



2016 TOWN OF FAIRFAX

**SELECTBOARD MEETING
MONDAY, NOVEMBER 7, 2016
7:00 PM**

The drafted minutes presented below are unapproved subject to corrections and/or additions at the next Selectboard meeting. Those corrections and/or additions will be written to an amended version of the minutes, which will also be made available to the public.

Selectboard Members Present: Tom Fontaine, Chair; Lauri Fisher, Vice-Chair; Randy DeVine, LeeBeth Ann Lemieux and Duane Leach.

Staff Present: D. Jay Leach, Road Foreman; Deb Woodward, TC & Treasurer; David Raymond and Tom Snyder, Fairfax Fire Department; Pat McNall and Robin Chapman, Listers.

Public Present: Robbie Rodimer and LCATV videotaped the meeting.

Call to Order: Tom called the meeting to order at 7:00 pm.

Minutes:

10.17.16 - Lauri moved to accept the minutes as written seconded by LeeBeth, so moved. Vote 4-0 (Tom was absent from the meeting.)

10.24.16 - Randy moved to accept the minutes as written seconded by Lauri, so moved. Vote 5-0.

Accounts Payable & Payroll Warrants: The town and utility warrants were reviewed by Duane and approved by the Board. Duane stated that they are working on reducing overtime hours in the Highway Department.

Public Comment: N/A

Correspondence:

1. A letter has been received from the State of Vermont, ICU Division, Darlene Autery, UIC Program Administrator, "Announcement of Prohibited Floor Drains". Please see D. Jay Leach, Road Foreman section below.

2. The Board received an email from Debra Toof who resides on Toof Road. She has a concern with speed and noise since the road was paved. She also mentioned that a Toof Road sign appears to point to a field and was confusing to motorists.

11.7.16 Minutes Continued: Correspondence

Toof Road -

Action: The FCSD has been asked to randomly patrol Toof Road and check for speeders. Tom suggested taking the Toof Road sign down. Lauri suggested putting the Toof Road sign so it's visible when coming from Westford. When you travel from the Fairfax end, headed towards Westford, the Toof Road sign will be blacked out.

D. Jay Leach, Road Foreman

D. Jay participated in the Toof Road discussion as well as the letter from Audrey Dalton, State of Vermont UIC Division, in regards to prohibited floor drains in the town garage. We will contact Ms. Dalton to find an acceptable solution and move forward with removing and/or capping the two floor drains.

The two modines were installed in the town garage, as discussed at the SB meeting of October 3rd. More roadside mowing has taken place. Rob Nolan was contacted and hired to cut down a couple of trees. The winter sand pile is up.

Next on the agenda was Colin Santee, who was not in attendance.

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Deviation of Agenda:

Tom Snyder, Fire Department Chief and David Raymond, Battalion Chief

Tom and David are here to discuss changes made to the "Building Inspection, Code Enforcement, and Fire Safety Ordinance". Liability was once again a concern. LeeBeth did not feel that she was alright with voting yes on the ordinance as written. Her concern was with the renter registry and having the tenant name(s) on it. She felt that the landlord should be given the chance to fix a problem before the inspector is called. David replied that it would depend on what the complaint was and if the landlord could be reached at the time of the complaint. He assured LeeBeth that they would attempt to contact the landlord first. Randy felt that this ordinance would create a whole different job description. David replied that he's already performing the duties. David has been working on the fee schedule and will tweak the document with the changes discussed at this review. A final review of the document will take place on December 5th.

Robin Chapman and Patricia McNall

Robin is here this evening, at the request of the Board, to discuss a charge on the town's Visa bill. Robin came in on September 6th to discuss attending a five day workshop in St. Johnsbury. She asked the Board if there was a policy, or ordinance, for reimbursement of travel expense, meals and lodging. (Please see minutes of September 6, 2016.) The Board told Robin that they would look into whether there was a policy/ordinance written for this. The Board assured Robin that the town would pay for her mileage and the cost of the workshop, as is protocol for all employees. The Listers were verbally notified that there was not a "reimbursement policy or ordinance", but, as stated at the meeting of September 6, she would be reimbursed for her mileage as well as the cost of the workshop. Robin stated that the Listers have an account that they could take money out of for this sort of expense. Robin will bring forth correspondence from the state that this account/monies can be used for lodging and meal reimbursement.

Lauri told Robin that at any time she feels a policy needs to be generated for a certain purpose, to bring forth the policy for the Board to review.

11.7.16 Minutes Continued: Robin Chapman

A resignation has been received from Tamsin Coon resigning her position as Lister. Filling the Lister position was discussed as well as possibly eliminating the position of Lister and making it an appointed position for an assessor.

Other Business:

1. Cleaning position: We will see if Adam Morgan, who currently works for the Recreation Department, is interested in performing cleaning duties for the town.
2. The A. M. Peisch contract for auditing the 2016 accounts for the town and Utility Department was approved and signed by Tom.
3. A budget meeting has been scheduled for November 14th at 6 pm.
4. Randy asked the Board if the town would approve a person performing community service, working with him, for 47 hours. The Board by consensus approved.
5. LeeBeth will work on generating a travel policy for the Board to review at a later date.

9:05 PM - Executive Session

Lauri moved that we enter into executive session for purposes of discussing litigation that is pending, and that release of more information could be crucial to the outcome. Duane seconded the motion - so moved.

9:40 PM - Exit Executive Session:

LeeBeth motion to exit executive session, seconded by Lauri - so moved.

Back on the Record: Action: Lauri: I would like to move that we resolve the current litigation, Titled Sidon Pantry vs. Town of Fairfax, Fairfax SelectBoard and Water Commissioners, Franklin Unit 182 Five Fifteen, in the manor that is laid out in the settlement agreement in form 8283, IRS donation form and the letter acknowledging the same, as put forth in these documents. Do I have a second? Duane seconds the motion. Randy recused himself from the vote. Vote: 3-1-1.

Tom explained that we are going to give up \$42,000 in impact fees and 540 gallons of water that will go to Mr. Handy. We have already spent approximately \$16,000.00 on attorney fees in this lawsuit. What we are getting out of it is a possible savings of \$50,000.00 that it would take to continue with the lawsuit that our town attorney said that we would probably not win.

Adjournment:

9:50 PM - Lauri motioned to adjourn, seconded by LeeBeth. The motion so moved. The next regular Selectboard meeting will be held on Monday, December 5th at 7 pm.

The minutes were respectfully submitted by Stacy Wells, Adm. Asst. to the Selectboard.

Tom Fontaine, Chair
Fairfax Selectboard