

**Town of Ferrisburgh
Selectboard Minutes – APPROVED
November 20, 2018**

Members present: Jim Benoit, Rick Ebel, Steve Gutowski, Jessica James. Michael Red+Muir participated electronically.

Town officials present: Deb Healey, town treasurer, Bill Wager, town fire chief.

Visitors present: Carl Cole, Steve Huffaker, Andy Kirkaldy, Jane Lazorchak, Cliff Mix, Bessie Sessions, Silas Towler.

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 — November 6, 2018, regular meeting.

Jim Benoit made a motion to approve the minutes of the November 6, 2018, regular meeting, as submitted. Jessica James seconded. All voted in favor. MOTION PASSED.

3. Selectboard new business

(a) John Bull — highway operations report. John Bull was unable to attend the meeting.

(b) Jane Lazorchak — Vermont Fish and Wildlife Department (VFWD) — land donation. Jane Lazorchak, land acquisition coordinator, addressed the board regarding the department's potential acquisition of the Tatro Estate, a 5.5-acre property that abuts Lower Otter Creek Wildlife Management Area (WMA). She said the Tatro property, while small, is an extension of trying to conserve the intact forest there. She said by statute the department is required to offer to meet with the selectboard to answer questions and hopefully garner support for the project. Steve Gutowski asked if there would be additional accesses to the land with the acquisition. Jane replied she did not anticipate that though comments regarding access would be accepted during updating to long-range management planning. Stressing he is in favor of conservation and is a hunter and fisherman, Steve said the town supports a lot of state land with parks, fishing accesses, and wildlife management areas. He asked the state's position regarding compensating towns for road maintenance and upkeep. Saying she understands his point, Jane said it is not often something the department reimburses towns for. The board expressed support for the acquisition.

(c) George Connelly and Priscilla Rogow — hall rental agreement — December 8, 2018. Rick Ebel reviewed certain aspects of the rental agreement with George Connelly. He confirmed the event would end by 11:00 p.m. and no alcohol would be served. After reading the part of the rental agreement detailing the specifics of the insurance required, Rick stated the insurance purchased by George does not meet the requirements. Following discussion, Steve Gutowski made a motion to approve the rental hall agreement by George Connelly and Priscilla Rogow for December 8, 2018, from 4:00 to 11:00 p.m. for a rental fee of \$350.00 plus a \$500 deposit with the condition that the insurance provided within five days is satisfactory to the town's rental hall agreement. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(d) Ferrisburgh Historical Society — hall rental agreement — December 9, 2018, February 10, March 10, April 14, 2018. Steve Gutowski made a motion to rent the upstairs community hall to the

Ferrisburgh Historical Society on December 9, 2018; February 10, March 10, and April 14, 2019, waiving the rental fee but requiring a \$500 deposit and proof of insurance. Jim Benoit seconded. All voted in favor. MOTION PASSED.

4. Selectboard old business

(a) 2512 Sand Road update. Referring to the Stipulation and Order of Dismissal and Certificate of Service, Rick Ebel announced that Sheila McGregors appeal of the health order to the Vermont Board of Health has been dismissed. He commented that with the dismissal of Sheilas appeal of the zoning violation at an earlier date, this matter is resolved.

(b) Vorsteveld tree cutting update. Noting that the 1111 permit issued to the Vorstevelds expired on November 16, 2018, Rick Ebel said he would follow up with John Bull to see if there is a need to renew it. Jim Benoit asked if there had been follow up on determining the width of Arnold Bay Road. Rick Ebel replied that when he had spoken to John Bull, road foreman, about this he said although he had found survey markers and pins he suggested the town contact Mike Magoon for a land survey. Cliff Mix, tree warden, said the towns attorney Jim Carroll had verified the road width with a title search.

(c) Building Maintenance Committee report

I. Red Muir — quotes for outdoor air reset and a smart pump. Red Muir said he has not yet received quotes from Mountain Air.

II. Union Meeting Hall shed update. Carl Cole spoke to the board, following up on the written report he submitted at the last selectboard meeting. He said he does not think the shed is on the historic register, the floor is in bad shape, and there is a limb from a neighbors property that needs to be removed from the roof. He added there are some old items left inside that he feels no one wants.

III. Historical Society building roof. Silas Towler said Murphys Metals has moved the start date to replace the roof to December.

(d) North Ferrisburgh intersection – US Route 7/Old Hollow Road/Stage Road. Rick Ebel announced that the Department of Transportation has appointed Erin Parizo as the new point person for this project. There could potentially be an informational meeting with her to discuss a traffic signal at this intersection.

5. Selectboard general business

(a) Selectboard correspondence to state and federal legislators — re: potential financial support for emergency and fire personnel. Rick Ebel began the discussion by asking Bill Wager, town fire chief, if he knew of any existing funding sources beyond what the town provides. Bill replied he spoke with Dean Gilmore, a New Haven firefighter who is also the Addison County delegate to the state and part of the Vermont State Firefighters Coalition. Bill said Dean told him about a proposal in the legislature in Montpelier for a firefighters benefits package, as an enticement for volunteer firefighters. Bill said he is looking to host a chiefs meeting with a representative from Senator Sanders office in the next couple of months to talk more about the issue. Bill shared some possible monetary items that would attract young volunteers, such as payment for education or a retirement package for years of service. Rick said with input from the board he would finish the draft of a letter to county legislators and representatives stating the towns need for funding for recruitment and retention of volunteer emergency and fire personnel. Bill said he is looking for grants to create public service ads. Red Muir suggested warning an article at Town Meeting for funding for firefighters.

(b) Middlebury Tree Policy — model for Ferrisburgh? Cliff Mix, tree warden, outlined for the board his review of the Middlebury Tree Policy, noting that it is more complex than what he feels is needed. He said the concern is to protect the trees in the town road-of-way. Cliff listed tree policies from other states, including Susquehanna, PA, and suggested blending together what will work for the town's situation. Steve Gutowski said tree maintenance must be in accordance with ANSI A300 Standards for Tree Care Operations. He said the way the town has been maintaining trees by using a flail chain is not acceptable and only 2% of the cleanup from using this method has been done.

Note: This agenda item was discussed as part of **4) b. Vorsteveld tree cutting update.**

(c) Personnel Policy — needed revisions. Discussion ensued as board members reviewed and compared jury duty leave policies from the towns of Charlotte, New Haven, and Shelburne, Vermont. Following further discussion, Rick Ebel said the board would prepare a draft jury duty policy for review at the next regular selectboard meeting on December 4, 2018.

Next the board discussed the amount of notification given in advance of requesting vacation. After discussion, Rick Ebel said the board would prepare a draft policy for review at the next regular selectboard meeting on December 4, 2018.

6. Public comment

Carl Cole asked if the town was entertaining a purchase and sales agreement from Addison County Solid Waste Management District (ACSWMD) to buy the town property at the intersection of 22A and US Route 7. Rick Ebel asked Steve Huffaker, the town's representative to ACSWMD for an update. He said Teri Kuczynski, district manager, told him a purchase and sales agreement would be coming to the town this week. Carl continued by saying it is probably not the first use he had in mind for the property. He spoke about the zoning regulations saying the zoning density is two acres and the buyer would be restricted to developing 4.5 acres within the 10 acres of the property that can be developed. He said he did not know much land the facility would need to occupy. He suggested the town consider subdividing off 2 acres if it wants to sell land to the district and develop the rest in other ways. Commenting that even the conserved land has potential use, he gave an example of a vineyard with a farm store. He added he would consider it a mistake to sell the entire property to the district if it would not be taxable. His final comment was the town did not buy the land and it is not costing anything to own it.

7. Other business

There was no other business to discuss.

8. Correspondence

(a) Zoning violation notice — 242 North Street. The town was copied on a letter from Bonnie Barnes, zoning administrator, to Steven Partilo, owner of the property at 242 North Street, notifying him that he is in alleged violation of Section 9.2 of the Ferrisburgh Land Use Regulations for building an eight-foot privacy fence without proper approvals.

(b) Hospice Volunteer Services — appreciation for funds from town. By letter, Shirley Ryan, administrator director of Hospice Volunteer Services, expressed appreciation for the \$500.00 donation allocated at the 2018 Town Meeting.

(c) Dingman appeal of Ferrisburgh Board of Civil Authority (BCA) decision. The town received a letter from MSK Attorneys stating that Michael and Lourdes Dingman are appealing the town BCA decision to the state Board of Tax Appeal, Property Valuation and Review Division.

(d) Duprey to Vermont League of Cities & Towns (VLCFT) — Kipp vs. town insurance claim. The town was copied on a letter from Anthony R. Duprey, Esquire, the attorney representing the Kipps, to Terri Crawford, senior claims adjuster at VLCT, stating reasons why the Kipps are requesting full reimbursement for repairs to their stonewall damaged by a town snowplow.

(e) Addison County Solid Waste Management District (ACSWMD) — meeting report re: property at Route 22A and US Route 7. By email, Steve Huffaker, the town's representative to ACSWMD, informed Rick Ebel, selectboard chair, that the district has decided to tender an offer on the town-owned property.

(f) General Election — Addison County State's Attorney recount — November 26, 2018. The town was notified that Peter Bever requested a recount of ballots for the office of Addison County State's Attorney. The recount will be done by the Addison County clerk beginning on November 26, 2018.

9. Selectboard to approve or sign

(a) Selectboard warrant. After review, Jessica James made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$819,253.79. Jim Benoit seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Jim Benoit made a motion to adjourn the meeting at 9:06 p.m. Jessica James seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira