

**Town of Ferrisburgh
Selectboard Minutes / DRAFT**

April 18, 2017

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

Town officials present: John Bull, road foreman; Deb Healey, town treasurer; Gloria Warden, town clerk.

Visitors present: Carl Cole, Tim Davis, Craig Heindel, Rayne Herzog, Lincoln Landé, Cliff Mix, Bessie Sessions, Monica Tupper.

Special note: Due to an accident on US Route 7 north of the town offices, the meeting room was illuminated by emergency lighting until the battery packs failed.

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

Loretta Lawrence, chair, called the meeting to order at 6:30 p.m. She asked for a motion to amend the agenda, adding to Old business (b) Red Muir — update on chairs for upstairs community hall. Rick Ebel made a motion to amend the agenda as described above. Jim Benoit seconded. All voted in favor. MOTION PASSED.

2. Approve minutes — April 4, 2017, regular meeting and April 10, 2017, Town Charter meeting.

Rick Ebel made a motion to approve the minutes of the April 4, 2017, regular meeting, as presented. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Rick Ebel made a motion to approve the minutes of the April 10, 2017, Town Charter meeting, as presented. Red Muir seconded. Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Jim Benoit and Steve Gutowski abstained. MOTION PASSED.

3. Selectboard new business

(a) Road Foreman John Bull — highway operations report. John informed the board that he has received a few résumés for the entry-level highway grounds person position. Interviews with the selectboard and John will be May 2, 2017, between 4:00–600 p.m.

John stated that along with cleaning up the cemeteries and removing gravel, the crew is changing out winter equipment for lawn equipment. He commented that May 6, 2017, is Green Up Day. The Ferrisburgh coordinator, Deb Healey, will be working with crew member Reilly LaBerge for the day. John gave preliminary information about extensive tree cutting on Arnold Bay Road, including that on the Ferrisburgh side more than 200 trees (greater than 10” in diameter) were cut down. John said although he did not know why the trees were cut down, he did know that the town had not authorized this work.

(b) Tree Warden Cliff Mix — extensive tree cutting on Arnold Bay Road. Cliff Mix joined John Bull to give further details of the removal of public trees by the Vorstevelds. He stated that by cutting down the trees along Arnold Bay Road without permission from the town or an appointee, the Vorstevelds violated two Vermont Statutes: Title 24 Chapter 67 Parks and Shade Trees and Title 13 Chapter 77 Crimes and Criminal Procedures. After a lengthy discussion, the board asked Road Foreman John Bull to contact the Department of Agriculture for information. Loretta Lawrence will send a registered letter to Hans Vorsteveld asking to cease and desist the tree removal and inviting him to attend the next regular selectboard meeting on May 2, 2017.

(c) Zoning Administrator Ken Wheeling — abandonment of structures. Ken Wheeling presented the facts of a written complaint from Roy and Cheryl Shea regarding two abandoned structures, owned by Frank Spencer, on the east side of the intersection of Button Bay Road and Arnold Bay Road. Ken will send a letter to Mr. Spencer citing that he is in violation of Section 5.1 Abandonment of Structures of the zoning regulations of the town. The board reminded Ken that he was the Zoning Administrator and that he needed to deal with this situation. The board also stated

that if Ken felt that this was truly a violation, then he needed to send a violation notice to the landowner. At this point in time, this discussion did not belong at the selectboard level.

(d) Rayne Herzog — RaceVermont.com — July 8 and August 5, 2017. Rayne Herzog, owner of RaceVermont.com, discussed with the board details of the two events scheduled to take place partly within Basin Harbor Club and partly on town roads. Discussion ensued regarding biker safety and traffic control. Rayne described many aspects intended to ensure rider safety, such as riders cannot draft or ride side-by-side. He plans to reiterate to all riders that they must follow the rules of the road. He said that State Police will be at the intersection of Ferry Road and Panton Road. After further discussion, Steve Gutowski made a motion to approve the use of town roads by RaceVermont.com for two races. Rick Ebel seconded. Jim Benoit, Rick Ebel, Steve Gutowski, and Red Muir voted in favor. Loretta Lawrence abstained. MOTION PASSED.

4. Selectboard old business

(a) Steve Gutowski — security camera update. Steve Gutowski stated that George Gardner, owner of George's Locks and Security, was unable to attend the meeting. Steve continued by saying that Gordon Mishkit's business, Advanced Construction and Audio Visual, does not install security cameras. Steve has invited George to attend the May 16, 2017, regular board meeting to present quotes.

(b) Red Muir — update to information regarding chairs for upstairs community hall. After discussion, the board decided that Red Muir will order one bag of replacement floor protectors for the bottoms of the chairs. The protectors will be tested to see whether or not they will prevent the chairs from scratching the floors.

5. Selectboard general business

(a) Vermont Green Line (VGL) Committee update. Craig Heindel, chair of the town's VGL Committee, said the two attorneys (Jim Carroll and Ben Marks) representing the town sent the town's next versions of the draft HTA and the draft Section 1111 Town Roads Right-of Way Use permit to VGLD's attorney today. The committee feels that the parties are still negotiating in good faith and that mutually-agreeable documents are likely to be achieved eventually. There is a filing deadline on May 5, 2017, for attorney Marks to file some documents with the Public Service Board (PSB) to preserve the town's position to be able to comment in the future on the PSB proceedings.

Craig stated that the additional \$20,000 for the escrow account has been received from National Grid. The balance for the rest of the calendar year is now approximately \$30,000 before two recent invoices are processed (see below).

