

TOWN OF FAIR HAVEN, VERMONT

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

REGULAR Meeting -- Tuesday, April 14, 2026 -- 7:00 P.M.

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

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

APPROVED MINUTES

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

Members Absent: Keith Hier

Others Present: Town Manager Joe Gunter, Recording Secretary Claire Stanley, Mary McNeil, Peg-TV, Ann Finley, Rose Anne VanLew, Johnathan J. Billewicz, Lillian E. Billewicz, Nate Saxton, Cynthia Hutchins, Susan Traverse-Poczobut, Mike Stannard, Barb Phillips, Judy Folmsbee, Scott Folmsbee, Devon Neary (RRPC), Ann Ellis, Roy Newton.

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 Mr. Folmsbee: Because of public speaking difficulty, Ms. Folmsbee read from her narrative that included a response from Hydrogeologist Erin Stewart of VT Agency of Natural Resources who wrote: chlorine residual would dissipate as the water moved through soil and would test 0 in the basement. On April 1, 2026, Manager Gunter and Theodore Fela from the State made a follow-up visit. After water was turned off at the neighbor's residence, water entering our basement decreased. By the next morning, the sump pump was kicking in every 5 minutes, decreased from every 35 seconds the day before. Theodore Fela wrote that Harry Dunn-Davenport, Water Systems Specialist who also was on-site, had noticed water flowing beside the neighbor's driveway that tested positive for chlorine. That shut off was turned off and the flow quickly stopped. He also agreed that chlorine would dissipate flowing through soil. They found it frustrating to be told there were no water pressure issues in our area and negative chlorine tests with the problem continuing for three and a half months. Moving forward the Folmsbees request paperwork to file a claim for mold inspection, basement floor repair, foundation inspection, reimbursement for commercial dehumidifier and a small dumpster. Ms. Folmsbee also included items for the Town to include in a policy dealing with like issues including: collecting information from neighboring properties detailing presence of anomalies in water flow, taste, entering basements, testing and leak detection. Manager Gunter will reach out to VLCT for required paperwork for filing a claim.

Amendments to the Agenda: Mr. Lucci **made a motion** to add to NEW Business: g. Use of Grant Match for Northern Borders Grant; h. Authorize Joe Gunter Official Representative for Grant; i. Approve Highway Financial Plan; seconded by Mr. Reid and passed.

Approval of Minutes: Mr. Greenough **made a motion** to approve the Minutes of the March 31, 2026, meeting; seconded by Mr. Reid and passed.

Department Head Reports: Mr. Saxton, DPW reported:

- * Did the finish work on the West Street project
- * Working at the Transfer Station
- * Working at the Cemetery

Town Manager Report & Communication: Manager Gunter reported:

Police:

- * 81 Municipal violations (718 yr. to date)
- * 1 parking violation
- * 1 Car crash
- * 13 Fingerprints (62 yr. to date)

The Dept. uniquely offers same day fingerprinting; did one for a Chittenden resident last week

- * Will begin Hydro flushing next week
- * The leak in the bank at the Water Treatment Plant has dried up; unknown why; will continue to investigate.
- * The Northern Borders Housing plan is at Rutland Regional Planning Commission; expected back this week.
- * Preliminary review of the water/sewer budget is on-going; will present to the Board May 12.
- * The Audit is done; Ron, the accountant will be here for discussion with the Board on May 12.
- * At Mr. Lucci inquiry about the new valve exerciser, Manager Gunter does not know how many valves have been done, but work is continuing.

Mr. Greenough reported he had been at the water plant today and said it is weird how that leak suddenly stopped.

OLD BUSINESS

Cemetery Fees -- Discussion and Approval: Manager Gunter said that cemetery fees are outdated not having been updated in at least 9 years. Mr. Greenough researched 7 outlying private and municipal cemeteries for their fee rates recorded on a spreadsheet. Burial costs that include DPW work, office work, equipment use, fuel and miscellaneous supplies total \$872.00. Mr. Greenough said, we can't keep going like this; who decides plot price. Mary McNeil said the Select Board sets plot price; fees are not what they ought to be. Mr. Greenough said we need to jump on this today. Mr. Lucci **made a motion** to adopt the new suggested fees as presented: full burial, \$1200; full burial -- after hours or weekend, \$1400; cremation, \$500; cremation -- after hours or weekend, \$600; seconded by Mr. Greenough. Discussion included: Chairman Viger said, we are not meeting costs and property taxes are bearing the cost of supplementing the difference; Mr. Greenough suggests making updates at least every couple of years to not get so far into the hole again; Manager Gunter said, cemetery fees review could be an agenda item every year; Mr. Greenough said, funeral directors were involved with his research. The motion carried.

Transfer Station Fees -- Discussion and Approval: Mr. Reid explained several ways to make the Transfer Station more efficient and less costly including: combining cardboard and boxboard; separating metal/aluminum from recycling; are paying high hauling fees -- use another; re-scheduling personnel -- to reduce overtime. Chairman Viger noted that usage is down -- what will higher fees do to usage; if there is better efficiency, there may not be need for higher fees; can we sustain use of the Transfer Station. Mr. Greenough noted there are several haulers picking up at homes, which costs more than using the Transfer Station. Mr. Lucci said, need more efficiencies in place before adjusting fees. Mr. Reid **made a motion** to charge \$250/ton scale fee for disposal of tires; seconded by Mr. Lucci and passed.

Chicken Ordinance Discussion: Manager Gunter noted that a resident had, at the last meeting, requested changes to the zoning regulations to allow chickens on less than one acre lots. Mr. Lucci said, before getting into discussion, he reported that there is a bill in legislature, H941 already passed by the House and in the Senate for approval to prohibit prohibiting keeping chickens on family lots. If it passes, any work done by municipalities would be superseded by State law. Ms. Phillips said she is all for chickens as long as owners are responsible and respect neighbors; that regardless of the ordinance, there is an enforcement problem. Mr. Lucci said Zoning need not work on this until after legislature makes a decision. Mr. Reid **made a motion to table** this matter until after legislation is determined; seconded by Mr. Greenough and passed. Mr. Lucci thanked Ms. Hutchins for attending and promised to follow this legislation closely. Manager Gunter noted chickens are a difficult issue -- must go before State court.

NEW BUSINESS

Mr. Lucci **made a motion** to move item 8c to first item of New Business; seconded by Mr. Reid and passed.

Municipal Resolution: Manager Gunter introduced Devon Neary who reported that adopting the Regional Future Land Use Map is heading to final public hearing. He said RRPC was successful in their request to expand the map north to include Airport Road and south to include the former Skyline property. He recommends the Town opt in to tier 1B that permits partial Act 250 exemptions for 50 housing units on 10 acres of land clearing the way for great opportunities for development in Fair Haven. He cautioned against opting out of tier 1B that would exclude Fair Haven from the eligible Towns list. The local Planning Commission and RRPC have worked really hard to meet these requisites; downtown designation is not impacted either way. Roy Newton said he hopes the Town does not approve the Plan as Rutland Regional is hard to work with. Chairman Viger said, in order to improve tax revenue, we need to build to attract people. Working in partnership with Rutland Regional is an opportunity. Mr. Neary said Rutland Regional holds no authority and exists to assist Towns; that this is his hometown and looks to have it succeed. Mr. Lucci agreed with Chairman Viger and has never felt strongarmed in anything working with Rutland Regional. Mike Stannard cautioned going forward, absolutely to be heard by writing a letter to the Vermont legislature opposing tiers 2 & 3. He is not ready to adopt tier 1B wholesale; we want housing, including rural housing, and I am comfortable with a letter stating that. Mr. Neary feels that, this time, legislators are listening and that your

letter will be heard. Mr. Stannard said he is willing to help draft the letter. Mr. Greenough **made a motion to opt in to tier 1B** and send a letter to the Vermont Legislature opposing tiers 2 & 3. The motion was seconded by Mr. Lucci and passed.

Handicap Parking Space in front of Grade School: Manager Gunter reported a resident asked that a handicap space be added in front of the school. He provided handouts of ADA language, exception and diagram as well as a photo showing the proposed location adjacent to the crosswalk bump out. Mr. Lucci **made a motion** to designate a handicap parking spot in front of Fair Haven Grade School; seconded by Mr. Reid. Manager Gunter said this is not a controversial issue; that Chief Humphries and the school are in favor. The motion carried. Mr. Greenough noted that the “no parking” signs in that area should include “during school hours”.

Mr. Lucci **made a motion** to move Public Comment before 8d on the agenda to accommodate those in attendance; seconded by Mr. Greenough and passed.

Truck Purchase Discussion: Manager Gunter reported this is to replace the 9-year-old Dodge that requires expensive repairs. He said there is a State program for 2% loans for equipment purchase. Mr. Saxton said two quotes were received and recommends the 2026 Ford F600. There was brief discussion re: comparison of trucks and best way to finance the purchase. Mr. Greenough **made a motion** to purchase the 2026 Ford F600 from Formula Ford for \$126,398 and to finance it with the 2% loan from the State loan program; seconded by Mr. Reid. It was noted that it is fully ready to go; 12 to 16 weeks to delivery. The motion carried.

The Board took a five-minute break.

Two Minutes for Public Comment: Ann Ellis said she hates to have employees taken away from their regular jobs to work in the cemetery; she spoke re: raising fees, perpetual care and interest on the Trust Fund. She said she feels safer when more people are working in the cemetery. Ms. Traverse-Poczobut said she would like the cemetery to be opened earlier in the day and before Easter. She is disappointed that people dump used grave decorations over the bank by the storage building; people were mowing there today. Mary McNeil commented that the Dept. of Public Works employees cannot do the cemetery and park work along with their regular jobs and everything else that people want them to do.

Mike Stannard said he personally is opposed to tiers 2 & 3; he posted a letter on the Town website that may clarify the issue. Tiers 2 & 3 impose heavy land use restrictions on the 66% of Vermont landowners living in rural areas. If you need help in drafting the letter, I am available to help. This is to preserve the way of life of 66% of Vermont land owners. I appreciate the support.

Use of Reserve Funds: Manager Gunter reported the budget took a hit this year. A combination of tariffs that are destroying us; and a hard winter with extensive need for salt use led to a shortfall. Had to move DPW to cemetery and park mowing. Mr. Reid worked to find ways to find \$30,000 to bring the temps back. Mr. Reid **made a motion** to use \$30,000 from the

emergency fund to cover the current shortfall; seconded by Mr. Greenough. Discussion included: Mr. Lucci said he is not sure unforeseen circumstances justifies using the emergency funds. Mr. Greenough said this needs to be considered at budget time; that the cost of running the Town is increasing. The motion carried.

Listers -- Certificate of No Appeals: Mr. Lucci **made a motion** to sign the Listers Certificate of No Appeals; seconded by Mr. Greenough. Manager Gunter said this is an annual document officially informing the Select Board that there are no appeals or lawsuits pending to recover paid taxes. The motion carried. Members signed the document.

Liquor Licenses: Mr. Lucci **made a motion** to approve a second-class liquor license, a tobacco license and a tobacco substitute endorsement for Midway Oil Corp.; seconded by Mr. Reid and passed.

Mr. Lucci **made a motion** to approve a first-class liquor license, restaurant/bar license for Scotch Hill Brewing, LLC.; seconded by Mr. Greenough and passed.

Mr. Lucci **made a motion** to approve a second-class liquor license, a tobacco license and a tobacco substitute endorsement for Global Montello Group Corp. (AKA Jiffy Mart); seconded by Mr. Greenough and passed.

Mr. Lucci **made a motion** to approve a second-class liquor license, a tobacco license and a tobacco substitute endorsement for S.W. Wolk Corporation; seconded by Mr. Greenough and passed.

Use of Grant Match: Mr. Greenough **made a motion** to use \$25,000 from the grant match account for match for the \$100,000 Northern Borders grant to cover engineering costs for the Prospect Street Housing project; seconded by Mr. Lucci and passed.

Authorize Official Representative: Mr. Lucci **made a motion** to authorize Joe Gunter as official representative for the \$100,000 Northern Borders grant; seconded by Mr. Reid and passed.

Approve Highway Financial Plan: Mr. Lucci **made a motion** to approve the Highway Financial Plan; seconded by Mr. Greenough and passed.

Parking Lot: No discussion

Board Roundtable: Mr. Greenough thanked DPW for the work on West Street; now looks finished. The "road closed" sign, corner of Marble and Adams Street needs to be removed.

Mr. Reid commented that the cutout in front of Durfees -- where there was a tree, needs work.

Mr. Lucci commented that perhaps the dumping over the bank at the cemetery could be addressed on Green Up Day.

Chairman Viger asked that Chief Humphries address that people feel unsafe in the cemetery.

Ms. VanLew said there are ticks at the cemetery.

Review of Financial Reports: The **checkbook** status is \$499,601.12

Mr. Lucci **made a motion** to pay the Payroll warrant, \$39,343.14; seconded by Mr. Greenough and passed.

Mr. Lucci **made a motion** to pay the General Warrant, \$66, 182.73; seconded by Mr. Greenough and passed.

Executive Session: None

The recording secretary was excused at this time.

Adjourn: Mr. Greenough **made a motion** to adjourn; seconded by Mr. Lucci and passed.
Meeting **adjourned** at 9:46 p.m.

Respectfully submitted, Claire Stanley

Board Clerk