

**Town of Ferrisburgh
Selectboard Minutes
May 20, 2014**

Members present: Jim Benoit, Steve Gutowski, Loretta Lawrence (chair), Sally Torrey, Jim Warden

Town officials present: Gloria Warden, town clerk; Garrit Smits, town treasurer

Visitors present: Judy Chaves, Carl Cole, Betsy Etchells, Craig Heindel, Rayne Herzog, Judie Jerger, Bob McNary, John Medenwald, Mike Muir, Linnea Oosterman, Robert Peisch, Bessie Sessions, Monica Tupper

1. Call to order

Chair Loretta Lawrence called the meeting to order at 6:30 p.m.

2. Approve minutes

Monica Tupper asked that a comment attributed to her, on the subject of town employee evaluations, be removed from the minutes of May 6.

Sally Torrey made a motion to approve the minutes, with the comment from Monica Tupper removed. Jim Benoit seconded. All voted in favor. MOTION PASSED.

3. New Business

(a) Jean LaCroix was scheduled to appear to ask for permission to use town roads for the VT & NH States Time Trial Championships and Lake Champlain Bikeways Discovery Ride on July 19. He did not attend the meeting and the board was told that the event is being relocated, after issues were raised in several of the towns involved.

(b) Nick Patch attended the meeting to discuss the speed limit study completed by the Addison County Regional Planning Commission on a 0.6-mile stretch of Old Hollow Road, from Mt. Philo Road to 400 feet east of Four Winds Road. The resulting traffic engineering report recommends that the speed limit on this stretch of road be reduced from 35 mph to 30 mph. The report was submitted first in October 2013 and updated in May 2014. Craig Heindel asked the selectboard to put approval of the change on the agenda for its next meeting, on June 3. The selectboard agreed to do so.

(c) Judith Jerger reported to the board on material used to resurface Shellhouse Mountain Road. She said the crushed stone is tough on vehicles, creating lots of black dust and damaging tires with its sharp edges. Steve Gutowski and Jim Benoit agreed that the material did not create a good road surface and will follow up with road foreman John Bull.

(d) Town treasurer Garrit Smits presented a new credit card policy for the town. The town credit card, with cards issued to Smits (\$500 limit) and road foreman John Bull (\$2,000 limit), is

designed to provide more flexibility and timeliness in purchasing decisions, and reduce expense reimbursements to town employees.

Sally Torrey made a motion to approve the credit card policy. Jim Benoit seconded. All voted in favor. MOTION PASSED. All five selectboard members signed the new policy.

4. Selectboard Old Business

(a) Carl Cole reported on the latest developments in the effort to refurbish the town's Union Meeting Hall. With six weeks left in the fiscal year, he thinks it might be possible to complete the electrical work and painting, previously estimated to cost a total of \$7,600, by June 30. Some other parts of the project, including work on the entrance to make the building handicap-accessible, may have to wait for the next fiscal year. Jim Warden made a motion to authorize Carl to see if he can get the electrical and painting work completed this fiscal year, at the quoted prices. Seconded by Sally Torrey. All voted in favor. MOTION PASSED.

(b) Garrit Smits reported on an estimate the town received from a vendor for replacing the town office's server and other computer hardware and software. He said that the current server was six years old, now out of warranty, and that four or five years was a normal lifespan. The quote from Top Floor, a vendor in Middlebury that the town has been working with for some years, was \$11,732.22. All of the hardware could be purchased with funds in this fiscal year's budget, and the installation costs would be handled after the new FY begins, with money in next year's budget.

Judith Jerger asked whether the project had been put out to bid, and Garrit said it had not, given the long-standing relationship with the current vendor, and research he had done online that confirmed the prices were competitive. Selectboard members agreed that it would be a good idea to get quotes from other vendors before making the purchase, and suggested receiving several bids on all major expenses should be standard operating procedure. Garrit said that there was certainly enough time between now and the end of the fiscal year to make that possible, and that he would do so.

(c) Garrit Smits presented the latest version of an Undesignated Fund Balance Policy for the town. A previous draft, presented at the last meeting, had been reviewed by the town's auditors, and tweaked slightly. The auditors had suggested keeping 60 days of operating expenses on hand, but the selectboard decided 30 days (about \$139,000) was enough, given the town's predictable cash flow. Sally Torrey made a motion to accept the policy as presented. Seconded by Steve Gutowski. All voted in favor. MOTION PASSED.

(d) Steve Gutowski presented a second draft of a town traffic ordinance, primarily concerning parking restrictions on town roads, abandoned vehicles, and requirements for special events (bike rides, marches, etc.) that use town roads. He suggested that a logical next step would be to have a formal review of the ordinance by the Vermont League of Cities and Towns. VLCT estimates this would involve about three hours of work, at \$80 per hour.

Sally Torrey made a motion to ask the VLCT to review the document, spending no more than three hours. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Town clerk Gloria Warden reported that a supply of ticket books and return envelopes to be used in enforcing the ordinance could be purchased from a vendor in Bridport for \$323.80.

(e) The board voted at its previous meeting to pursue discussions with Clark Hinsdale III about Ferrisburgh purchasing a 2.2-acre parcel that Hinsdale owns, near the town hall, which borders town and school district property. Steve Gutowski thought the best way to pursue this would be to appoint a committee, and the board agreed to reconstitute the town Facilities Committee for this purpose.

(f) Steve Gutowski reported on his discussions with the Addison County Solid Waste District, requesting a reduction in fees to assist with the removal of the Hawkins burned-out building on Route 7 in Ferrisburgh Center. The town had asked for a reduction in the tipping fee from \$123 a ton to \$90 a ton, but a vote of the ACSWD towns had gone 11-9 against the request. Craig Heindel from the Conservation Commission said that there is a “brown fields” program that makes it possible for state and federal money to be used in cleaning up potentially contaminated sites, particularly those that might have potential to be re-developed and have a “second life.” Craig said he would look into the possibility and report back.

(g) On the proposal to hold a Ferrisburgh “Good Neighbor Day,” supported by the board at its previous meeting, the board asked Gloria Warden to set up a meeting on June 12 at 6:30 p.m. at the town hall, and invite town boards and commissions to send representatives, in the hope of gathering ideas and creating a Good Neighbor Day committee. Other interested residents will also be invited to attend the meeting, via Front Porch Forum and other channels.

(h) There was a discussion about the work being done to mow various pieces of town property, including the land around the town offices and several town cemeteries. The consensus of those who have visited the properties is that the work has not been done to the specifications set out in the contract with the vendor. A first payment is due to the contractor this month, and the board directed that a letter be sent with the check, saying that there will be no further payments if the terms of the contract are not met. The board asked Gloria Warden to draft the letter.

(i) The Green Mountain Getaway MS Ride had previously requested that the board approve use of the town roads on August 2. The board put off action until guidelines for bike rides using town roads could be developed. A form letter including the guidelines was approved at the May 6 meeting. Steve Gutowski made a motion that the board grant the request from the Multiple Sclerosis Society and use the new form letter in sending notice of the approval to the organization. Seconded by Sally Torrey. All voted in favor. MOTION PASSED.

(j) The Kelly Brush Foundation has asked for permission to use town roads during the Kelly Brush Century Ride on September 6. Steve Gutowski made a motion that the board grant the request from the foundation, and use the new form letter in sending the notice of approval. Seconded by Sally Torrey. All voted in favor. MOTION PASSED.

5. Selectboard General Business and Correspondence

(a) The town received notice of an application for a Vermont Wetland General Permit, for replacement of a railroad culvert by the Vermont Agency of Transportation at railroad milepost 99.10, between South Middlebrook and Monkton roads.

(b) Per the board’s decision at its May 6 meeting, Garrit Smits sent a letter to property owner Bernard Dam, informing him that the town would be charging him \$144, the cost billed to the town by the Vergennes Fire Department for fighting a fire that resulted from an unpermitted burn

on Dam's property. Garrit reported that he had spoken with Bernard Dam about the bill, and that Dam had agreed to send a check.

(c) The new form letter for cycling events on town roads was sent to Vermont Cares, approving the organization's bike event on June 14.

(d) The town received a report from the Vermont Department of Environmental Conservation on the discovery, preliminary clean-up and plans for future work at the site of a leaky, 500-gallon underground storage tank that had been used for heating oil. The tank, on land off South Middlebrook Road, was removed and contaminated soil stockpiled at the site for future disposal. The water supply line for the residence was found to run directly through the contaminated area, and will need to be re-routed.

(e) The town received a notice from the Vermont League of Cities and Towns about a Spring Planning and Zoning Forum on June 4 at Lake Morey Resort in Fairlee.

6. Public Comment

Carl Cole said he remained concerned about the roof of the town hall, given the rusty appearance on the south side, in particular, and the fact that a slate had recently fallen off. He said that there should not be rust appearing on a three-year-old roof, suggesting that there is a problem with either the slates or the fasteners or both. He spoke with an architect friend, who directed him to a "slate guru" from Fair Haven. He said he would e-mail photos of the roof and see if he could get some advice. Members of the board and the public thought Bread Loaf Corporation, the general contractor, should be approached about this issue, and about problems cropping up with a stone retaining wall. Carl said there were also some issues with the shiplap siding on the north side of the building, but he described those as routine maintenance.

Mike "Red" Muir asked about the progress in resolving a boundary issue regarding the Union Meeting Hall property. Loretta Lawrence said that she felt the issue was close to being resolved. She couldn't talk in detail because of ongoing litigation, but felt that things were looking positive.

7. Selectboard to Approve or Sign

(a) Rayne Herzog met with the board about a paddle-bike-run triathlon that his company, RaceVermont, is expecting to organize as a benefit for the Lake Champlain Maritime Museum. The event on August 2 would start with a 2-mile canoe or kayak paddle nearly across Lake Champlain and back, followed by an 11-mile bike ride on Ferrisburgh roads (Basin Harbor Road to Pantown Road to Button Bay Road) ending back at the museum, then an out-and-back 3.1-mile run on Schoolhouse Road. Herzog said he hoped there would be between 50 and 100 competitors. No roads would need to be closed, but there would be traffic control at intersections. The fees for the first 30 racers would cover the organizing costs, and all fees collected above that would go to LCMM. Jim Warden made a motion to approve the event. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(b) Vermont Elevator Inspection Services, which inspects the town hall elevator each year, suggested that the town could lock in the current annual price of \$175 by signing up for a two- or three-year contract. Sally Torrey made a motion that the town sign up for a three-year contract at \$175 per year. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(c) Linnea Oosterman wants to use the upstairs community room in the town hall for a two-hour family event in June. She asked that the rental fee be waived since she and her family are longtime residents of Ferrisburgh. She had already paid a refundable security deposit. The board said that it was not willing to waive the fee, \$100 per hour, since the fee had been paid for other private events involving longtime residents. Sally Torrey made a motion to approve the rental of the hall for two hours for \$200. Jim Warden seconded. All voted in favor. MOTION PASSED.

(d) Selectboard warrants: Sally Torrey made a motion to approve warrants for a total amount of \$70,420.49, and include the letter discussed earlier with the check that goes to the mowing contractor. Jim Benoit seconded. All voted in favor. MOTION PASSED.

8. Other Business

Sally Torrey said she had spoken with Rachel Beauregard of the Vermont Agency of Transportation whose job includes giving advice to towns and cities on roads, and felt that she could be helpful in evaluating how Ferrisburgh is doing with some of its road projects.

9. Culvert Litigation Issue (Executive Session)

Sally Torrey made a motion that the board go into executive session at 8:52 p.m. to discuss litigation. Seconded by Jim Warden. All voted in favor. MOTION PASSED.

Jim Warden made a motion to leave executive session at 9:08, seconded by Jim Benoit. All voted in favor. MOTION PASSED.

No action taken.

10. Adjournment

The meeting was adjourned at 9:08 p.m.

Respectfully submitted,

Tim Etchells