

**Town of Ferrisburgh
Selectboard Minutes
September 16, 2014**

Members present: Jim Benoit, Steve Gutowski, Loretta Lawrence, Sally Torrey, Jim Warden.

Town officials present: Gloria Warden, town clerk; Garrit Smits, town treasurer; Ken Wheeling, zoning administrator/planning coordinator.

Visitors present: Carl Cole, Amy Dohner, Jaimeelyn Gaboriault, Bernie Loven, Bob McNary, Red Muir, Robert Peisch, Bessie Sessions, Jean Silveira, Nadia Smith, Charlene Stavenow, Monica Tupper.

1. 6:30 p.m.

Loretta Lawrence called the meeting to order at 6:30 p.m. The board was asked to amend the agenda to include approval of minutes for the board's special meeting on September 9, 2014. Jim Warden made a motion to amend the agenda. Jim Benoit seconded. All voted in favor. MOTION PASSED.

2. Approve minutes

(a) Sally Torrey made a motion to approve the minutes of September 2, 2014, with one correction: An item on a correction to the town's Grand List should have referred to property on Four Winds Road owned by Elizabeth Patton and John Silas Towler. Elizabeth Patton's name was omitted from information submitted by the town listers. Jim Warden seconded. All voted in favor. MOTION PASSED.

(b) Jim Benoit made a motion to approve the minutes of September 9, 2014, with one correction offered by Loretta Lawrence: One paragraph in section 3 should be amended to read as follows: "Jim Benoit made a motion to pursue Neil Allen to work for the town road crew. Steve Gutowski seconded. Jim Benoit, Steve Gutowski, Sally Torrey and Jim Warden voted in favor. Loretta Lawrence voted against."

3. New business

(a) Health officer — request for appointment — Jaimeelyn Gaboriault. Jaimeelyn Gaboriault wrote to the board asking to be considered for the position of town health officer. A lifelong resident of the town, she has for several years served as the town's animal control officer. At the meeting, she said she had spoken about the job with Robert Peisch, who stepped down as health officer earlier this year after six years. Sally Torrey made a motion to appoint Gaboriault to a three-year term as health officer, effective October 1, 2014. Jim Warden seconded. All voted in favor. MOTION PASSED. Robert Peisch will stay on as deputy health officer. Loretta Lawrence praised the job that Peisch had done as health officer and thanked him for his years of service to the town.

(b) Conservation Commission — request for appointment — Amy Dohner. Amy Dohner wrote to the board to express her interest in serving on the Ferrisburgh Conservation Commission. A North Ferrisburgh resident since 2012, she previously lived in Huntington, where she served on that town's conservation commission for five years, and on the Huntington Historical and Community Trust and the Town Hall Renovation Committee. Steve Gutowski made a motion to appoint Amy Dohner to a four-year term on the Ferrisburgh Conservation Commission. Sally Torrey seconded. All voted in favor. MOTION PASSED.

4. Old business

(a) Bread Loaf — discuss plan of action for building. Steve Gutowski presented a note about a meeting with Bread Loaf Corporation concerning issues with the town hall. Bread Loaf has agreed to provide a lift and coordinate repair work on the roof slates in October, and provide a carpenter at the same time to work on siding on the north wall and other issues. Also in October, while the lift is on site, Bread Loaf will examine the chimney cap, which appears to be rusting. Bread Loaf said a structural engineer examined the stone walls flanking the front entrance, and found that they are bowing, but are not in jeopardy of failing. Bread Loaf has agreed to monitor the walls annually, and effect repairs if there is a danger of failure. Carl Cole asked whether the work on the roof would include cleaning up the slates that are not faulty but have been stained by rust. Steve Gutowski said he would be in touch with Bread Loaf to get clarification on this and some other questions that arose. Carl Cole also suggested that the newly-named committee on town hall maintenance be involved in monitoring the work done.

(b) Nadia Smith — Friends of the Grange Hall — discuss remaining available funds and sound system. Nadia Smith reported on the finances of the Friends of the Grange Hall, saying that \$2,300 has been set aside for a sound system for the upstairs hall. She pointed out that only \$203.65 in spendable funds would then remain in the organization's account, while the sound system has been estimated to cost just over \$10,000. Carl Cole said that it might be possible to phase in the purchase of the sound system. A fundraising campaign for the system has also been suggested at past selectboard meetings.

(c) Carl Cole — lister changes to Grand List. Carl Cole reported on two corrections to the town's Grand List submitted by town listers for board approval:

Sally Torrey made a motion to approve a correction to the listed value of property owned by David Shlansky on Satterly Road, from \$1,542,900 to \$1,544,300, based on a recalculation that added 2.7 +/- acres to the previous acreage for a total of 539.82 +/- acres. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Jim Warden made a motion to approve a correction to the listed value of property owned by the Allendale Farm LTD Partnership on Jersey Street from Current Land Use value of \$358,000, with a Grand List value of \$440,700, to a corrected Current Land Use value of \$490,600, with a Grand List value of \$308,100. The correction is due to a farm labor house that is now enrolled in the state's Current Land Use Program. Sally Torrey seconded. All voted in favor. MOTION PASSED.

(d) Ferrisburgh Day — September 20, 2014 — final update. Town clerk Gloria Warden showed the board a long list of things that still need to be done to get ready for Ferrisburgh Day, but said preparations were on schedule. Warden and board members said they hoped everyone would be able to attend the event, which is being held at Charlie and Deanna Shapiro's barn on Robinson Road from 3-7 p.m.

(e) CrossRoads Chapel — certificate of liability insurance. CrossRoads Chapel, which is negotiating a lease agreement with the town on the Union Meeting Hall, sent the town a certificate of liability insurance, as requested by the board at its September 2, 2014, meeting. The organization reported that a leak had been discovered in the roof of the building, and Carl Cole, who helped the town coordinate recent renovation work, volunteered to take a look.

(f) Division of Fire Safety — town hall exit doors — results of requested inspection. After George Gardner brought a possible issue with the front doors of the town hall to the attention of the board at the September 2, 2014, meeting, the board agreed to look into the matter. The town asked the Division of Fire Safety of the Vermont Department of Public Safety to conduct an inspection. The inspector determined that both sides of the front door do not need to be open when the building is occupied, but that one required exit door is in need of maintenance so that it will swing freely. The inspector also suggested a sign and/or gate on the stairwell near the elevator on the first floor that says that stairwell is not an exit.

5. Selectboard general business

(a) Vermont Life Safety LC — annual alarm test and inspection report. The town received a report on, and a bill for, an inspection performed by Vermont Life Safety on the town hall. Board members questioned the need for the inspection, noting that the town hall had been inspected recently, and asked for more information. [See also “Selectboard warrant,” section 7. (e), below.]

(b) Carl Cole — Velco — update. Carl Cole reported that Vermont Electric Power Co. (Velco) has agreed to pay Ferrisburgh back municipal property taxes on Velco property in town that the company had erroneously assigned to Shelburne for the past five years. Cole said that Velco had agreed to pay the municipal tax bill for those years on property in Ferrisburgh, and in several other towns, plus 5 percent interest. He suggested that the board agree to accept that payment, as long as Velco was not paying higher interest rates to any of the other towns. (See action item under section 8. Other business.)

6. Public comment

Red Muir, named to the town hall maintenance committee, said that while he was happy to serve on the committee, his work schedule prevented him from being able to chair or organize the group. Town clerk Gloria Warden said she would set up an organizational meeting for the committee. Jim Warden said it would be a good idea for the selectboard to provide more direction to committees when they are first appointed.

Muir also said he had looked over additional work done on the upstairs town hall air conditioning project, and still had some concerns that he wanted to discuss with the contractor before the town paid the final bill.

Bessie Sessions asked about the status of the town highway garage project. Steve Gutowski said that there had been a hold-up involving state questions about sprinkler system requirements. Gutowski said the crew doing the foundation work was ready to go; Jim Benoit reported that John Bull said work could begin as soon as next week.

Carl Cole reminded the board about the estimate he had received for a system to prevent slates from falling off the roof of the town hall. The Alpine Snowguards system, built in Morrisville, Vt., would cost about \$3,000 for materials, and he suggested that if the town did want to install this, it would be best to do it when Bread Loaf brought the roof contractor back to the building for slate work in October. Steve Gutowski said he would contact the roofing contractor about this.

Carl Cole had an update on the property owned by Clark Hinsdale III that abuts town and school property, and which the town hopes to purchase, if approved by a town vote. He said the town’s attorney had suggested that it would not be appropriate for the town to vote in November on a purchase that was predicated on the sale to Denecker Chevrolet of property at the junction of Routes 7 and 22A, when that sale might not be completed at that time. A brief discussion ensued, during which board members and visitors said they hoped that the town would acquire the Hinsdale property, but that a town vote might not be possible until town meeting in March 2015. It was also suggested that the money from the pending Velco settlement [see 5. (b), above] might be used for the purchase.

Red Muir said that it was encouraging that Bread Loaf Corp. was willing to take care of the problems that have been identified with the town hall.

On behalf of the town’s taxpayers, Bob McNary thanked Carl Cole and appraiser Justus DeVries for their work in pursuing a settlement with Velco. In light of recent adoption of a town parking ordinance

and discussion of noise and open-burning ordinances, McNary said the town needed to be careful not to create ordinances that it could not enforce.

7. Selectboard to approve or sign

(a) Go America Go Beverages, d/b/a WhistlePig Whiskey application for a special event permit. Jim Warden made a motion to approve a special event permit for Go America Go Beverages, for an event at the Basin Harbor Club golf course on September 25, 2014, from noon to 5 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(b) Sugarsnap LLC application for a catering permit. Sally Torrey made a motion to approve a catering permit for Sugarsnap for a wedding at Kingsland Bay State Park on October 11, 2014, from noon to 5:30 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(c) Otter Creek Natural Resources Conservation District — upstairs hall rental — Tuesday, October 14, 2014, noon to 2 p.m. Sally Torrey made a motion to approve rental of the upstairs hall to OCNRCDC on October 14, 2014, from noon to 2 p.m., waiving the rental fee for this non-profit community group, but requiring the usual \$500 refundable damage deposit. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(d) Round Barn Farm Homeowners' Association — upstairs hall rental — Sunday, November 9, 4-6 p.m. Jim Warden made a motion to approve rental of the upstairs hall to RBFHA on November 9, 2014, from 4-6 p.m., waiving the rental fee for this non-profit community group, but requiring the usual \$500 refundable damage deposit. Sally Torrey seconded. All voted in favor. MOTION PASSED.

(e) Selectboard warrant. Sally Torrey made a motion that the board approve the warrant, which details town expenditures, for a total of \$1,573,833.34, withholding payment of \$609.60 to Vermont Life Safety until more information could be gathered on that company's recent inspection of the town hall. Steve Gutowski seconded. Jim Benoit, Steve Gutowski, Loretta Lawrence and Sally Torrey voted in favor. Jim Warden did not vote. MOTION PASSED.

8. Other business

Town clerk Gloria Warden noted that the board has a meeting scheduled at 6:30 p.m. on November 4, 2014, which is election day. She asked if the board wanted to reschedule its meeting. After a brief discussion, the board decided not to reschedule.

Bernie Loven, who is disputing a zoning board ruling that he is in violation of town bylaws by operating a junkyard, asked the board to formally accept his petition calling on the board to repeal any town laws governing junkyards. He also sent a note to zoning administrator Ken Wheeling asking him to consider whether the town, and selectboard chair Loretta Lawrence, should be found in violation of the bylaws for operating a junkyard at the town highway garage, where he said the road crew collects and hauls away scrap metal. Loretta Lawrence said that the board had accepted Loven's petition as an advisory petition. Board members pointed out that the bylaws could not be changed until a new town plan was put in place, and that a petition to change the bylaws would need to be submitted to the planning commission.

Sally Torrey made a motion to have the board approve a settlement with Velco over property taxes that included the municipal taxes owed plus 5 percent interest, as long as Velco did not agree to pay other towns higher interest rates. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Jim Warden reported on a survey he had conducted of Addison County towns and their level of satisfaction with services offered by the Addison County Sheriff's Department. He said he had found

several towns that were unhappy with the department, and suggested that the selectboard discuss other possibilities for local law enforcement at a future meeting.

9. Correspondence

(a) TDI New England — New England Clean Power Link Project. The town received a letter and brochure from TDI New England describing an electrical transmission project designed to bring hydroelectric power from Canada to Vermont and other New England states. The proposed transmission line would run underwater for most of the length of Lake Champlain and then underground from Benson, Vt., to Ludlow, Vt. TDI has offered to brief Ferrisburgh and other lakeside towns on the proposal.

10. Personnel - Charlene Stavenow and Ken Wheeling (board may go into executive session).

At 8:45 p.m., Steve Gutowski made a motion to have the board go into executive session to discuss personnel matters, inviting Charlene Stavenow and Ken Wheeling. Jim Warden seconded. All voted in favor. MOTION PASSED.

At 9:26 p.m., Jim Warden made a motion to leave executive session. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Steve Gutowski made a motion to relieve Chet Hawkins as minute-taker for the Ferrisburgh Zoning Board, effective immediately. Jim Benoit seconded. All voted in favor. MOTION PASSED.

11. Adjournment

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Tim Etchells