

Town of Ferrisburgh
Selectboard Minutes – DRAFT
August 20, 2019

Members present: Jim Benoit, Rick Ebel, Clark Hinsdale, Jessica James, Michael “Red” Muir.

Town officials present: Bonnie Barnes, zoning administrator; John Bull, road foreman; Deb Healey, town treasurer.

Visitors present: Doug Fletcher, Reed Hampton, Steve Huffaker, Richard Kiah, Andy Kirkaldy, Jane Lazorchak, Donald Maglienti, Jenn Rand, Jean Richardson, Bessie Sessions.

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

Rick Ebel, chair, called the meeting to order at 6:30 p.m.

2. Approve minutes — August 6, 2019, special meeting and August 6, 2019, regular meeting.

Red Muir made a motion to approve the minutes of the August 6, 2019, special meeting, as submitted. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Red Muir made a motion to approve the minutes of the August 6, 2019, regular meeting, as submitted. Jim Benoit seconded. All voted in favor. MOTION PASSED.

3. Selectboard new business

(a) John Bull — highway operations report. Road Foreman John Bull spoke about completed projects on Wing Road, Plank Road, Fuller Mountain Road, and Mt. Philo Road. He said with the exception of crosswalks, the crew has completed painting centerlines and fog lines on Old Hollow Road. Current projects include a second pass mowing roadsides and replacing failed culverts on South Middlebrook Road. Upcoming projects include working on culverts, applying for the next round of storm water grants, and installing the body on the Ford 550 truck. Clark Hinsdale questioned John about landscaping contractors parking on town roads.

(b) Jane Lazorchak, land acquisition coordinator — Vermont Fish and Wildlife Department (VFWD). Jane Lazorchak explained that the VFWD is proposing to acquire the 0.1-acre Kilbourn Estate, which is surrounded by the Lower Otter Creek Wildlife Management Area. She said as part of the acquisition VFWD would clean up the site including removal of an old trailer to allow public access. Following discussion, Clark Hinsdale made a motion to express support for the purchase of the Kilbourn Estate Fort on Cassin Road. Jessica James seconded. All voted in favor. MOTION PASSED.

(c) Richard Kiah — request permission for United States Geological Survey (USGS) streamgaging station on Little Otter Creek at Monkton Road crossing. Richard Kiah addressed the board citing the history of streamgaging stations and pointed out examples of using the data collected to help flood monitoring of Lake Champlain and to determine best management practices in agricultural areas and the potential effects on water quality. After discussion, Red Muir made a motion to approve the request from USGS for installation of a streamgaging station on Little Otter Creek at the Monkton Road crossing in Ferrisburgh with the expectation of obtaining an 1111 permit from Road Foreman John Bull and approval from the owner of the land. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(d) Donald Maglienti, Addison County Solid Waste Management District (ACSWMD) — household hazardous waste collection event. Program Manager Don Maglienti of ACSWMD said the event would be for residents of Ferrisburgh and Panton, as these towns are not located within 15 miles of the district center in Middlebury. Commenting that the event will be similar to last year's, he asked for permission to use the town garage parking area and restrooms on Saturday, October 19, 2019, from 8:00 a.m. to noon. He also asked for a letter of support to be sent to him. Clark Hinsdale made a motion to approve the request from ACSWMD for a hazardous waste collection event on Saturday, October 19, 2019, from 8:00 a.m. to noon. Jim Benoit seconded. All voted in favor. MOTION PASSED. The board will follow up with John Bull, road foreman, regarding the use of the restrooms.

(e) Bonnie Barnes, zoning administrator — zoning enforcement. Bonnie Barnes described for the board the process she follows for notifying homeowners who have violated zoning bylaws who do not respond after receiving notices. The current matter pertains to a fence put up by Steven Partilo, owner of the home at 242 North Road at Long Point. Ken Wheeling, previous zoning administrator, issued a conditional use permit on July 17, 2017, for a fence with the understanding that Mr. Partilo would obtain permission from Long Point Corporation prior to installing the fence. Unable to get permission because the fence exceeded the height allowed by Long Point Corporation he still installed it. Mr. Partilo said he would take down the fence in the spring of 2019 after Bonnie notified him by mail on November 14, 2018, that she invalidated Ken's permit. Discussion ensued after Jim Benoit questioned why the town is trying to enforce something that is a Long Point Corporation issue. Following discussion, Clark Hinsdale made a motion to authorize Bonnie Barnes and Rick Ebel to investigate options for enforcement of the violation dated November 14, 2018, with Jim Carroll regarding the property at 242 North Road. Jessica James seconded. All voted in favor. MOTION PASSED.

(f) Jenn Rand, development & events manager — Kelly Brush Ride — September 7, 2019. Rick Ebel relayed to Jenn Rand the concern from last year's ride that a uniformed traffic control officer, per state statute, did not monitor the intersection of Greenbush Road and Route 7. After discussion, Jessica James made a motion to approve the Kelly Brush Ride on September 7, 2019, if the board received by August 28, 2019, documentation stating there will be uniformed traffic control officers at three locations in Ferrisburgh where roads intersect with Route 7 (Little Chicago Road, Greenbush Road, Stage Road) and an aid station at the Ferrisburgh Historical Society parking lot. Clark Hinsdale seconded. All voted in favor. MOTION PASSED.

(g) VTrans — unposted speed limit from Vergennes town line easterly to US 7. Rick Ebel read a letter from Ian Degutis, traffic operating engineer at VTrans, stating it was recently discovered that the state's portion of the Ferrisburgh State Highway from the Vergennes town line easterly to US-7 does not have a posted speed limit. The letter went on to say the Traffic Operations Unit would recommend a 30 mph speed limit along this portion of roadway to the Vermont Traffic Committee at a public meeting on August 28, 2019, at 1:00 p.m. in Barre, Vermont. Rick Ebel will contact Ian Degutis to inform him that the board discussed and supports the recommendation.

4. Selectboard old business

(a) Building maintenance updates.

Jean Richardson addressed the board saying each year the Preservation Trust of Vermont (PTV) conducts an annual inspection to verify that the town is maintaining the required easements, which PTV holds on the exterior and on some interior elements of the town offices building. She explained that Silas Towler, Red Muir, and Rick Ebel were not available on short notice for this year's inspection on August 14, 2019. Following discussion with Red Muir about ongoing or planned building maintenance, she met with Meg Campbell of PTV. Jean reviewed the list of repairs and stressed that prior to

beginning any work the town must first ask permission of PTV. She said Meg would prepare a formal report. As the former fundraising chair for reconstruction of the building, Jean volunteered to contact grant sources, supplied by PTV, to apply for grants to defray the cost of repairs.

Red Muir spoke about an inspection of the Union Meeting Hall roof, which shows that a support strap has let loose on the east side of the building, causing the roof to sag over 10". He said the roof would fail without repair. He will be hiring an engineer to consult on this issue.

Red Muir said stone has been placed around the condenser at the town offices and around the one at the firehouse. He is obtaining estimates for 5' high vinyl fencing to go around both condensers.

(b) Vorsteveld tree cutting in ROW update. Rick Ebel said he had received communication from Jim Carroll, the town's attorney, saying the case will go forward and continue to make its way through the courts. There is a public document available from the Addison County Superior Court regarding this issue: Docket No. 96-5-19 ANCV.

5. Selectboard general business

(a) VTrans — request letter of support for Vergennes new economic corridor. Referencing an email from Carl Cole, Rick Ebel said in the mid -90s Robert Mitchell did extensive research regarding the boundaries of Vergennes and Ferrisburgh. He added perhaps the boundaries of the city of Vergennes may be in Ferrisburgh. Discussion ensued with Clark Hinsdale voicing his opinion that it is absolutely time for the town to pay for a survey. He continued by saying title 24, chapter 47, of the Vermont State Statutes deals with options towns have when boundaries are not certain. After further discussion, Rick Ebel stated he would draft a letter to the Vermont Department of Transportation indicating support for the project and share it with the board.

(b) Vermont State Police 2018 report. After describing some of the categories—911 hang-ups, agency assists, responding to alarms—listed on the report, Rick Ebel said he would invite the state police to come to a future meeting to discuss issues.

6. Public comment

There was no public comment.

7. Other business

There was no other business.

8. Correspondence

(a) William and Constance Houston v. town of Ferrisburgh — hearing officer's decision. The town was copied on a letter from the state of Vermont Department of Taxation stating that prior to the hearing the Houstons and the Board of Civil Authority agreed to an assessed value of their property of \$450,000 for the tax year 2018, and the two ensuing years.

(b) Vermont League of Cities & Towns (VLCT) — Annual Business Meeting Voting Delegates and Procedure — October 2, 2019. By mail, VLCT sent a memo asking the selectboard to designate one member as a voting delegate to attend the annual meeting. The meeting will take place on October 2, 2019, at the Killington Grand Resort Hotel in Killington, Vermont.

9. Selectboard to approve or sign

(a) Selectboard warrant. After review, Jim Benoit made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$120,318.99. Jessica James seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Jim Benoit made a motion to adjourn the meeting at 9:08 p.m. Clark Hinsdale seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira