

Town of Ferrisburgh Selectboard Minutes June 17, 2014

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

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

Visitors present: Brian Barrows, Dan Barrows, Lisa Bove, Tom Bove, James Burnett, Carl Cole, Tim Davis, Glenn Deruchie, George Gardner, Arabella Holzapfel, Heath Jewell, Lyle Loven, Bernie Loven, Ted Marcy, Bob McNary, Eric Mills, Mike Muir, Charlie Paolantonio, Bessie Sessions, Ron Stearns, Bill Sullivan

1. Call to order

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

The board was asked to amend its agenda for June 17 by:

- Deleting item 3 (a), Chief George Merkel and Melvin Hawley — police grant discussion, because Merkel and Hawley were not able to attend the meeting.
- Adding item (c) to 7. Selectboard to approve or sign: Coco Catering license — wedding, Kingsland Bay State Park, June 28, 2014.

Sally Torrey made a motion to amend the agenda. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

2. Approve minutes

Steve Gutowski made a motion to approve the minutes of June 3, 2014, as submitted. Sally Torrey seconded. All voted in favor, with Loretta Lawrence abstaining, since she had not been able to attend the June 3 meeting. MOTION PASSED.

3. New Business

(b) Charlie Paolantonio — Union Meeting Hall rental. Charlie Paolantonio proposed the town rent the Union Meeting Hall to Crossroads Chapel. He suggested a five-year rental agreement, \$400 per month for the first two years and \$450 per month for the next three years, with either party able to cancel at the end of each year. He said services at Crossroads Chapel attract between 50 and 60 parishioners. The town is in the midst of making repairs and accessibility upgrades to the Union Meeting Hall, which would need to be completed before it could be rented. Paolantonio said the church envisioned using the building starting in the fall. Jim Warden said he didn't see anything that couldn't be worked through. Sally Torrey said renting the building would be preferable to leaving it empty. Jim Warden made a motion to pursue a rental agreement with the church. Sally Torrey seconded. All voted in favor. MOTION PASSED.

(c) Highway garage — final contract. The town received a final contract proposal from D.H. Cameron Construction Co. to supply and erect two new buildings at the Ferrisburgh Town Garage, one 60 x 160 feet, the other 36 x 28 feet. Both would be pre-engineered buildings from American Steel Buildings. The total contracted cost is \$386,500. Jim Benoit made a motion to sign the contract, which calls for payment of a 10 percent contract binder of \$38,650. Jim Warden seconded. All voted in favor. MOTION PASSED. Selectboard members then signed the contract.

(d) Appoint Hazard Mitigation Committee. The selectboard has been asked by the Addison County Regional Planning Commission (ACRPC) to appoint a Hazard Mitigation Committee. (See 4. (b) from the minutes of June 3, 2014.) Since the June 3 meeting, several people have volunteered to serve on the committee: interested citizens Ted Marcy and Laura Fall; Bill Wager from the fire department; Tim Davis from the ACRPC; Annie Cohn from the Planning Commission; John Bull, road foreman; Steve Fleming from VARS; and Steve Gutowski and Jim Warden from the selectboard.

Sally Torrey made a motion that the town appoint these people to the Hazard Mitigation Committee, which would be dissolved once its work was completed. Steve Gutowski seconded. All voted in favor. MOTION PASSED. Tim Bouton from the ACRPC attended the selectboard meeting and said he would set up and run meetings of the new committee; he expected a few meetings over the course of a few months.

(e) ACRPC Representative — request of consideration for appointment — Arabella Holzapfel. The board received a request from Arabella Holzapfel, a member of the Planning Commission, to fill a vacancy on the Ferrisburgh delegation to the ACRPC. Sally Torrey made a motion to appoint Holzapfel as a Ferrisburgh delegate to the ACRPC. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(f) Grange Hall — upstairs air conditioning — next step. Town clerk Gloria Warden reported that a recent event held in the upstairs of the town offices had included 30 to 40 elderly people, and that the space had been uncomfortably warm. She also pointed out that the building would be used for a primary election in August, which promises to be a long, hot day. Selectboard members said it would be unfair to continue renting the space for \$100 an hour in the summer if it was not air-conditioned. Duct work is already in place, so the job would primarily involve installing a compressor outside the building and hooking it up. Two vendors have provided bids, but the selectboard did not believe it had enough information to make a decision. The matter was tabled to the next meeting on July 1.

4. Selectboard Old Business

(a) School land — Loretta Lawrence report from school board meeting. Loretta Lawrence reported that the school board wants to create a group including two school board members and two selectboard members to discuss the possible transfer to the town of a portion of school property. Loretta Lawrence and Sally Torrey will represent the selectboard; Bill Clark and Christopher Kayhart will represent the school board. The group will have some brainstorming sessions, Lawrence said, and bring their ideas to their respective boards.

(b) Carl Cole — Union Meeting Hall. Carl Cole said that painting work was scheduled to be completed this weekend, and the electrical work was to be done by the end of the month. The painters will need to use a lift to complete their work, and the town can rent a lift for a lower price than that quoted by the painters. Carl said he had looked into renting a 60-foot lift from

Brown's Crane Service in Bristol. Steve Gutowski made a motion to rent a 60-foot lift from Brown's for one week for a price not to exceed \$1,000. Sally Torrey seconded. All voted in favor. MOTION PASSED.

(c) Carl Cole — Grange Hall roof. Carl Cole reported that Sean Camara from Camara Slate Products in Fair Haven, which supplied the slates used on the roof of the Grange Hall, has said that his firm, at no cost to the town, will replace any bad slates on the roof and clean up rust stains caused by those slates.

(d) Clean-up work at cemeteries — J. Warden May 6 meeting. Following up on comments he made at a meeting this spring, Jim Warden said that the town should assess clean-up efforts needed at town cemeteries, to aid in keeping the cemeteries mowed. Garrit Smits, town treasurer, who had the mowing contract in the past, and Sally Torrey both pointed out that one issue is that fences surrounding some of the cemeteries are in bad shape. Rather than repair the fences, they suggested taking down damaged fences and marking the boundaries more clearly. Sally Torrey said she would research this. Jim Benoit suggested this should be done by the fall, so that the town knows what needs to happen before it solicits bids for mowing next year.

(e) Discuss meeting date & time with Bread Loaf Corp. — continuing issues with Grange Hall. Steve Gutowski said he had been in touch with Jim Pulver, vice president at Bread Loaf, about the roof issues, the deteriorating chimney cap, problems with two retaining walls and some other issues. He told Steve that he would be happy to meet with the board. The board decided to invite Bread Loaf representatives to attend a meeting in advance of either the July 1 or July 15 selectboard meeting, at 6 p.m., for a walk-around of the building, identifying the issues and letting the company know about the town's concerns.

(f) Set date to meet with recreational facility group to discuss rink project at the school. The board will ask representatives of the group planning a recreational facility on school property to attend either the July 1 or July 15 selectboard meeting.

(g) Update from Ferrisburgh Day meeting. Gloria Warden reported on the meeting held June 12 on the possibility of holding a Ferrisburgh Day celebration. Eleven people attended the meeting, and decided to try to organize an event in 2014, possibly on a date after Labor Day at one of the state parks in town. The group will meet again on June 30 at 6:30 p.m. Interested residents are invited to attend.

5. Selectboard General Business

(a) Selectboard invited to Planning Commission June 18 at 6 p.m. to discuss town plan. The selectboard agreed to attend the meeting, though it was concerned that it did not have the draft plan to review in advance.

6. Public Comment

Bill Sullivan asked about the Vergennes police grant discussion, which was removed from the board's June 17 agenda. Selectboard members said that they did not know exactly what the police chief wanted to discuss but expected to reschedule the discussion for a future meeting.

Mike Muir asked about the boundary questions concerning the Union Meeting Hall property and neighboring property owners, in light of the possible rental of the property. Loretta Lawrence said the process was moving forward and that she expected it would be resolved soon.

Bob McNary asked when the Grange Hall windows were going to be washed. Gloria Warden reported that the work was to take place on June 27 and the cost would be \$2,575, the same number included in a bid submitted in October 2013.

Bernie Loven attended the meeting to make the selectboard aware that he had received a notice of a violation of zoning bylaws from Kenneth Wheeling, zoning administrator. The alleged violation involves Loven's property at 252 Quaker Street, which Wheeling has deemed to be an operating junkyard, not permitted in the Rural Residential District. Loven has paid a \$100 fee to appeal the ruling to the zoning board. He said the rules governing junkyards are "so vague that it's ridiculous" and asked that the town take another look at its ordinances. He said that just one neighbor had complained, and that rules were being enforced in his case but not in others. Visitors appearing in support of Loven agreed that he was being singled out unfairly, and felt that the \$100 fee for the appeal amounted to a fine. Board members said they would look into the fee issue. The zoning board is scheduled to hear the appeal on August 2.

7. Selectboard to Approve or Sign

(a) Juvenile Diabetes bike ride — July 26, 2014. The Juvenile Diabetes Foundation asked permission to use town roads for its bike event on July 26. Steve Gutowski made a motion to approve the request. Jim Warden seconded. All voted in favor. MOTION PASSED.

(b) Selectboard warrant. Sally Torrey made a motion to approve the selectboard warrants for an adjusted total amount of \$1,424,674.27; a \$2,500 payment to the Addison County Regional Planning Commission for the new town plan was withheld until the delivery of the final plan. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(c) Coco Catering license — wedding, Kingsland Bay State Park, June 28. Coco Catering asked the town to approve a catering license for a wedding at Kingsland Bay State Park on June 28. Sally Torrey made a motion to approve the request. Jim Benoit seconded. All voted in favor. MOTION PASSED.

8. Other Business

There was a brief discussion of work done on the septic tank at the town hall. Apparently a filter unit could not be accessed for cleaning when the tank was pumped out. Jim Benoit said he would contact Alan Clark at Clark Septic, which pumped out the tank, about resolving the problem.

Steve Gutowski said that the Vermont League of Cities and Towns had completed its review of the town's traffic ordinance. The review took three hours at \$88 per hour for a total of \$264, less than the amount allotted by the board. The VLCT recommended several changes to the

ordinance, and Loretta Lawrence suggested that the board review the revised ordinance and take it up at its next meeting.

9. Correspondence

(a) Vermont Department of Taxes — new laws for municipal and education property tax liability exemptions. The state sent notices to all towns and cities about new categories of exemptions to property taxes, for certain health, recreation and fitness organizations, and for skating rinks owned and operated on a non-profit basis.

(b) ACRPC — VLT purchasing development rights of land owned by Brace and Husk. The ACRPC forwarded a letter it wrote in support of the Vermont Land Trust purchasing development rights on several pieces of Addison Country farmland, including land in Ferrisburgh owned by Elson and Anna Husk and Alex and Michelle Brace.

(c) State of Vermont — deadline for mapping all Class I, 2, 3 and 4 town highways and legal trails. The town received a reminder that the deadline for having these highways and trails on town highway maps is July 1, 2015.

(d) Vermont wetland permit — final determination — Vermont Gas Systems Inc. The Vermont Department of Environmental Conservation (DEC) notified the town that Vermont Gas Systems received a wetlands permit for work on its line from Colchester to Middlebury and Vergennes, which includes land in Ferrisburgh.

(e) Vermont wetland permit — notice of issuance — AOT — railroad culvert (site “D”). The Vermont DEC told the town that the Agency of Transportation received a wetlands permit for work on a railroad culvert in Ferrisburgh, at railroad milepost 99.10.

10. Bernard Dam — Culvert Issue (Executive Session)

Sally Torrey made a motion to enter executive session at 8:52 p.m. to discuss the culvert litigation. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Jim Warden made the motion to leave executive session at 9:00 p.m. Jim Benoit seconded, all voted in favor. MOTION PASSED. No action taken.

11. Adjournment

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Tim Etchells