

**Town of Ferrisburgh
Selectboard Minutes
March 15, 2016**

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

Town officials present: John Bull, road foreman; Garrit Smits, town treasurer; Gloria Warden, town clerk.

Visitors present: Carl Cole; Zeke Davisson; John Eisenhardt, Jr.; Craig Heindel; Richard Hiscock; Jeanne Kelly; Elizabeth Langfeldt; Bob McNary; Dorothy Muzzy; Daniel Pietersle; Bessie Sessions, Monica Tupper.

1. 6:30 p.m. Regular meeting — call to order and reorganization of selectboard.

(a) Gloria Warden, town clerk, called the meeting to order at 6:30 p.m.

(b) Motion to elect chairperson. Jim Benoit made a motion to elect Steve Gutowski as chairperson of the board. There was no second. MOTION FAILED. Red Muir made a motion to elect Loretta Lawrence as chairperson of the board. Jim Warden seconded. Red Muir, Jim Warden, and Steve Gutowski voted yes. Jim Benoit voted no. Loretta Lawrence abstained. MOTION PASSED.

(c) Motion to elect vice chairperson. Jim Warden made a motion to elect Red Muir as vice chairperson of the board. Steve Gutowski seconded. MOTION PASSED.

(d) Motion to elect clerk. Red Muir made a motion to elect Jim Warden as clerk of the board. Jim Benoit seconded. MOTION PASSED.

(e) Appointment of minute taker. Jim Warden made a motion to appoint Jean Silveira as minute taker. Red Muir seconded. MOTION PASSED.

(f) Motion to adopt Robert's Rules of Order. Steve Gutowski made a motion to adopt Robert's Rules of Order. Jim Benoit seconded. MOTION PASSED.

(g) Motion to set the first and third Tuesdays as the meeting schedule. Steve Gutowski made a motion to set the first and third Tuesdays as the meeting schedule. Jim Benoit seconded. MOTION PASSED.

(h) Motion to designate the official newspaper. Jim Warden made a motion to designate *The Addison Independent* as the official newspaper. Red Muir seconded. MOTION PASSED.

2. Approve minutes — March 1, 2016.

Red Muir made a motion to approve the minutes of March 1, 2016, as presented. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

3. Selectboard new business

(a) John Bull, road foreman's report. John Bull discussed the damage sustained to the town's 2006 International tandem dump truck when it slid on ice on Ledge Road and went into a ditch. John, who was driving the vehicle, was not injured. Jim Warden commented that the towns of Shelburne,

Hinesburg, Williston, and Richmond all had severe weather conditions that morning which resulted in accidents. The estimate from Charlebois to repair the damage was \$23,567, which included towing. The town's insurance company has not reviewed the estimate yet. The deductible is \$500.00.

ENPRO Services, Inc., the lowest bidder, was selected to remove the sink with asbestos and windows with lead glazing from the old town garage. According to federal guidelines, there is a 14-day warning period; the job will start on April 4, 2016.

After discussion, John was asked by the board to come up with a plan and estimates to create a loop driveway to go back out onto Atkins Road and a gravel parking lot.

John gave an update on work currently being done around town. He will obtain bids for fencing to go around the Fuller Cemetery and the perimeter of the new town garage with bushes for screening.

Steve Gutowski informed John about the VTrans site visit to three town railroad crossings (Plank Road, Tupper's Crossing, and Town Line Road) and asked him to review the culverts at those crossings. In order for the trains going through those crossings to operate at 59 mph, each crossing will have warning signs, flashers, and closing gates.

Jim Benoit gave John a recommendation of Fournier Farm Equipment in Swanton to check for pricing of a trailer. Red Muir suggested Yandow Sales & Service in town.

(b) Reschedule appointments to first meeting in April. Jim Benoit made a motion to extend all appointments to boards and commissions expiring in March 2016, until April 5, 2016. Steve Gutowski seconded. MOTION PASSED.

(c) Charlene Stavenow – zoning board minute taker. Charlene Stavenow was unable to attend the meeting due to illness. After discussion, Red Muir made a motion to advertise for a minute taker position for the zoning board on Front Porch Forum, the town website, and other free sources.

(d) International Hunter Education Association (IHEA) – annual conference at Basin Harbor Club. Daniel Pietersle of the Vermont Fish & Wildlife Agency discussed the details of the 2016 IHEA-USA Business & Conference to be held at Basin Harbor Club in Vergennes from May 23 to May 26, 2016. Discussion ensued about noise levels from skeet shooting and shotgunning scheduled from 1:15 p.m. to 4:30 p.m. on May 25, 2016. Daniel agreed that he will obtain a letter within the next two weeks from Bob Beach of Basin Harbor Club stating that the club is responsible to notify its neighbors about the noise levels in advance of the event.

(e) Delinquent tax collector – set stipend. After discussion, Red Muir made a motion to pay a stipend of \$3,000 to Sally Torrey, the delinquent tax collector, on a quarterly basis beginning immediately. Jim Warden seconded. MOTION PASSED.

4. Selectboard old business

(a) Town Plan adoption date. Discussion ensued as to whether or not the Town Plan adoption date would remain March 22, 2016, as warned, or be rescheduled for a future date, after the planning commission incorporates the remaining changes. Jim Warden made a motion to cancel the public hearing and wait to reschedule the Town Plan adoption date until the commission makes final amendments. Steve Gutowski seconded. MOTION PASSED.

(b) Ron Smith – RHR Smith & Company’s auditor’s report. Due to a miscommunication, Ron Smith was not informed about this meeting. He will be contacted and asked to attend a meeting at a future date.

(c) Ordinance regulating open burning and incineration. The first draft of the ordinance regulating open burning and incineration in the town of Ferrisburgh was read aloud by Red Muir and Loretta Lawrence per item #2 of the adoption history. Red Muir made a motion to approve the open burning and incineration ordinance. Steve Gutowski seconded. MOTION PASSED. [To read the full ordinance, please see the appendix at the end of this document.]

5. Selectboard general business

None

6. Public comment

Bob McNary asked if the town audit was completed. Loretta Lawrence replied that it has been completed and a copy is on file at the town offices.

Lead by Bob McNary, a discussion ensued regarding whether or not the town should sell the property located at the intersection of Route 7 and 22A, next to the commuter lot in Ferrisburgh. Bob stated that the town may need this property in the future. He cited many attributes of the land including that it is cleared land maintained by a farmer at no cost with a significant amount of septic and a dedicated 8” municipal water line. It also has a two-lane paved road maintained by the state. Bob will bring this issue up again at future meetings.

Monica Tupper asked if the schedule and routes have been set for the Addison County Sheriff’s Department patrols. Expressing concerns about instances of cars driving in the Round Barn Farm development between 1:00 a.m. and 3:00 a.m., Monica asked if the patrols could include this development. Discussion ensued about whether or not the department should patrol private roads. The board will suggest roads to be patrolled to the Addison County Sheriff’s Department.

Carl Cole commented that the continuing issue of parking and fishing on the “slang bridge” on Hawkins Road over Little Otter Creek has already begun. He is concerned that an accident will happen soon because the bridge is narrowed to one lane when cars are parked along most of its length. In the past, warnings have been given to consistent violators of the posted no parking sign. The board will ask the Addison County Sheriff’s Department to ticket violators.

Carl Cole also asked that the board revisit adding a turn lane at the town offices. Steve Gutowski commented that this issue has been continually pursued with the state, which used old data to come to the conclusion that not enough accidents have happened at that part of Route 7 to warrant a turn lane. The Transportation Advisory Committee will send the results of a recent traffic study to the board, which in turn will forward the information to the state.

7. Other business

At the regular selectboard meeting held on March 1, 2016, John Eisenhardt, Jr. asked if there was some way the selectboard could express to the state his many concerns about delayed notice of raw sewage entering Lake Champlain. Loretta Lawrence shared with John her draft of a letter to Representative Diane Lanpher in support of Bill H.674, an act relating to public notice of wastewater discharges.

Steve Gutowski commented that a Memorandum of Understanding with Anbaric is being reviewed by the board and Jim Carroll, the town's attorney from the firm of English, Carroll & Boe. Anbaric has agreed to compensate the town for engineering and legal review.

8. Correspondence

(a) Ferrisburgh GLC Solar, LLC – Fast Track Analysis not provided. The town received a procedural order from the Public Service Board (PSB) stating that a copy of Green Mountain Power Corporation's Fast Track Analysis was not provided with the application for a 500 kW group net-metered photovoltaic electric generation facility submitted by Ferrisburgh GLC Solar, LLC. The company has 30 days to file a Fast Track Analysis. Once the PSB and other persons entitled to receive notice of the application receive the Fast Track Analysis or a System Impact Study, the 21-day comment period shall begin and the PSB will resume processing the application.

(b) Addison GLC Solar, LLC – Fast Track Analysis not provided. The town received a procedural order from the Public Service Board (PSB) stating that a copy of Green Mountain Power Corporation's Fast Track Analysis was not provided with the application for a 500 kW interconnected group net-metered photovoltaic electric power system submitted by Addison GLC Solar, LLC. The company has 30 days to file a Fast Track Analysis. Once the PSB and other persons entitled to receive notice of the application receive the Fast Track Analysis or a System Impact Study, the 21-day comment period shall begin and the PSB will resume processing the application.

(c) US Coast Guard – Private Aids to Navigation (PATON) requirements. In a letter from BMCS Eric P. Baruzzi, the town was informed that throughout the upcoming boating season Coast Guard Station Aids to Navigation Team Burlington and the Coast Guard Auxiliary will be undertaking an initiative to verify that all PATON on Lake Champlain are properly permitted.

(d) Santander Leasing, LLC – copies of financing documents. Included with a letter from Michael Paez, senior vice president of Santander, were copies of financing documents detailing the lease-to-buy agreement for the new town fire truck.

9. Selectboard to approve or sign

(a) Cystic Fibrosis Lifestyle Foundation bike event – July 17, 2016, from 7:00 a.m. to 2:00 p.m. By letter, Brian Callanan requested the board's approval for use of town roads for the 10th Annual Champ's Challenge for Cystic Fibrosis. Since no representative from the Cystic Fibrosis Lifestyle Foundation was present, Loretta Lawrence tabled this agenda item until the next regular selectboard meeting on April 5, 2016.

(b) Multiple Sclerosis Society bike ride – August 6, 2016. By letter, Drew Davis, Director of Logistics for the National Multiple Sclerosis Society Greater New England Chapter, requested the board's approval for use of town roads for the Green Mountain Getaway MS Bike Ride. Since no representative from the Multiple Sclerosis Society was present, Loretta Lawrence tabled this agenda item until the next regular selectboard meeting on April 5, 2016.

(c) Kelly Brush Foundation bike ride – September 10, 2016. Elizabeth Langfeldt informed the board that the Kelly Brush Foundation will hold its 11th Annual Bike Ride through Addison and Chittenden Counties. She requested permission to host a water station at 6 Little Chicago Road, current home of the Historical Society. After discussion, Steve Gutowski made a motion to allow the Kelly Brush

Foundation to host a water station at 6 Little Chicago Road. Jim Warden seconded. All voted in favor. MOTION PASSED.

(d) Selectboard warrant. After review, Steve Gutowski made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$1,600,717.07. Red Muir seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Steve Gutowski made a motion to adjourn the meeting at 8:40 p.m. Red Muir seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira