

**Town of Ferrisburgh  
Selectboard Minutes  
January 5, 2021**

**Members present:** Chris Campbell, Jessica James, Jim Benoit, Clark Hinsdale, Michael “Red” Muir

**Town officials present:** Pam Cousino, Town Clerk. All town officials participated electronically using Zoom.

**Visitors present:** Jean Richardson, Bill Kipp, Ashley LaFlam, Larry Colvin, Peter Ross, Jack Poirier, Mary Lou Ivey, Phillip Mozeika, Bruce Werner, Maja Zimmermann, Karen Petterson, Matt Chandler, Janet Gibbs, Carl Cole, Robert Bernstein, Carol Hanley, Jeff Sherwin, Nancy Armell, Matthew Parda, and Mary Neffinger

**1. 6:30p.m. Call regular meeting to order**

Jessica James called the meeting to order at 6:31 p.m.

Jessica James asked to amend the agenda by moving item 6, Public Comment, to item 1(a) to accommodate the large group in attendance. Jessica James also asked for a motion to amend the agenda to add item 9 (c) Municipal Planning Grant to authorize Jessica James as the municipal authorizing official for the town of Ferrisburgh. The Municipal Resolution Amendment Form will need to be signed for Arabella Holzapfel by January 14 for accessing grant opportunities. Rick Ebel was the former authorizing official and he is unable to do so.

Clark Hinsdale moved to amend the agenda by moving Public Comment from item 6 to item 1 (a) and amend item 9 to add (c) Municipal official-municipal planning grant authorization. Chris Campbell seconded both motions. All voted in favor. MOTION PASSED

**(a) Public Comment**

Mary Lou Ivey, President of the Long Point Corporation, also the road liaison, presented information on repair work conducted by the town on Bay Road on December 28, 2020 to address erosion on the north side of the road where it abuts the beach. An 8’ to 10’ band of gently sloping beach has been replaced by a gravel embankment ending in a steep slope of gravel and rocks. This work essentially destroyed the beach and access to the lake. It is imperative to restore the beach and access to the lake. Mary Lou said to her knowledge, no one at Long Point was informed of the work to be done. She did speak to John Bull and she was encouraged with his willingness to work together to remedy the situation. She requested that a task force be formed in the next week to evaluate the overall situation, develop a plan to restore the beach and access to it. Mary Lou asked that the task force include John Bull, a Long Point board member and a Long Point shareholder. She asked that this project be included on the Selectboard agenda on February 2, 2021 to give and receive an update on plans to restore the beach area and a time for the work to be completed before the water rises. Mary Lou will send her remarks to Pam Cousino.

Matt Chandler shared photos of the beach area before the work was done, during high water levels, low water levels, and a recent photo after the work was done on December 28, 2020. Matt’s property is directly opposite the area impacted and it has greatly impacted his view. He is unclear as to what the problem was they were trying to fix. He did not find any information in previous minutes regarding the project or its scope and is concerned about

remediation. The lake is at a very low level now and easier to work on than it would be when the levels rise. Matt asked a realtor what the impact on the value of his property is and was told it went down \$25,000. Matt Chandler will email a link to the photos to Jessica James.

Bruce Werner indicated his property extends across the road and he was considering adding a dock but that is not possible now.

The Selectboard indicated they were not aware of the work and had questions that John Bull would need to answer when he attends the next Selectboard meeting.

Bill Kipp spoke to a state highway engineer to learn how repairs are made on an asphalt road. The engineer explained that rarely do repairs extend beyond the footprint of the road. Repairs are usually done in warmer weather with a road saw, compacted materials, and a cold patch. Bill asked in the worst case how much shoulder would be used and the engineer indicated 1 to 3 feet depending on the slope of the road. He also contacted the state Department of Environmental Conservation to learn about the Shore Land Protection Act and from what he learned this work is in violation. Towns can be given exemptions but they have not made a site visit yet. Based on Bill's explanation they believe it is in violation.

Karen Petterson commented that after the road work was done the Ferrisburgh Fire Department came down for a drill and the widened shoulder was wide enough for the trucks to be on it. She owns a boat and is concerned about the access to the beach. She measured the elevation at the bottom of the fill; it was 97 and based on the Army Corp of Engineers regulation of 98 this is in violation. Karen believes there are probably other violations including the town zoning board requirement for a permit for fill being placed. She also believes this is not the right kind of rip rap and in 5 years it will be in the lake.

Maja Zimmerman owns a camp on East Road and spoke on the emotional impact of this work. She enjoys the wildlife, walking on the beach, community activities and this is just one last blow in this terrible year.

Larry Colvin suggested that the tree seen in the photos be used as a point of reference to where the road is in relation to the tree. He's not sure the tree will be there very long as the ground level is now 3' higher. The strip of sand near the lake is only there because the water level is so low. Other times of the year the beach would effectively be gone.

Peter Ross said he learned how to swim in the bay, taught his children and now grandchildren to swim in the bay and this is now effectively done as there is no safe way for children to enter. This is a community loss for 125 camps.

Red Muir expressed that he would like to have a conversation with John Bull to understand the thought behind the repairs. Peter Ross asked if that information could be shared with Long Point and Red indicated that it would occur at the next regular public Selectboard meeting when John would be in attendance.

**2. Approve Minutes – Regular meeting, December 15, 2020, budget work session, December 15, 2020**

Jessica James asked for approval of the minutes. Jim Benoit moved to approve the regular meeting minutes of December 15, 2020 as submitted. Red Muir seconded the motion. All voted in favor. MOTION PASSED.

Jim Benoit moved to approve the budget work session minutes of December 1, 2020 as submitted. Chris Campbell seconded the motion. All voted in favor. MOTION PASSED.

**3. Selectboard New Business**

**(a) Draft warning for Town Meeting Annual Report/Informational meeting 2/27/2021**

Pam Cousino presented a draft of the warning. After the draft is reviewed, Pam requested permission to send to Jim Carroll for review. Red Muir asked if anything was changed in Article 2 and Pam responded no. Once this is approved at the meeting on 1/19/21 the Selectboard will need to go into the office to sign the warning so it can go to the printers. Jim Benoit did not see any issues. Since this is the first time having a warning for an informational meeting, Pam would like the extra review to be sure everything is correct. Red Muir asked if Bill Clark would be moderating the informational meeting. Pam will call Bill to ask him to facilitate. Red asked if in previous years some changes were made to budget amounts. Pam answered yes very small ones but this would not be allowed for this year. Clark Hinsdale mentioned as he reviewed the appropriations for the agencies that 3 of them are cemeteries. He suggested in the future looking at the possibility of a 21<sup>st</sup> century way to manage cemeteries. He proposed putting it on the 2021/2022 list and to involve some of the long time cemetery commissioners.

**(b) Ferrisburgh Sled Heads, Inc. Re: VAST Club**

Jack Poirier represented the Ferrisburgh Sled Heads (formerly Shellhouse Nostalgic Mountain Jumpers) in requesting the use of the Ferrisburgh forest land on top of Shellhouse Mountain for 2021. Jim Benoit asked if there were any changes on the trail. Jack responded that everything appears the same as last year. He will be doing another check after the last wind storm. Clark Hinsdale moved that the Ferrisburgh Sled Heads be allowed to use the Ferrisburgh forest land for 2021. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED  
Jack indicated that he will be in touch with Clark Hinsdale in the future regarding the bridge abutment. Jean Richardson said she is 40' away from the bridge and wants to make sure that she doesn't get any flooding and would like to be involved in the conversations. Jack said he would include Jean.

**4. Selectboard Old Business**

**a) Building Committee Update**

**i. Union Meeting Hall**

Red Muir reported that the RFP for the Union Meeting Hall steeple has been drafted and they would like to put it out to contractors. Multiple contractors have shown interest in the project. One change to the draft that was provided would be language regarding the town reserves the right to reject any and all bids. Jessica James asked for a motion to accept the Union Meeting Hall RFP with the addition of the language that the town reserves the right to reject any and all bids. Clark Hinsdale made the motion to approve

the Union Meeting Hall RFP with the addition of the language that the town reserves the right to reject any and all bids. Jim Benoit seconded the motion. Carl Cole indicated he would like to get this out to contractors in the next week or 10 days and ask them to respond by February 16, 2021. All voted in favor. MOTION APPROVED

ii. **Town Office Building**

Red Muir indicated that the bills for the filter replacement work are included in today's warrant. He referred to the Silver Maple report and has spoken to Joe Blasius about doing some investigating under the siding to see what's causing the problems. Joe indicated he would be interested in doing the research for time and materials. Red would like to prepare an RFP but wants to wait until concerns that were brought to Breadloaf are addressed. Red proposed having Joe investigate, take pictures and then invite Michael McLaughlin to a Selectboard meeting to review the problems. Carl Cole proposed that Michael McLaughlin come and look at things before Joe does any investigation. Red Muir proposed scheduling a site visit with the Building Maintenance Committee and invite the Selectboard to join. Jessica James will invite Michael McLaughlin to a site visit.

iii. **Sisters property – inspection report**

Red Muir reported on the site visit at the Sister's Property. Don Sisters was present for the site visit. The fascia boards and soffits might be an addition to the quote from Clover State. The porch walking in has a soft spot and it sags so the windows and doors don't close properly. The back porch roof has leaked and rotted out the floor. The window sills are rotted. The siding is buckled on the porch and that's the corner that is settled. The septic hasn't been pumped since the town has owned it. The power to the garage is still above the ground. Red spoke to RCI and asked them to test the underground wire to see if they can troubleshoot the problem. Bill Wager mentioned smoke and carbon monoxide detectors and suggested they be replaced. RCI can check the kitchen outlets to determine if they have GFI protection. Discussion followed regarding the reasons for keeping the property and supporting continued expenses.

Jessica James expressed appreciation for the report that the building committee submitted.

**5. Selectboard General Business**

**a) COVID-19 updates**

Cases continue to rise. If you have gathered with others consider getting tested even if you have no symptoms.

**6. Other Business**

No other business.

**7. Correspondence**

**a) Tim and Martha Davis contribution to Ferrisburgh Ice Rink**

Tim and Martha Davis have work diligently on the rink and have contributed a lot of time and money. Jessica James reported there have been a lot of people using it since activities are so limited right now for families. There is money in this week's warrant for the liner. Pam Cousino indicated this will come out of the ice rink fund and is not part of the town budget.

**b) State of Vermont 2020 Equalization Study Results – CLA 98.22%**

Clark Hinsdale asked if Justus DeVries would be appealing. Jessica James indicated she had not spoken to Justus and Pam Cousino didn't think he would. It would have been lower but one property was removed.

**c) Addison County Solid Waste Mgt. District – Adopted 2020 Solid Waste Mgt. Plan (SWIP)**

A letter was received regarding the 2020 solid waste management plan adoption. No comments were made regarding this correspondence.

**8. Selectboard to approve or Sign**

**a) Selectboard warrant**

Jessica James asked for a motion to approve the warrants. Red Muir made a motion to approve the Selectboard warrant in the amount of \$64,778.68. Chris Campbell seconded the motion. All voted in favor. MOTION PASSED

**b) Completion of railroad crossings – Charlotte STP 2035 (23) & Ferrisburgh STP 2035 (24) & 2035 (25)**

Jessica James asked Pam Cousino if she had heard from John Bull on this and she has not. Pam will follow up with John. The project acceptance letter must be signed and returned 30 days from December 23, 2020 or it's considered signed. Jim Benoit moved to approve and sign the project acceptance letter once John Bull has given his approval. Red Muir seconded the motion. All voted in favor. MOTION PASSED Jessica will follow up with John Bull.

**c) Municipal Planning Grant**

Red Muir commented he may have been an alternate signer. Jessica confirmed that he is. Red stated he does not have access currently. Jessica James explained that the town needs an official to sign the amended resolution for the municipal planning grant. Red Muir moved to appoint Jessica James as the authorized municipal signer. Clark Hinsdale seconded the motion. All voted in favor. MOTION PASSED All Selectboard members must sign the amendment by the end of this week. The amendment needs to be returned by January 14, 2021.

Discussion was held around the amended agenda for this meeting. It was announced that Public Comment will follow the meeting minute approvals going forward.

**9. Adjourn**

Jessica James asked for a motion to adjourn. Red Muir moved to adjourn the meeting at 8:17. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

Respectfully submitted,

Carol Allen