

Town of Ferrisburgh
Selectboard Minutes / APPROVED
May 15, 2018

Members present: Rick Ebel, Steve Gutowski, Jessica James.

Michael Red+Muir participated electronically for a very brief period of time; severe storms in the Boson, MA, area hindered maintaining the connection.

Absent: Jim Benoit

Town officials present: John Bull, road foreman.

Visitors present: Carl Cole, Danielle Licursi, Bessie Sessions.

1. 5:50 p.m. John Bull — highway department employee reviews (probable executive session).

Members present: Rick Ebel, Steve Gutowski, Jessica James, Michael Muir via telephone

Rick Ebel called the meeting to order at 5:50 p.m.

Jessica James made the motion to go into executive session, at 5:50 pm, for the purpose of discussing highway department employee evaluations and that premature general public disclosure of discussion would put the town/employees at a substantial disadvantage. Motion seconded by Steve Gutowski. All voted in favor. Motion passed.

Jessica James made the motion to go into executive session, inviting John Bull, Road Foreman, to discuss highway department evaluations. Motion seconded by Steve Gutowski. All voted in favor. Motion passed.

Steve Gutowski made the motion to come out of executive session at 6:08 pm. Motion seconded by Jessica James. All voted in favor. Motion passed.

Action taken:

At 6:22 pm Steve Gutowski made the following motion:

Paul Bodington .	increase hourly rate from	\$ 21.75 to \$ 22.40
Aaron Schondube .	increase hourly rate from	\$ 22.65 to \$ 23.30
Reilly LaBerge .	increase hourly rate from	\$ 21.00 to \$ 21.65
Corey Collette -	increase hourly rate from	\$ 18.00 to \$ 19.00
John Bull .	increase hourly rate from	\$ 31.00 to \$ 31.65

Motion seconded by Jessica James. All voted in favor. Motion passed.

Rick Ebel discussed a change in the pay period schedule from weekly to bi-weekly or a 26 week pay schedule. This change would increase efficiency for the treasurer. There will be a reduction of the treasurer's time spent having to print out the checks every week with no additional time added to those weeks when checks will be printed.

Respectfully submitted,
Jessica James, Clerk

2. 6:30 p.m. Regular meeting — call to order.

Rick Ebel, chair, called the meeting to order at 6:30 p.m. He asked for a motion to amend the agenda, adding **4(h) Atkins Farm Association — discussion of possible town membership**. Steve Gutowski made a motion to amend the agenda as described. Jessica James seconded. All voted in favor. MOTION PASSED.

3. Approve minutes — May 1, 2018, regular meeting and May 8, 2018, special meeting. Steve Gutowski made a motion to approve the minutes of the May 1, 2018, regular meeting, as submitted. Jessica James seconded. All voted in favor. MOTION PASSED.

Approval of the May 8, 2018, board of health special meeting minutes was tabled to the next regular selectboard meeting on June 5, 2018, because there was not a quorum of board members present who had attended that meeting.

4. Selectboard new business

(a) John Bull — highway operations report. John informed the board that the town received a \$10,000.00 grant through the Addison County Regional Planning Commission to redo the ditch on Kellogg Bay Road for erosion control; the project completion deadline is July 1, 2018. He said he accepted delivery now of road salt from Cargill because the company offered to hold the price with payment due after July 1, 2018. John announced that he, Aaron Schondube, and Reilly LaBerge would attend a roadside management workshop presented by Vermont Urban & Community Forestry Program and Vermont Forests, Parks and Recreation. John stated he received a grant of \$175,000.00 from the Vermont Agency of Transportation for a Class II rebuild for parts of Old Hollow Road; the work will begin the second week of July 2018. He said that at the June 5, 2018, regular selectboard meeting, he would present bids for this paving project combined with the rest of the paving scheduled for the season. John said he received a request from the North Ferrisburgh Village Association to close part of Old Hollow Road on July 14, 2018, from 3:00 to 8:00 p.m. for a neighborhood party. Discussion ensued regarding the feasibility of closing the road, the inconvenience to people not attending the party, and insurance liability. Following discussion, Rick Ebel stated he would ask Gloria Warden, town clerk, to invite members of the North Ferrisburgh Village Association to the June 5, 2018, regular selectboard meeting at 6:30 p.m. John's final update for the board was information about completion of train travel signaling on Plank Road, Tupper's Crossing, and Town Line Road. He noted that work only needed to be completed on Town Line Road. Steve Gutowski asked John the status of changing the suggested speed limit to 40 mph on Shellhouse Mountain Road. John replied he would follow up on this. Steve asked John if he plans to work on the ditch at the end of Old Ledge Road to change the drainage. He said he added that work to the plan for this season.

(b) Drew Davis — Green Mountain Getaway Multiple Sclerosis bike ride — August 4, 2018. Drew Davis was unable to attend the meeting. After review by the board of the materials submitted by the organization, Jessica James made a motion to approve the use of town roads for the Green Mountain Getaway Multiple Sclerosis bike ride on August 4, 2018. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(c) Danielle Licursi — applicant for town auditor position. A brief discussion ensued between Danielle and the board, which included details of her move to Ferrisburgh a year ago. She said the move was a transfer from UTC Aerospace Systems in Connecticut to Vergennes, where she is an assistant financial controller. She expressed her desire to volunteer to learn more about the town. Jessica James made a motion to approve Danielle Licursi's appointment as town auditor. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(d) Streetlights owned by Green Mountain Power (GMP) — three on Old Hollow Road and one at the intersection of Little Chicago Road and Walker Road. Rick Ebel read a memo from Deb Healey, town treasurer, detailing how GMP does not know who is paying for service to these four streetlights. The board discussed three possible options to rectify this issue: the town pays for the four streetlights (current annual cost of \$590.80), the town asks the affected property owners to each pay a share of the cost, or the town asks GMP to remove the streetlights after informing all affected property owners or the

whole town. After discussion, Steve Gutowski made a motion to remove all four streetlights and to notify the North Ferrisburgh Village Association, along with the property owners on which the streetlights are located, that the board intends to ask GMP to remove the streetlights, unless the affected property owners want to absorb the cost. Jessica James seconded. All voted in favor. MOTION PASSED. The board will ask all parties involved to inform the town of their decision within 60 days of the date of the notice.

(e) Listers request for 30-day extension for 2018 Abstract of Individual Lists. Carl Cole, a lister, explained to the board that the listers are requesting this extension from the Vermont Department of Taxes in order to deal with miscellaneous outliers. Steve Gutowski made a motion to approve the request for the 30-day extension. Jessica James seconded. All voted in favor. MOTION PASSED.

(f) Benjamin Putnam, Esquire — legal counsel for the selectboard. Rick Ebel explained the reason why the selectboard needed legal representation for the emergency health order issued to Sheila McGregor (owner of an animal rescue at 2512 Sand Road). He said an emergency health order is issued by the town health officer without notice of intent to the person; a regular health order issued by the selectboard gives notice and allows him or her to come before the board regarding this matter. Rick stated that since Jaimeelyn Gaboriault, town health officer, was being represented by Jim Carroll, the town's attorney from the law firm of Carroll, Boe & Pell, the selectboard needed other legal representation. Rick added that prior to making the decision to hire an attorney, he sought advice from the Vermont League of Cities & Towns. Steve Gutowski asked if this would be ongoing representation. Rick replied that it would be for the emergency health order only. Steve Gutowski made a motion to accept the services of Benjamin Putnam in the matter of the emergency health order. Jessica James seconded. All voted in favor. MOTION PASSED.

(g) Vermont Public Utility Commission — rental hall agreement — March 29, 2018, from 6:00 to 9:00 p.m. Jessica James made a motion to rent the downstairs meeting room to the Vermont Public Utility Commission on May 29, 2018, for a public information session about the Green Mountain Power-MicroGrid Ferrisburgh project, waiving the rental fee but requiring a \$500 deposit and proof of insurance. Steve Gutowski seconded. All voted in favor. MOTION PASSED. Rick Ebel commented that the fee is being waived to show support for this project, which, if built, would be on Greenbush Road.

(h) Atkins Farm Association — discussion of possible town membership. Rick Ebel said the board would take time to review emails submitted by Gary Taylor as well as past selectboard meeting minutes pertaining to this issue. He said the board would ask Gloria Warden, town clerk, to invite the members of the Atkins Farm Association, Clark Hinsdale, and John Bull, road foreman, to a future regular selectboard meeting.

5. Selectboard old business

(a) Carl Cole — state of slate tiles on town hall roof. Carl Cole presented a comprehensive report to the board, including supporting documents, recounting the history of the roof installation and prior cleaning and replacement of the slate tiles. Showing color photos, he explained that the accumulating rust on numerous tiles was from iron pyrites. Discussion ensued as to whether or not the general contractor or slate installer had builder's risk insurance, which covers materials, though not labor, to replace the tiles on the south side of the roof. After further discussion, Carl offered to do more research to try to find a way for the tiles to be replaced at a minimal cost to the town.

(b) Building maintenance committee reports. Carl Cole informed the board that there were no bids as yet to remove and replace the existing siding and trim on the tower of the Union Meeting Hall. He said companies that may have been interested in this project are most likely already scheduled for

other work. Carl will submit bids as they come in to the selectboard so they can be opened at the regular selectboard meeting on June 5, 2018.

Rick Ebel read an update of several building maintenance issues submitted by Gloria Warden, town clerk. It stated that Garaventa Lift is scheduled for servicing of the LULA on May 23, 2018. He mentioned that he would like to work with the fire department to perform a drill to determine how a person stuck in the LULA would be helped to get out. The update also stated that FJG Electric is tentatively scheduled in June or July 2018 to move the control panel from the rear stairwell to the south entrance of the town offices building. The update described last week's service call by Mountain Air, who was called when the heating system was not operating. When they came to repair the boiler, the overhead heat pipes were leaking in two locations. Although Mountain Air did some troubleshooting, the company will need to return with a solution. The final items were a door handle that had fallen off the side entrance door and security camera #5 that had not been working. After discussion, Jessica James made a motion to authorize George's Lock & Security to repair both the door handle and camera #5. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(c) Vorsteveld tree cutting update. Rick Ebel stated that earlier in the day mediation continued with an on-site visit on Arnold Bay Road. He said he was present to represent the town along with board member Steve Gutowski; Cliff Mix, town tree warden; John Bull, road foreman; and Jim Carroll, the town's attorney from the law firm of Carroll, Boe & Pell. Hans, Rudolph, and Gerard Vorsteveld were joined by their attorney, Jim Foley. Jeff Carter, University of Vermont farm extension agent, was also present. The major issue is to determine which tree species can be planted in the ditch whose roots would have limited impact on the tiles the Vorstevelds want to install. The company proposed to do the tile installation will be asked to use a GPS system to map the area to determine location of tile drains and potential tree placement.

(d) McGregor property, 2512 Sand Road — emergency health order update. Rick Ebel said the Ferrisburgh Board of Health met on May 8, 2018. Jaimeelyn Gaboriault, town health officer, presented a report from Kristin DeBellis, deputy health officer, from her April 30, 2018, site inspection. Jaimeelyn also presented a report from her May 4, 2018 site inspection. Rick said a continuance until May 29, 2018, was granted and a representative from the Vermont Department of Health would be invited to join Jaimeelyn at one of the next two inspections. Bessie Sessions asked Rick if an inspection on the interior of the home would happen. He explained that could happen as a result of the zoning board of adjustment special meeting scheduled for May 23, 2018, at 6:30 p.m.

Rick Ebel informed the board that he would be forwarding emails he has been receiving regarding 2512 Sand Road to all members. The town clerk's office will print hard copies to be made available at the May 29 hearing.

[Note: This item followed **9. Correspondence.**]

Carl Cole asked to speak about other old business, referring to unlawful parking along Hawkins Road at the slang. Discussion ensued regarding more ways to solve this issue. Following discussion, Rick Ebel said the board would ask Gloria Warden, town clerk, to contact the Vermont State Police, the Addison County Sheriff's Department, and the game warden to ask that they coordinate their efforts.

6. Selectboard general business

(a) Budget review regarding legal costs FY18 and FY19. After review of the information submitted by Deb Healey, town treasurer, the board decided it would ask Deb's advice as to where funds can be legally transferred from to cover the increasing legal costs.

(b) Vermont Elevator Inspections, Inc. contract. After review of the proposed contract, Steve Gutowski made a motion to sign the agreement with Vermont Elevator Inspections, Inc. for a two-year period in the amount of \$175,000. Jessica James seconded. All voted in favor. MOTION PASSED.

7. Public comment

Bessie Session asked Rick Ebel if he thought the part of Arnold Bay Road where the Vorstevelds cut down trees would end up being replanted with trees. He replied he was hopeful. Steve Gutowski, who was also present at the mediation on May 15, 2018, remarked that the farm extension agent said there are specific tree species that will grow in the type of tiling the Vorstevelds want to install. Rick said Cliff Mix, tree warden, was asked to research this.

8. Other business

Rick Ebel announced he would not be attending the June 5, 2018, regular selectboard meeting.

9. Correspondence

(a) Vermont Treasurer's office — employer representative for retirement board of trustees. The town was notified by letter from the Vermont State Treasurer's office that the Vermont Municipal Employees Retirement System would hold an election on June 30, 2018, to replace Mel Hawley, who is not running for re-election.

(b) Efficiency Vermont — notice of free assessments. By letter, the town was notified by Efficiency Vermont that it is offering free energy audits for businesses located in Ferrisburgh.

10. Selectboard to approve or sign

(a) Selectboard warrant. After review, Steve Gutowski made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$381,170.20. Jessica James seconded. All voted in favor. MOTION PASSED.

11. Adjourn

Steve Gutowski made a motion to adjourn the meeting at 8:22 p.m. Jessica James seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira