

**Town of Ferrisburgh
Selectboard Minutes**

April 4, 2017

Members present: Jim Benoit, Rick Ebel, Steve Gutowski, Loretta Lawrence, Michael “Red” Muir.

Town officials present: Pam Cousino, assistant town clerk and assistant town treasurer; Gloria Warden, town clerk.

Visitors present: Paige Betten, Carl Cole, Jared Danyow, John Eisenhardt Jr, Duncan Harris, Craig Heindel, Jeanne Kelly, Bessie Sessions, Monica Tupper.

1. 6:30 p.m. Regular meeting — call to order.

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

2. Approve minutes —March 21, 2017.

Rick Ebel made a motion to approve the minutes of March 21, 2017, as presented. Jim Benoit seconded. Jim Benoit, Rick Ebel, Steve Gutowski, and Loretta Lawrence voted in favor. Red Muir abstained. MOTION PASSED.

3. Selectboard new business

(a) Duncan Harris — Kingsland Company — proposed renewal of listing agreement for town property at corner of US Route 7 and Route 22A. Duncan Harris informed the board that he feels there has not been much demand for this acreage due to Criteria 9L, a part of the Act 250 law designed to prevent sprawl and strip development in rural growth areas of Vermont. He stated that he discussed this issue with Diane Snelling, a member of the Agency of Natural Resources. Steve Gutowski made a motion to extend the listing agreement for the land located at the corner of US Route 7 and Route 22A with Kingsland Company, for a period of one year, expiring April 5, 2017. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(b) Paige Betten — animal complaint. Paige Betten spoke to the board about free roaming pigs and goats, owned by Chris and Genevieve Potter, which come on her land almost daily and destroy her personal property. Paige has tried to resolve this problem with the Potters by sending a registered letter to them. Jared Danyow, Paige’s tenant, has spoken several times to Chris Potter. The Potters have not made any attempt to correct the situation. Jared called the State Police, who referred him to the Addison County Sheriff’s Department, who has yet to return his call. After further discussion, Loretta Lawrence suggested that Paige and Jared contact Sargent Bruce Nason at the Addison County Sheriff’s Department. Loretta will also call Sargent Nason.

(c) Town Plan — set date for first selectboard hearing for Town Plan. Rick Ebel made a motion to set May 9, 2017, at 6:30 p.m. as the date of the first hearing. Red Muir seconded. All voted in favor. MOTION PASSED.

(d) Rayne Herzog — Race Vermont — July 8 and August 5, 2017. Rayne did not show up to speak on behalf of his request. This item was tabled. The board has always asked all bike requests to be represented by a spokesperson. Discussion ensued about the town’s position regarding races versus charity rides on town roads. Loretta Lawrence reminded the board that the Vermont Senior Games was denied use of town roads for a race because of resident complaints following the organization’s

previous race. She stated that the board should be consistent with how they handle “races” verses charity rides. Steve Gutowski commented that as the year progresses, more and more organizations use town roads that have nearly the same routes, continually impacting the same residents. He suggested that a date be set in the spring to receive requests from all parties wishing to use town roads for rides or races. Loretta stated that this could be a possibility, but who would research the ride requests and who would coordinate the undertaking.

4. Selectboard old business

(a) Discussion of security cameras. Steve Gutowski shared with the board details of a security camera system, used at Point Bay Marina, which uses Wi-Fi to call your cell phone if any sensors are tripped. After discussion, Steve agreed to contact George Gardner, owner of George’s Locks and Security, and Gordon Mishkit, owner of Advanced Construction and Audio Visual Company, for quotes.

5. Selectboard general business

(a) Building maintenance committee — Carl Cole. Carl stated that as of this budget, another \$30,000 would be added to the current \$30,000 line item for building. Although the funds are to be used for all properties, the committee was formed for the purpose of maintaining the town offices building. He suggested creating a central committee to handle the maintenance of all town buildings, and to add additional members who are already handling maintenance of certain buildings. In addition to Carl, the current members include Bob Jenkins, Red Muir, and Silas Towler. Jim Benoit made a motion to change the current job description of the building maintenance committee to include all town buildings. Steve Gutowski seconded. All voted in favor. MOTION PASSED. Road Foreman John Bull and Fire Chief Bill Wager of the Ferrisburgh Fire Department will be asked to join the committee. Carl Cole commented that the revised committee will be required to warn meetings and keep minutes.

(b) Vermont Green Line (VGL) Committee update. Craig Heindel, chair of the town’s VGL Committee, announced that on April 10, 2017, at 8:00 a.m. the committee will meet at the town offices with the town’s attorneys for this project (Jim Carroll and Ben Marks) and Dave Marshall, the town’s consulting engineer, mostly in executive session, to finalize the draft Host Town Agreement (HTA) and the draft Section 1111 Town Roads Right-of-Way Use permit. The documents will then be sent to Vermont Green Line Devco, LLC’s attorney.