Craig commented that the date for the public informational meeting with the Vermont Department of Public Service and National Grid has not yet been scheduled. The meeting would hopefully be in the evening on a weekday in late April or May on a date that does not conflict with other uses of the upstairs community hall or with meetings of the various town boards.

Craig explained that the Executive Board of the Addison County Regional Planning Commission (ACRPC) has been authorized by the full commission to negotiate with VGL and to provide written testimony, just like the town is providing, by May 5, 2017. Tim Davis, a member of the Executive Board and one of the town's representatives on the RPC, was present at this selectboard meeting. The selectboard requested Tim reiterate to the executive board of the RPC that they have no position regarding the route of the underwater cable from Lake Champlain to its landfall in Kingsland Bay State Park (whether under Kingsland Bay or Hawkins Bay), and also that the selectboard reiterates its support for the project as being beneficial to the towns of Ferrisburgh, New Haven, and Waltham because these three towns would receive tax revenues and supplemental payments, and also be beneficial to all residents of Addison County and the State of Vermont because of the downward pressure it will create on electrical rates, and because of the improvement in air quality due to the use of renewable electric generation sources rather than

fossil-fuel-based sources.

Craig submitted an invoice approved by the VGL Committee to the selectboard. After discussion, Red Muir made a motion to approve payment of the invoice from the law firm of Carroll, Boe & Pell, in the amount of \$2,677.50 from the VGL escrow account (this account is funded by VGLD, not by the town). Jim Benoit seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski abstained. MOTION PASSED.

Craig submitted a second invoice approved by the VGL Committee to the selectboard. After discussion, Red Muir made a motion to approve payment of the invoice from Civil Engineering Associates, Inc. for \$987.61 from the VGL escrow account. Jim Benoit seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski abstained. MOTION PASSED.

The board thanked the VGL committee for its continuing work.

(The power is still out and flashlights and cell phone lights were brought into action.)

(b) Vermont Route 22A — Desert Storm Veterans Memorial Highway — ribbon cutting ceremony invitation. The town received an invitation to send a representative to the May 20, 2017, event being held in Fair Haven, Vermont, at 11:00 a.m. at American Legion Post 49 at 72 South Main Street.

(c) Lincoln Landé — groSolar — Greenbush Road. Lincoln Landé, project developer, discussed the potential for an up to 5 MW solar project on Clifford Harris' property, in the back fields by the railroad tracks, at the intersection of US Route 7 and Greenbush Road. The solar panels will be on a simple access tracker that follows the sun from east to west. Lincoln gave an informative presentation that included color conceptual site plans comparing the existing landscape with and without the project. A lengthy discussion ensued between Lincoln, the board, and several visitors present regarding various issues, including the following: effect on wetlands, type and use of screening, storm water management, effects on the views of neighboring properties, and free training for the fire department.

Lincoln stated that as a local solar developer, groSolar would be willing to install a small solar project at no cost to the town, as part of building a relationship. Loretta Lawrence commented that the fire department has been considering putting solar panels on the roof of the fire station. In addition, Craig Heindel suggested an educational opportunity for town schoolchildren, something groSolar currently does in other Vermont towns.

Lincoln left the site plans at the town offices, and he suggested that those interested in learning more visit the groSolar project in Panton, Vermont. The main difference between the two projects is that the proposed project on the Harris land will use more advanced technology.

(d) Reappointments

Loretta Lawrence read aloud all appointments of individuals who expressed an interest in continuing in their roles. She stated that advertisements would be placed to fill other positions currently vacant.

- **Health Officer — Jaimeelyn Gaboriault — 3-year term expires 2020.**
- **Addison County Regional Planning — Tim David and Arabella Holzapfel — 1-year term expires 2018 (4 positions).**
- **Fence Viewer — Ronald Kampner and Michael Muir — 1-year term expires 2018 (3 positions).**

- **Conservation Commission — Dennis Armell and Karen Pettersen — 4-year term expires 2021.**
- **Tree Warden— Cliff Mix — 1-year term expires 2018.**
- **Zoning Board — Dave Mentzer and Mike Delaney — 3-year term expires 2020 (2 positions).**
- **Town Forest Fire Warden — Mike Coyle — 5-year term expires 2022.**
- **Town Grand Juror — Betsy Etchells — 1-year term expires 2018.**
- **Town Agent — Bessie Sessions — 1-year term expires 2018.**
- **Planning Commission — Bob Beach — 4-year term expires 2021**

6. Public comment

Gloria Warden remarked that all battery packs for emergency lighting in the town offices building be replaced. Loretta Lawrence stated that she would call Gloria the next morning with more information as to whom she should contact for the battery packs.

7. Other business

There were no items under other business for this meeting.

8. Correspondence

There was no correspondence for this meeting.

9. Selectboard to approve or sign

(a) American Red Cross — hall rental request for blood drive May 3, 2017, from 1:00 to 6:00 p.m. Steve Gutowski made a motion to rent the upstairs community hall to the American Red Cross, waiving the rental fee but requiring the \$500 deposit and proof of insurance. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(b) Saint Michael's College — hall rental request for group meeting on May 2, 2017, from 1:45 to 5:00 p.m. After discussion, Jim Benoit made a motion to rent the upstairs community hall to Saint Michael's College, for the rental fee, the \$500 deposit, and proof of insurance. Rick Ebel seconded. All voted in favor. MOTION PASSED.

(c) Selectboard warrant. After review, Red Muir made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$47,895.58. Jim Benoit seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Rick Ebel made a motion to adjourn the meeting at 8:40 p.m. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira