to do mowing and park work.

Mr. Greenough said some catch basins are full and was proud to see DPW cleaning out catch basins today -- something that has to be done all the time.

Mr. Lucci said he received an email from Pam at Agency of Natural Resources stating our SWAT plan has been approved; is now in the public comment phase.

Review of Financial Reports: The **checkbook** status is \$426,960.31

Mr. Lucci **made a motion** to pay the **payroll** warrant, \$46,022.12; seconded by Mr. Greenough and passed unanimously.

Mr. Lucci **made a motion** to pay the **accounts payable** general warrant, \$690,703.20; seconded by Mr. Greenough. It was noted that this amount includes: \$585,474.45 school payment, and \$89,454.75 total appropriations payment. The motion carried passed unanimously.

Executive Session: Mr. Greenough **made a motion** to enter into executive session t 9:18 p.m. to discuss 1 VSA 313 (a)(3) appointment of a public officer; 1 VSA 313 (a)(1) personnel; and

1 VSA 313 (a)(1) contract; seconded by Mr. Lucci and passed unanimously.

The recording secretary was excused at this time.

Adjourn: Mr. Lucci motioned to **approve the contract** with Fair Haven solar Seconded by Mr. Greenough.

Motion passed unanimously

Mr. Hier **made a motion** to increase the Town Accountant, Teresa Perry's salary to \$90,000 annually, effective July 1, 2026. The motion was seconded by Mr. Lucci and passed unanimously.

Motion to adjourn by Mr. Greenough; seconded by Mr. Reid. Meeting **adjourned** at 10:18

Respectfully submitted, Claire Stanley

Board Clerk