

Town of Ferrisburgh . Approved  
Selectboard Minutes  
January 8, 2019

**Members present:** Jim Benoit, Rick Ebel, Steve Gutowski, Jessica James.  
Michael Red+Muir participated electronically.

**Town officials present:** Bonnie Barnes, Zoning Administrative; Deb Healey, town treasurer; Steve Huffaker, Addison County Solid Waste Management District town representative

**Visitors present:** Lacy Couture, Josh Quinn, Jean Richardson, Bessie Sessions, Patrick Whitley.

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

Rick Ebel, chair, called the meeting to order at 6:30 p.m. He asked for a motion to amend the agenda, adding **3. (b) RHR Smith — draft audit report — Josh Quinn**. Jessica James made a motion to amend the agenda as described. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**2. Approve minutes — December 18, 2018, regular meeting.**

Jim Benoit made a motion to approve the minutes of the December 18, 2018, regular meeting, as submitted. Jessica James seconded. All voted in favor. MOTION PASSED.

**3. Selectboard new business**

**(a) Ferrisburgh Conservation Commission — event contract-Explore Bobcat Habitat — February 21, 2019.** Rick Ebel said this is a reissue of a contract already in place; the event was rescheduled due to inclement weather. Steve Gutowski expressed concern that holding the event in February will disrupt the animals because it is a high-stress time of year. After discussion, Red Muir made a motion to accept the contract for the Explore Bobcat Habitat event with the condition that conservation commission members are in support of the date to enter the forest with due consideration for the habitat. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(b) RHR Smith — draft audit report — Josh Quinn.** Josh Quinn began his presentation to the board by thanking Deb Healey, town treasurer, and Pam Cousino, assistant town treasurer, for their help in compiling all of the financial information. Quoting statistics from the general fund account, he said the FY17 balance was \$224,000; the FY18 balance was \$80,000 and the town planned on spending \$66,000 of the FY17 balance. He stated the town would soon receive a management letter and final audit statements. These numbers could be revised in the next few days. He spoke about improvements in two areas from the June 30, 2017. July 1, 2018, audit: deposits are being made on time and bank reconciliations to the general ledger are being done more timely, though this could be improved. He suggested that as a best practices approach every invoice be stamped with the date and the name of the person approving the bill, and that disbursements for voter-authorized payments be invoiced. He also said some I-9 forms are incomplete. When asked by Red Muir about the level of funds in the operating budget Josh replied the town is currently operating with less than a month, though two to three months is recommended for a municipality. Red commented that this has been a consistent problem.

**4. Selectboard old business**

**(a) Arnold Bay Road tree cutting and right-of-way update.** Rick Ebel commented that this agenda item was discussed at the last selectboard meeting in executive session. After agreement by all board members that they did not need further time to discuss this matter, Red Muir made a motion to direct our attorney, James Carroll, to file a complaint in superior court on behalf of the town against Vorsteveld Farm, LLP, in reference to the extensive tree cutting that took place on Arnold Bay Road, as it violates what is known as the shade tree statute (24 V.S.A. § 2508). Jessica James seconded. After discussion, Rick requested a roll call vote: Jessica James AYE, Steve Gutowski NO, Jim Benoit NO, Red Muir AYE, Rick Ebel AYE. The motion passed.

**(b) US Route 7/Old Hollow Road/Stage Road intersection update — local concerns meeting date set.** Rick Ebel announced the date set for the local concerns meeting is January 15, [2019.] He said a flyer about the meeting is on the homepage of the town website and there was a story in the previous day's *Addison Independent*. He said the regular selectboard meeting would begin at 6:00 p.m. Then at 6:30 p.m. the informational meeting would begin, providing an opportunity to community members to give input to VTrans and the engineering firm hired by them to do the scoping study of that intersection. Rick encouraged anyone affected by that intersection to come to the meeting.

**(c) Employee pay periods.** Rick Ebel said that at the last selectboard meeting there was a discussion about moving to a two-week pay period for employees. After meeting the next morning with highway department employees, it was decided to stay with the weekly pay schedule.

## 5. Selectboard general business

**(a) Trash/recycling drop-off — Steve Huffaker, Addison County Solid Waste Management District representative.** When asked by Rick Ebel for his assessment of the new operation Steve Huffaker said he had not been yet to the new trash/recycling drop-off in Vergennes. Rick Ebel shared his experience saying it seemed to be pretty well mapped out with no backup.

**(b) Personnel Policy — jury duty compensation.** Steve Gutowski made a motion to approve the jury duty compensation policy as written. Jessica James seconded. All voted in favor. MOTION PASSED. The Town will compensate employees at their regular hourly rate for their service as juror or witnesses when compelled by the courts and unrelated to their status as a Town employee. In accordance with 21 V.S.A. § 499, employees will otherwise be considered in the service of the Town for purposes of determining seniority, benefits, credit towards vacations, sick leave, and other rights, privileges, and benefits of employment.

When Town employees are called to serve as a witness in a court proceeding due to their status as an employee of the Town, the Town will compensate the employee at their regular rate of pay. Town employees taking Court/Jury leave shall be required to submit documentation of their service. The Court/Jury documentation shall be provided to the Selectboard once the Town Employee receives the summons so that the Town employee's position will be covered while they are away. A Town employee who is appearing as a witness, defendant, or plaintiff while not due to their status as an employee of the Town, the Town employee is not covered under Court/Jury duty leave. In this case, the Town employee would have to use earned vacation pay (see Paragraph B. Vacation Pay).

**(c) Town clerk's office work schedule.** Rick Ebel said Gloria Warden, town clerk, was not able to attend the meeting and would have something in writing to be on the agenda for the February 5, 2019, regular selectboard meeting. He added that in general the office is running smoothly.

**(d) Budget work continued.** Deb Healey, town treasurer, said there was only one update to the budget dated December 26, 2018: \$100 was added to cover the cost of maintenance of a fire

extinguisher at the Union Meeting Hall. She said she would give the January 8 budget to the board the next day because the budget will need to go to press after the next selectboard meeting. She remarked the budget is up 5% because of fixed costs. Jim Benoit asked if the line item for recycling had been removed. Deb replied it had. He continued by saying so it is actually more than 5%. Deb responded that the recycling cost represents less than 0.7 percent of the budget.

## 6. Public comment

There was no public comment.

## 7. Other business

**(a) McNary/Town & Country Homes, Inc. — Act 250 Land Use approved Permit.** Discussion began when Steve Gutowski asked Bonnie Barnes, zoning administrator, why the state is approving a modular home business when Denecker was given such a hard time on an adjacent property across the road from an extensive farm operation, which was McNary's. Bonnie replied it ended up in a withdrawal of the application by Denecker. Stressing he is not against this project at all, Steve said it was very frustrating for the town because it was trying to sell a piece of property and had a buyer who was an existing business in the community, who would have stayed in the community and provided jobs. Bonnie speculated that there has been some evolution in the thinking about strip development on the state level and perhaps at other levels. She said it may simply have been that Denecker was at the wrong place at the wrong time. She said that by reading the approved permit there is a real acknowledgement that the classic strip development analysis does not work when development classically, historically in Ferrisburgh has taken place along Route 7. Bonnie also said the Town & Country application was proposing mitigating strategies with their ability to concentrate land and have open space forever preserved. Steve said the Denecker site also had preserved land; now that Town & Country is coming in it should make the town-owned property at 22A and US Route 7 a little more acceptable for development since it is in an industrial zone. Red Muir said it should widen the group of people who want to buy the property. Rick thanked everyone and said welcome to Ferrisburgh to Patrick Whitley and Lacy Couture, who were at the meeting representing Town & Country Homes.

Rick Ebel handed out copies of a draft of the selectboard annual report to the other board members asking them to review it and provide comments to him. The final report will be in the 2018 Town Report.

## 8. Correspondence

**(a) Front Porch Forum (FPF) — replies regarding budget and trash and recycling costs.** Rick Ebel said when he sees posts on FPF regarding the town he emails the people who placed the posts inviting them to come to a selectboard meeting. He invited several people to come to the meeting who are not present. A post from Kurt Haigis mentioned an idea of people getting a tax break if they participated in the recycling program. Paige Russell replied to Rick's email saying she felt out of the loop because her friend who lives in Vergennes knew earlier about the trash and recycling changes. Rick said he asked Steve Huffaker, the town's representative to the Addison County Solid Waste Management District, to post information about the new drop-off since this information does not come from the town. Rick asked board members if they see posts on FPF that are town related to ask the people who posted to come to a selectboard meeting.

**(b) Vermont Department of Taxes 2018 Common Level of Appraisal (CLA).** The town received the 2018 Equalization Study Results, which stated the CLA is 102.26%. Since this number is over 100% it indicates that property in Ferrisburgh is generally listed for more than its fair market value.

**(c) Vermont League of Cities & Towns (VLCT) — Weekly Legislative Report.** By mail, the town received VLCT's Weekly Legislative Report. Rick Ebel commented that this report is published every Friday afternoon on the VLCT website when the legislature is in session.

**(d) Chief Merkel, Vergennes Police Department — Addison County Traffic Safety Coordinator.** The town received a letter from George Merkel, Chief of Police in Vergennes, stating his department is managing a grant awarded from the National Highway Safety Administration for the implementation of an Addison County Traffic Safety Coordinator. Police Officer Mark Stacey was selected as the coordinator. After discussion, Rick said he will follow up to find out about communication with Addison County Sheriff's Department and Vermont State Police, as well as where Addison County Regional Planning Commission fits in. He will also ask about safety at road events and Addison County Sheriff's Department hired for traffic enforcement in Ferrisburgh.

## **9. Selectboard to approve or sign**

**(a) Jolley Associates, LLC — 2019 Liquor License renewal application.** Jim Benoit made a motion to approve the 2019 Liquor License renewal application for Jolley Associates, LLC. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

**(b) Selectboard warrant.** After review, Steve Gutowski made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$143,682.79. Jim Benoit seconded. All voted in favor. MOTION PASSED.

## **10. Adjourn**

Jessica James made a motion to adjourn the meeting at 8:02 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira