

**Town of Ferrisburgh  
Selectboard Minutes  
July 21, 2015**

**Members present:** Jim Benoit, Steve Gutowski, Red Muir, Jim Warden. **Absent:** Loretta Lawrence.

**Town officials present:** Gloria Warden, town clerk.

**Visitors:** Rich Dow, Bob McNary, David Raphael, Bessie Sessions, Monica Tupper, Bill Wager.

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

Steve Gutowski, chair, called the meeting to order at 6:30 p.m.

**2. Approve minutes — July 7, 2015.**

Red Muir made a motion to approve the minutes of July 7, 2015, with one change. Under “6. Public Comment,” in an item about a conversation with Encore Development’s Phillip Fay, Muir asked to have the minutes reflect that the board asked Fay to keep the town, including both the selectboard and the planning commission, informed about the solar project on Route 7. Jim Warden seconded. Steve Gutowski, Red Muir and Jim Warden voted in favor. Jim Benoit abstained. MOTION PASSED.

**3. Selectboard new business**

**(a) John Bull – road foreman’s report.** Steve Gutowski reported that John Bull was unable to attend the meeting.

**(b) Sarah Pelkey – LandWorks – Weeks School Master Plan.** David Raphael of LandWorks appeared, pinch-hitting for Sarah Pelkey, to provide the board with an overview of the work done so far on the Weeks School/State Property Master Plan. The planning process involves the Northland Job Corps campus, other surrounding parcels in Vergennes, and some land in Ferrisburgh. All of the Ferrisburgh land is currently being leased for farming, and the preliminary conclusion is that this land should remain in agriculture, with consideration given to longer-term leases.

Other preliminary conclusions concern the need to: support and maintain the Northlands Job Corps campus; address the future of select historic buildings; consider energy generation options; explore opportunities for housing; consider developing a recreational trail system; and consider the sale of specific parcels within the property

A complete overview of the master plan process to date is on file at the town offices. Board members thanked Raphael for his presentation.

**(c) Bill Wager – fire truck project update.** Bill Wager, chief of the Ferrisburgh Volunteer Fire Department, gave board members an update on the proposal to purchase a new fire engine. The engine would replace what the department calls its primary attack engine, with the target replacement date in late spring or early summer of 2016. The purchase price would be \$397,100. Of that amount, a total of \$120,000 has been put aside in previous years and budgeted in FY 2016 for a down payment, leaving a balance of \$277,100. The department is considering either a lease or purchase, probably over 10 years; both lease and purchase agreements would result in annual payments of about \$32,000. The department is leaning toward the lease agreement, and hopes to have the contract approved by the

board and signed by August 8. Board members asked Wager to bring the completed contract to the next selectboard meeting on August 4.

**(d) Rich Dow – American Red Cross Blood Services.** Rich Dow, account manager with American Red Cross Blood Services, is asking Ferrisburgh to consider hosting between three and six blood drives each year at the town hall. In addition to the space, the Red Cross would ask for two or three volunteers from the town to register donors and offer them drinks and snacks in the “canteen” after they donate. Dow told the board that he would suggest a goal of 20 donors for the first blood drive, which he hoped could take place on September 2, 2015. He said that volunteers and/or local businesses sometimes donate items to the canteen, though that is not required. Jim Warden made a motion to cooperate with the Red Cross to run a blood drive in the community room upstairs in the town hall on September 2. No rental fee would be required, but the Red Cross would be asked to provide proof of insurance. Jim Benoit seconded. All voted in favor. MOTION PASSED. Steve Gutowski asked to have the blood drive put on the agenda for the next selectboard meeting on August 4 to decide on a time for the blood drive. In the meantime, board members said, they would work on lining up volunteers and possible donations from local businesses.

#### **4. Selectboard old business**

**(a) Personnel policy review.** Board members discussed possible changes to the current personnel policy for town employees. A revised draft, which will include new language on the use of cellular and wireless devices while on the job, will be circulated in advance of the next board meeting.

**(b) Basin Harbor Road – fishing on the bridge.** Residents have expressed concern about safety issues raised by people fishing at night on the bridge on Basin Harbor Road in Ferrisburgh. Gloria Warden, town clerk, got in touch with Fish & Wildlife warden George Scribner, who said that while common sense suggested this was not a safe thing to do, he was not aware of any laws against it. Warden then contacted Lt. Michael Manley of the Vermont State Police, who said there was no law against it, though it might be an issue if they were creating traffic problems, by setting up chairs, coolers, etc. He said he would ask VSP officers for comments on the situation if they find themselves in the area and encounter folks fishing on the bridge.

**(c) Hall rental agreement.** Board members discussed revisions to the rental agreement for the upstairs community room and the downstairs meeting room at the town hall. Board members are considering reducing the per-hour rental fee, as well as establishing a lower fee for residents. Steve Gutowski asked board members to provide feedback on the current rental policy and agreement, and said he would bring revised versions to a future meeting for the board’s approval.

#### **5. Selectboard general business**

There were no items to consider in this category.

#### **6. Public comment**

Monica Tupper asked whether the board had looked into her suggestion, at the June 16, 2015, meeting, of adding a town fee to the state fees currently charged for catering permits. Steve Gutowski said the town’s attorney had said this was not possible.

Tupper said that cars are frequently parked on the Slang Bridge on Hawkins Road, which is also used for fishing. Steve Gutowski said the town has a parking ordinance and that there is no parking on the bridge. He said he had handed out copies of the ordinance to people parked on the bridge, asking them to move their cars, and said the next step would be to hand out parking tickets.

Bob McNary wondered whether the town needed a protocol for dealing with alternative energy developers. He said that the town's Energy Committee, which he chairs, has been reaching out to developers. Steve Gutowski said he thought developers of large solar arrays should be appearing before the selectboard and dealing with the planning commission, in addition to meeting with the Energy Committee. The town has been in the forefront of Vermont communities expressing an interest in having more control over solar and other alternative energy installations. He and McNary discussed a letter from Vermont Sen. Chris Bray, D-Addison (see "8. Correspondence," below), regarding alternative energy development and the role of municipalities in siting and other decisions. McNary said Bray had been invited to a future Energy Committee meeting. Gutowski said he felt Bray should address a joint meeting of all relevant town boards, but indicated he would try to attend the Energy Committee session in August.

Monica Tupper asked if there was a way, beyond property taxes paid, that the town could benefit from solar installations. Board members suggested that state law governs payments made to the town by solar developers, and that the best bet would be to contact one of the town's legislators.

## 7. Other business

Gloria Warden, town clerk, said she had received two calls from residents inquiring about how long the white bike would remain just off Greenbush Road. The so-called "ghost bike" marks the site of the car-bike collision that killed cyclist Dr. Kenneth Najarian of Charlotte. Jim Warden said he had heard that 200 cyclists took part in a memorial ride for Dr. Najarian from Charlotte to the spot on Greenbush Road in Ferrisburgh. There was a brief discussion among board members, but no action was taken.

## 8. Correspondence

**(a) Addison County Regional Planning Commission Update – July 2015.** The town received a copy of the ACRPC's July newsletter.

**(b) State of Vermont – 2015 Town Highway Map (map on file in town clerk's office).** The town received copies of the 2015 Town Highway Map. The maps are also viewable online at <http://vtransplanning.vermont.gov/maps>.

**(c) Vermont Lakes & Ponds Division – lake encroachment permit application – 220 North Road.** The town was notified that a permit is being sought by Terrence Kett of 220 North Road in Ferrisburgh to repair a concrete dock on Lake Champlain. The complete application is on file in the town offices.

**(d) Encore – Green Mountain Power's Fast Track Study Findings for Exhibit HVT Solar-BB-4.** The town received a copy of this exhibit, which was accidentally omitted from Encore's original filing with the Vermont Public Service Board concerning this 500kW solar array proposed for Ferrisburgh.

**(e) Christopher Bray – energy issues in Ferrisburgh and Vermont.** Board members, along with members of the town's Energy Committee, received a memo from Vermont Sen. Christopher Bray, D-Addison, concerning progress on addressing the concerns of municipalities about lack of local oversight for the siting of solar energy projects. He noted that the energy bill that worked its way through the Legislature, now known as Act 56, provides for: automatic party status for towns in solar siting decisions; statewide minimum setbacks, which towns can request to increase; and deference to towns (via bylaws or ordinances) to require screening. Bray offered to meet with town officials, and has already scheduled a meeting with the town's Energy Committee for August 10, 2015.

**(f) Vermont Public Service Board visits Monday, July 20, 2015.** The town received notice that the Public Service Board would be visiting two sites proposed for solar arrays on Route 7 in Ferrisburgh on July 20. Steve Gutowski said he had attended.

**(g) U.S. Army Corps – Public Notice – TDI New England electric transmission line.** The U.S. Army Corps of Engineers sent a public notice to the town regarding a permit application for work in Lake Champlain related to a 1,000mW electric transmission line that will run under the lake from Alburgh, Vt., to Benson, Vt., and then underground to Ludlow, Vt. The comment period on the application, which is available to view in the town offices, ends on August 21, 2015.

**9. Selectboard to approve or sign**

**(a) Purchase and sales agreement – Hinsdale Lot #11.** Jim Warden made a motion to have board chair Steve Gutowski sign, on the town's behalf, a purchase and sales agreement with Clark Hinsdale III. Signing of the agreement completes the purchase, for \$40,000, of a 2.23-acre parcel that abuts school and town property. Voters authorized the purchase at town meeting in March. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(b) Preventive maintenance contract – Avonda Air Systems or Mountain Air Systems.** The board received proposals from Avonda Air Systems and Mountain Air Systems on providing maintenance services for the environmental systems at the town hall. Jim Benoit made a motion to stay with Mountain Air Systems, the current vendor, for an annual cost of \$1,458, payable in two installments of \$729. Red Muir seconded. All voted in favor. MOTION PASSED.

**(c) Jackman Fuels Inc. “price protection” contract.** Jim Benoit said he did not think it made sense to sign a contract and that it would be preferable to shop around for prices. Other board members agreed and decided to table this item and get more numbers to consider at the next meeting.

**(d) Approve FY 2015-16 tax rate.** Red Muir made a motion to approve the 2015-16 town tax rates, with the residential school tax rate of \$1.6327 plus the municipal tax rate of \$0.2673 adding up to a residential tax rate of \$1.9000, and the non-residential school tax rate of \$1.4946 plus the municipal tax rate of \$0.2673 adding up to a non-residential tax rate of \$1.7619. Jim Warden seconded. All voted in favor. MOTION PASSED.

**(e) Selectboard warrant.** Red Muir made a motion to approve the selectboard warrant, which details town expenses, for a total of \$34,367.81. Jim Warden seconded. All voted in favor. MOTION PASSED.

**10. Adjourn**

Jim Benoit made a motion to adjourn at 9:20 p.m. Red Muir seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Tim Etchells