

Town of Ferrisburgh
Selectboard Minutes – DRAFT
December 17, 2019

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

Town officials present: John Bull, road foreman; Chris Campbell, delinquent tax collector; Deb Healey, town treasurer.

Visitors present: Kevin Kite, Ashley LaFlam, Mary Neffinger, Jean Richardson, Bessie Sessions, Jeffrey L. Sherwin, Kate Yarbrough.

1. 6:36 p.m. Regular meeting — call to order.

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

2. Approve minutes — December 3, 2019, regular meeting and December 10, 2019, budget work session.

Red Muir made a motion to approve the minutes of the December 3, 2019, regular meeting, as submitted. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Red Muir made a motion to approve the minutes of the December 10, 2019, budget work session, as submitted. Jessica James seconded. Rick Ebel, Clark Hinsdale, Jessica James, and Red Muir voted in favor. Jim Benoit abstained. MOTION PASSED.

3. Selectboard new business

(a) John Bull — highway operations report. John Bull said the crew worked on closing things up for the season and has been very busy snowplowing and sanding.

(b) Jeffrey L. Sherwin — property damage at 417 Bay Road by town snowplow. Jeffrey L. Sherwin addressed the board referring to a letter and photographs of his property he hand-delivered to the town offices on December 9, 2019. He explained that after initial snowplowing by the town road crew his property was further damaged with a second plowing, which tore up approximately five feet of his front lawn and driveway. Three more photographs he gave to be board showed that the topsoil had been removed and a survey pin was bent. Discussion ensued regarding the width of the road, the height of the soil, the proximity of the addition to Mr. Sherwin’s home to the roadway, the party responsible to repair the damage, and other factors. Rick Ebel stated a decision could not be made tonight; he would need to talk with the zoning administrator, review past zoning board meeting minutes, and speak with a board member from Long Point Corporation (the owner of the land) to review past history. John Bull, road foreman, suggested a site visit as well. Rick will coordinate the site visit.

(c) Listers correction — Vermont Gas parcel id # 88/88/88.005. Carl Cole, a lister, said the change in value was the result of a mathematical error when calculating the Common Level of Appraisal. Red Muir made a motion to approve the corrected value of \$511,467 from \$523,026 (reduction of \$11,559). Jessica James seconded. All voted in favor. MOTION PASSED.

(d) Listers correction — Green Mountain Power parcel id # 88/88/88.004. Carl Cole, a lister, said the change in value was the result of a mathematical error when calculating the Common Level of

Appraisal. Red Muir made a motion to approve the corrected value of \$6,716,605 from \$6,891,200 (reduction of \$174,595). Jessica James seconded. All voted in favor. MOTION PASSED.

(e) Listers — Grand List maintenance — proposed personnel change. Discussion began when Carl Cole, a lister, described changes to the lister's roles and responsibilities. He said with Gloria Warden's retirement Pam Cousino, the new town clerk as of January 1, 2020, will no longer be doing 10 hours of clerical work per week for the listers. He said the board of listers suggests hiring Brian Goodyear, a lister, to do this work plus property inspections and other work currently being done by Justus DeVries and his office staff. Carl explained that Justus' contract expired June 30, 2019, and he has been working for an hourly rate pending staff changes in the town offices. After discussion, Jim Benoit made a motion to accept the listers' recommendation to hire Brian Goodyear for a part-time position without benefits not to exceed 1,040 hours per year at \$30 per hour. Jessica James seconded. All voted in favor. MOTION PASSED.

4. Selectboard old business

(a) Pam Cousino — Assistant Clerk/Treasurer application reviews. Deb Healey, town treasurer, stated Pam Cousino was unable to attend the meeting. She said both of them have been reviewing 30 résumés submitted from ads in the *Addison Independent* and from the website Indeed. She talked about the need for candidates to display business sense and the ability to work despite interruptions along with knowledge of bookkeeping. She added that a pdf of résumés from five candidates was emailed to board members for review. After discussion, Rick Ebel said he would communicate with Jim Benoit, Jessica James, Pam, and Deb to set up interviews for the selected candidates.

(b) Budget update. Deb Healey, town treasurer, said she would send the budget to the board on December 20, 2019, after she double checks the calculations.

(c) Discuss Vermont League of Cities & Towns (VLCT) Cannabis Resolution relating to S.54. Discussion ensued after Rick Ebel read aloud the three items the town would show support for by signing the resolution. After further discussion, the board decided to take no action on this agenda item until more information is given.

(d) Addison Northwest School District (ANWSD) — re: possible Ferrisburgh Central School (FCS) closure discussion. Kate Yarbrough spoke about the Rural School Alliance and how the overwhelming vote to not close Ferrisburgh Central School and Addison Central School was not in line with the district. She explained there are two petitions currently seeking signatures to amend the Articles of Agreement. The change to Article 2 would allow towns to vote for or against school closures; the second is a change to Article 4, which is about school consolidation. She stated the petitions need to be signed by 5% of the registered voters in each town in the district. She said there is a binder in the town offices with the petitions. The alliance will submit the signatures to the town clerk and the school board in January to be on the ballot for Town Meeting. Clark Hinsdale talked about starting a more formal dialogue based initially on schools when the new city manger for Vergennes starts in January. The board will review the agenda for the next selectboard meeting on January 7, 2020, to see if this can be added.

(e) Building maintenance updates

i. Union Meeting Hall update. Red Muir said Miles Jenness of Vermont Heavy Timber is waiting for more staging for shoring up the roof. Red said the cost of repairs and to fix the roof is approximately \$102,000. He is going to get bids for this work, as well as for fixing the windows and repairing the tower. He introduced Ashley LaFlam who spoke about The Friends of the Union Meeting Hall, a non-profit 501 (c) (3) formed to preserve the building. She said the first meeting of the group is January 9,

2020, at 6:30 p.m. at the town offices building. She invited the selectboard and the building maintenance committee to attend. The focus will be to determine the projects to be worked on. Jean Richardson talked about the grant process saying she would be meeting on January 15, 2020, with Lisa Ryan of Preservation Trust of Vermont to strategize about soliciting grants, schedule a site visit, and build a partnership.

ii. Town offices building — roof. Red Muir said Terry Crawford from PACIF informed him that the insurance claim was denied because the company considers the leak to be caused by a preexisting condition: faulty construction. He said the building maintenance committee feels the leak is covered as the issue may be due to design and construction. He went on to say the committee wants the selectboard to draft a letter to Paul Wyncoop of Bread Loaf Construction and the company president, copying PACIF, regarding this issue. Jean Richardson said she would draft the letter and present it at the next selectboard meeting on January 7, 2020. Citing several other issues with the condition of the building, Red said he feels the building maintenance budget should be increased from \$30,000 to \$50,000.

iii. Other updates. Red Muir said Jackman Fuels removed the fuel tank from the Sisters property and he was getting two quotes from Burnett Contracting Company to fix roof leaks at the Sisters and at the town office building. Hawk Creek installed fencing around the condensers at the fire department building and the town offices building. He said he purchased two fire extinguishers for the Union Meeting Hall and said he plans to purchase two larger ones. The results of the mold testing in the town offices building by ATC show there are no mold where the office roof leak is and the surrounding areas. The company recommends sealing up the area where the water is coming in. The report is available for public viewing at the town offices.

(f) Vorsteveld tree cutting in ROW update (probable executive session).

8:11 p.m. – Jim Benoit made a motion to find that premature general disclosure of attorney-client communication regarding the Vorsteveld tree cutting on Arnold Bay Road would put the town at a substantial disadvantage. Red Muir seconded. All voted in favor. MOTION PASSED.

8:13 p.m. – Jim Benoit made a motion to go into executive session to discuss attorney-client privileged communication of the Vorsteveld tree cutting on Arnold Bay Road under provision of Title 1, Section 313 (a) 1 of the Vermont State statutes and to invite attorney Kevin Kite, representing Jim Carroll's office, to join the board to discuss this matter. Jessica James seconded. All voted in favor. MOTION PASSED. Rick Ebel asked the remaining visitors and the minute taker to leave the room.

9:14 p.m. – Jim Benoit made a motion to come out of executive session. Jessica James seconded. All voted in favor. MOTION PASSED.

9:15 p.m. – Red Muir made a motion to reconvene the regular selectboard meeting. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Rick Ebel announced no action was taken by the board.

5. Selectboard general business

(a) Discuss creation of an Ethics Committee per Article 10 of town Ethics and Conflict of Interest Policy. Rick Ebel stated this agenda item would be tabled until the next regular selectboard meeting on January 7, 2020.

6. Public comment

There was no public comment.

7. Other business

Deb Healey, town treasurer, referred to an email from Josh Quinn of RHR Smith & Company, the town's auditor, which explained that the company is working on the financial statements but is fearful of being up against the printing deadline in January 2020 for the full report. He asked if the town would be willing to accept a short report for inclusion in the annual Town Report with the full statements completed and delivery by the end of January. After discussion, the board decided it would accept this option as long as it is at no extra cost and includes the management letter. Deb will follow up on this.

Jim Benoit expressed his opinion about continued cross training in the office once Brian Goodyear and the new assistant clerk/assistant treasurer are hired. He said he did not want to lose the progress made so far.

Discussion ensued when Jim Benoit brought up the idea of possibly discontinuing snowplowing the roads at Long Point saying damage is a continual problem with the narrow roads. Clark Hinsdale said information about the deal from the 1970s will need to be reviewed; it granted townspeople access to fishing and allowed them to launch boats in the bay.

8. Correspondence

(a) Town of Panton — support for Planning and Environmental Linkage Study (PELS). By mail, the town was copied on a letter to Joe Flynn, Vermont secretary of state, informing him that the town of Panton supports conducting a PELS but the current conceptual stage of the Vergennes Economic Corridor makes it difficult to assess the impact such a corridor might have on the town.

(b) Addison County River Watch Collaborative (ACRWC) — thank you to town for contribution. By letter, the town was thanked for its contribution of \$500 to the collaborative's stream-monitoring activities.

(c) Friends of the Vergennes Opera House — thank you to town for donation. By letter, the town was thanked for its donation of \$500.

(d) Vermont League of Cities & Towns (VLCT) — Local Government Day in the Legislature — February 13, 2020. By postcard, the town was notified about this event to be held at the Capital Plaza in Montpelier, Vermont.

(e) Bixby Memorial Free Library — request for level funding from town for 2020. The town was notified by letter that the request for continued financial support is \$61,050, the same amount as last year.

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 \$77,941.23. Jessica James seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Red Muir made a motion to adjourn the meeting at 9:48 p.m. Jim Benoit seconded. All voted in favor.
MOTION PASSED.

Respectfully submitted,

Jean Silveira