

**Town of Ferrisburgh
Selectboard Minutes
March 3, 2015**

Members present: Jim Benoit, Steve Gutowski, Loretta Lawrence, Sally Torrey, Jim Warden.

Town officials present: John Bull, road foreman.

Visitors present: Carl Cole, Tim Davis, Duncan Harris, Chet Hawkins, Bob McNary, Matthew Mole, Red Muir, Bessie Sessions.

1. 6:00 p.m. Regular meeting — call to order.

Steve Gutowski called the meeting to order at 6:00 p.m.

Steve Gutowski asked to have the agenda amended to include a discussion with John Bull on personnel matters, possibly in executive session. This item would become No. 9 on the agenda, changing adjournment to No. 10. Loretta Lawrence made a motion to amend the agenda as described. Jim Benoit seconded. All voted in favor. MOTION PASSED.

2. Approve minutes — February 17, 2015

Sally Torrey made a motion to approve the minutes of the selectboard meeting on February 17, 2015, as submitted. Jim Warden seconded. Steve Gutowski, Loretta Lawrence, Sally Torrey and Jim Warden voted in favor. Jim Benoit abstained. MOTION PASSED.

3. Selectboard old business

(a) Town property maintenance (mowing and snow removal). Steve Gutowski said that John Bull and his road crew had determined that they could take care of mowing and snow removal on town property in the future, and that the board should go on the record saying that the town would no longer be issuing requests for proposals, or RFPs, for these services. Jim Benoit made a motion to that effect. Sally Torrey seconded. All voted in favor. MOTION PASSED.

(b) Meeting date with Noelle McKay. Steve Gutowski said that the town still hopes to schedule a meeting with Noelle McKay, commissioner of the Vermont Department of Housing and Community Development, to discuss development of the town parcel at the corner of Routes 7 and 22A and how the town's options are affected by criterion 9L, a recent addition to the Act 250 development control law. A brief discussion of the issues ensued among board members, residents and Duncan Harris of Redstone, the commercial real estate firm that is helping the town in its efforts to market the parcel. Several bills have been introduced in the Legislature that address the challenges that 9L presents for towns across the state. Steve Gutowski said that he would be in touch with McKay to let her know that the town was still concerned about this, and hoped to set up a meeting and site visit to discuss the possibilities, when it had become clearer what might happen in Montpelier.

4. Selectboard general business

No items were discussed.

5. Public comment

Bob McNary said that he felt it had been a mistake not to serve lunch at town meeting on Saturday. Board members pointed out that food and beverages were available, and thanked the volunteers, including those from the North Ferrisburgh United Methodist Church, who had made that happen.

Matthew Mole, referring to discussions at town meeting, asked if there was a timeframe for the town to develop a capital spending plan. Town officials said the contingency funds for building maintenance and the highway department, approved at town meeting, and the establishment of a building committee last year represented a start. They said the hope was that the town would be able to build on these steps in the future. Matt Mole suggested that the town needed to look at some of the big expenditures

coming down the road — a new roof for the town hall, a new cupola for the Union Meeting Hall, for example — and present a plan for funding these projects to the town. Officials said the town was moving in that direction. Carl Cole and Steve Gutowski both talked about the large amount of public infrastructure in Ferrisburgh, and the need to plan for future commitments, and said the town would be working on the issue.

In light of the traffic issues encountered during town voting on March 3, Carl Cole suggested the town keep pushing the state to create a left-turn lane for the town offices on Route 7 northbound. Board members said that the Agency of Transportation had made a presentation to the town last year and essentially said that the work was not going to happen anytime soon. Cole said it would certainly not happen unless the town kept pushing.

Carl Cole, who was on a town committee that worked with owner Clark Hinsdale III on a plan to purchase a piece of property next to the town hall, said he would be contacting Hinsdale now that the purchase had been approved at town meeting.

6. Selectboard to approve or sign

(a) RFP for auditor. Board members reviewed the draft of a request for proposals for auditing services. Board members suggested some minor corrections and asked that the RFP be shared with the elected town auditors before being sent to prospective auditing firms.

(b) Rental agreement — Ferrisburgh Historical Society, March 8, upstairs hall, 1-5 p.m. Jim Warden made a motion to rent the upstairs community room at the town hall to the Ferrisburgh Historical Society for a meeting on March 8, 2015, from 1-5 p.m. and waive the usual rental fee. Sally Torrey seconded. A brief discussion followed about which organizations were able to use the hall without paying a fee. It was agreed that fees were typically waived for town organizations holding meetings open to the public, as was the case with the historical society. All voted in favor. MOTION PASSED.

(c) Rate inquiry for legal services. After receiving notice that the town's current law firm was raising its hourly rates, the town requested and received information about rates from several other law firms. The information showed that the rates charged by the town's current firm, English, Carroll & Boe, are in line with those charged by other local firms. Town officials, acknowledging that attorney Jim Carroll has worked with Ferrisburgh for many years and knows the town well, have expressed frustration with the time it can take to get answers to legal questions. Board members decided to have Steve Gutowski, acting board chair, contact Carroll about this issue, and let him know that the town expected to see improvement in the future.

(d) Village Cafe & Tavern — liquor license renewals. The business in North Ferrisburgh applied for liquor licenses for indoor and outdoor serving areas. Jim Benoit made a motion to approve the two liquor licenses. Jim Warden seconded. All voted in favor. MOTION PASSED.

(e) Selectboard warrant. Loretta Lawrence made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$87,497.68. Jim Benoit seconded. All voted in favor. MOTION PASSED.

7. Other business

At the board's request, town clerk Gloria Warden has been compiling a list of projects and issues facing the selectboard. Jim Warden asked to have a discussion of these projects — which ones were completed, which still needed to be addressed — put on the agenda for a future selectboard meeting.

Steve Gutowski said the town would be looking into whether it made sense to get involved in efforts under way in other towns to address the issue of local control when it came to solar arrays and other renewable energy projects. The issue is being discussed in the Legislature.

Sally Torrey reported that Ken Wheeling, zoning administrator, would be undergoing heart surgery soon. She and other officials said they hoped it would all go well, and sent along best wishes to Wheeling for a speedy recovery.

Loretta Lawrence thanked Sally Torrey, who was attending her last meeting after a decade on the selectboard, for the tremendous job she had done. Lawrence said Torrey's knowledge of the town and her good judgment would be greatly missed. Jim Warden, Jim Benoit and Steve Gutowski all agreed and thanked Sally for her 10 years of service to the town.

8. Correspondence

(a) Chittenden County Regional Planning Commission — Notice of appearance to Vermont Public Service Board for TDI New England underwater/underground electric transmission line.

The Public Service Board informed the town of the CCRPC's notice to appear and intention to intervene in the process of considering a certificate of public good for this electrical transmission project.

(b) Grover appeal to Vermont Supreme Court of PSB granting a certificate of public good to Beach Properties Inc. solar array. The PSB copied the town on a letter about an appeal by Douglas S. Grover, identified as the sole member of 567 Mile Point Road LLC, of the PSB's grant of a certificate of public good for the solar array planned at Basin Harbor Club.

(c) Vermont League of Cities & Towns workshop — construction contracts, April 9, 2015. The workshop, recommended by VLCT for town officials who review, negotiate or sign construction contracts, will take place at the Capitol Plaza in Montpelier.

9. Discussion with John Bull on personnel issues (possible executive session).

Jim Benoit made a motion at 7:15 p.m. to go into executive session to discuss personnel, inviting John Bull, road foreman, to join the board. Loretta Lawrence seconded. All voted in favor. MOTION PASSED.

— *End of minutes from open session.* —

Respectfully submitted,

Tim Etchells

— *Minutes from executive session and the open session that followed.* —

Jim Warden made a motion to leave executive session at 7:45 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

No action taken.

10. Adjourn

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Loretta Lawrence