Craig informed the board that the Vermont Department of Public Service (DPS), which is charged to work on behalf of ratepayers, offered to hold a public informational meeting to explain the role it plays in Public Service Board proceedings. The committee suggested holding a combined meeting, which would include a presentation by National Grid about the project. Not only will this allow the public to learn about the DPS’s role but also to hear an update about the project, and [to] ask technical and legal questions of National Grid. A date is being worked out by the parties involved; the committee is hoping that the meeting would be in the evening on a weekday in late April or May.

When the selectboard decides that both the “finale draft” HTA and the Section 1111 Town Roads Right-of-Way Use permit are ready to go to the public, there will be warned public hearings, either regular or special meetings, before either document would be officially signed by the selectboard.

Craig reported his understanding from National Grid documents that the approximate start date for the project is late 2019. This schedule may be delayed if other permits, such as state environmental ones, have not been issued prior to the PSB technical hearings in mid-November 2017, or if other delays arise.

The board thanked the VGL committee for its continuing work.

(c) Authorize designated representatives for Vermont Green Line (VGL) project in Public Service Board (PSB) hearings. Craig Heindel, chair of the town's VGL Committee, informed the board that the two attorneys (Jim Carroll and Ben Marks) representing the town's interest in the VGL project have asked that the selectboard appoint two official witnesses to represent the town in the PSB proceedings about the VGL project. After discussion, Rick Ebel made a motion to designate Road Foreman John Bull and Craig Heindel as witnesses representing the town, at the pleasure of the selectboard, in all matters requiring testimony before the Vermont Public Service Board in Docket 8847, until their resignation or removal. Red Muir seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski abstained. MOTION PASSED.

(d) Discussion regarding ordering procedures in clerk's office. Jim Benoit expressed his concern that a warranted item—a large metal bookshelf from Larson Metal Manufacturing specifically designed to hold land record books—was not brought to the board in advance of purchase. Pam Cousino and Gloria Warden both spoke about this purchase and agreed that it should have been discussed and approved by the selectboard in advance. Pam Cousino remarked that part of the funds for this expensive purchase will come from the non-budget land record restoration fund and the other funds for the purchase will come out of the budget item for land record purchases. The shelving unit, the only kind that will link to the current shelving, holds 96 volumes or approximately eight to 10 years of land records. Jim thought this expense was for the plastic pallets ordered to keep records stored in the basement off the floor, since that was the only purchase the board had authorized.

(e) Rail crossings project agreement. After discussion, this item was tabled by Loretta Lawrence. The contract is still being discussed by all parties involved.

(f) Recording backlog. Gloria Warden talked about the need for extra help to clear up the backlog of land records, deeds, liens, mortgages, etc. After a lengthy discussion, Rick Ebel made a motion to authorize up to 20 hours of overtime for Pam Cousino to work on the recording backlog. These hours are to be done after hours, preferably on a couple of Saturday mornings—as suggested by Pam. She is to report back to the selectboard in 30 days: May 2nd regular board meeting. Motion was seconded by Jim Benoit. MOTION PASSED.

6. Public comment

Monica Tupper asked if and when the outside auditor would be coming to review the treasurer's books. Loretta Lawrence said that Deb Healey, town treasurer, had stated that RHR Smith and Company would be coming on Thursday, April 6th, 2017, to do the audit. Loretta stated that Julie Lomond will be the auditor.

7. Other business

Loretta Lawrence announced that the first public hearing for the proposed Town Charter will be April 10, 2017, at 6:30 p.m. in the upstairs community hall.

8. Correspondence

(a) Act 250 — regarding De Vos JSCL, LLC. The town was copied on a letter from Geoffrey W. Green, district coordinator for Act 250 for Addison County, stating that since the construction of a commercial facility does not constitute a development, no Act 250 permit is needed.

(b) Thank-you letter from Counseling Service of Addison County. The town received a letter thanking the board for approving the organization's request for funding.

c) Letter from town to Prevent Child Abuse Vermont. Loretta Lawrence sent a letter to the organization detailing the process for requesting funds from the town.

9. Selectboard to approve or sign

(a) Basin Harbor Club — 2017 liquor license renewal applications. After review, all 2017 liquor licenses were renewed.

(b) Village Tavern — 2017 liquor license renewal applications. After review, all 2017 liquor licenses were renewed.

(e) Selectboard warrant. After review, Steve Gutowski made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$22,001.76. Red Muir seconded. All voted in favor. MOTION PASSED.

10. Atkins Farm Road Association membership (probable executive session). Red Muir made a motion to go into executive session at 8:30 p.m., stating that the selectboard finds that premature general public disclosure of attorney/client correspondence regarding Atkins Farm Road Association membership would put the town at a substantial disadvantage. Jim Benoit seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski voted against. MOTION PASSED.

Red Muir made a motion to go into executive session regarding discussion of Atkins Farm Road Association membership. Rick Ebel seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski voted against. MOTION PASSED.

Respectfully submitted,

Jean Silveira

Jim Benoit made a motion to come out of executive session at 9:00 p.m. Motion seconded by Red Muir. MOTION PASSED.

No action taken.

Loretta Lawrence, Board Chair