



## 2015 TOWN OF FAIRFAX

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**SELECTBOARD MEETING  
MONDAY OCTOBER 19, 2015  
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 and Leebeth Ann Lemieux.

**Public Present:** Robby Rodimer, Steve Lynch, Barbara Murphy, Patti Smith, Sally Sweet, Dean Decker, Trevor Russell, Terry Carpenter, Carl Jones, Peggy Gilbert and Boy Scout Troop 853, Cale Santee, Raymond Fontaine and Owen Senesac.

**Call to Order:** Tom called the meeting to order at 7:05 p.m.

**Minutes:**

10.5.15 - Leebeth moved to approve the minutes with a correction to a parcel I.D. on a road name application (MA1126 to SC0015). The motion was seconded by Lauri. The motion carried with a vote of 4-0.

**Payroll and Orders:** Lauri reviewed the warrants, which were approved by the Board.

**Public Input/Correspondence/Announcements:**

Trevor Russell, Smuggler's Notch Snowmobile Club, is here this evening to discuss obtaining permission from the Selectboard to travel down a section of Allen Irish Road. The town does not allow snowmobiles to travel on town roads. The Fishers have given their permission to the Club to travel through their property to Allen Irish Road. The Club would like the town's permission to travel approximately 500' down Allen Irish Road in order to connect to the VAST trail. The board agreed by consensus to allow the Club to travel the 500' section of Allen Irish Road. The vote was 3-0-1; Lauri recused herself from the vote.

Raymond Fontaine, Cale Santee and Owen Senesac from Boy Scout, Troop 853 are here this evening. They are working on their communication badge with one of the requirements being to attend and observe a local/public meeting. The Board thanked them for coming and asked if they had any questions or concerns.

**Correspondence:**

1. A letter was received from the State of Vermont, Office of the State Treasurer in regards to the GASB 68, Pension reporting for Entities Participating in the Vermont Employee Retirement System, dated October 12, 2015. The letter was discussed. Deb Woodward, TC and Treasurer, will take the lead in transitioning the town from a calendar year to a fiscal year. She will develop a timeline, set up the two public meetings required as well as options for payments of the property taxes, etc.
2. The SB received an anonymous letter from someone concerned about a fireworks business going before the DRB. Skip stated that the person applying for the permit does not plan on having any fireworks discharged at the location of the business/residence.
3. Certificate of Public Good - Comcast. The Board received an email from Christine Peterson, Coordinator of Consumer Affairs, State of Vermont. Comcast is applying for their Certificate of Public Good, which allows them to continue to operate as a cable provider within Vermont. Christine would like any feedback from the town.
4. An email was received from Kelly Avery, VLCT, dated 10.13.15. The 2016 exchange insurance plan rates are now available. We will ask Keith to take the lead on this.
5. The SB asked Amber Soter, Zoning Asst., to draft a letter on behalf of the Board and Zoning Department in regards to wind turbines and solar arrays. The letter was received and reviewed with a couple of changes made. The Board will do a final review of the letter prior to mailing.

**Baptist Building - Memorandum of Understanding**

Lauri took the lead on the Memorandum of Understanding between the First Baptist Church (by and through its duly authorized Trustee) and the Town of Fairfax. A 40 year title search has not been performed as previously thought, so we will obtain services to have that performed.

Changes to the MOU: Added - *Right of Reverter*:, section 2, page 2 of 2: Should the building and premises cease to be utilized by the Town as a community center as defined in the MOU, the land and premises, including improvements and fixtures affixed, shall be deeded back to the Church. The Town shall be responsible to provide marketable title (and extinguish any liens or encumbrances that would be a cloud on title at the time of transfer).

*Reserved Use by Church*: Section 3, page 2 of 2: the Hunter's breakfast, monthly Mason meetings and Chicken Barbeque were crossed out on the document.

Tom signed the MOU, dated October 19, 2015, on behalf of the town.  
Margaret H. Gilbert, Trustee, signed on behalf of the First Baptist Church.

**Other Business:**

1. Two access permit applications have been received for HV0230, Lots 2&3 and Lot 4. Recommendations from the Road Foreman, D. Jay Leach were reviewed as well as approval from David Raymond, Battalion Chief, Fire Department given.  
Action: Randy motioned to accept the APA for HV0230, lots 2&3; seconded by Lauri. Motion so moved, vote 4-0. Randy motioned to accept the APA for HV0230, lot 4; seconded by Lauri. Motion so moved, vote 4-0.

10.19.15 Other Business Cont.:

2. A liquor license application fee discussion ensued on whether or not to refund an application fee. By consensus of the Board the decision made was to *not refund* the fee to the applicant in regards to parcel MA0951 due to the man hours spent in processing the application.

3. A Sewer Allocation application has been received for property located at MA1140. The application had been submitted previously and approved under a different name. Under the town's regulations it states, if the property changes ownership, the allocation does not go to the new owner automatically and the new owner would have to reapply. The Board by consensus agreed to approve the application and signed the final approval.

4. A letter from Deb Woodward, TC & Treasurer asking for approval from the Board to hire Johanna Blake to assist in collecting and processing the 2015 property tax payments. The Board approved the request at \$16.50 per hour for Friday, November 13<sup>th</sup> and Monday, November 16<sup>th</sup>.

5. An email from Amber Soter clarifying her Zoning Administrator's position was reviewed. Full-time status begins Monday November 30, 2015 (32-35 hours per week) with benefits as outlined in the Employee Policy. Amber declined the health benefits at this time.

**Amy Sears, Utility Manager and Skip Taylor, Zoning Administrator**

Amy asked the Board to go into executive session to discuss a sensitive issue involving the Utility Department with pending litigation.

Motion to Enter into Executive Session:

Leebeth motioned to enter into executive session at 8:02 pm., for the purpose of discussion on a legal matter involving the Utility Department. Randy seconded the motion. The motion - so moved; vote 4-0.

Motion to Exit Executive Session:

Leebeth made the motion to exit executive session at 8:42 pm., seconded by Randy. The motion - so moved; vote 4-0. No action taken.

Board Ending Comments: Lauri reviewed with the Board what transpired from the employee meeting held on Tuesday October 6, 2015. Tom set a date of November 17<sup>th</sup>, a Tuesday, at 6:30 p.m., to begin the 2016 budget meetings.

**Adjourn:**

\*Leebeth made the motion to adjourn the meeting at 9:25 pm., seconded by Lauri. Motion so moved 4-0.

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

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Tom Fontaine, Chair  
Fairfax Selectboard

TF/sw