

**Town of Ferrisburgh  
Selectboard Minutes  
March 21, 2017**

**Members present:** Jim Benoit, Rick Ebel, Steve Gutowski, Loretta Lawrence.

**Absent:** Michael “Red” Muir

**Town officials present:** John Bull, road foreman; Gloria Warden, town clerk.

**Visitors present:** Craig Heindel, Clark Hinsdale, Casey Jones, Cathy Jones, Tom Kimball, Chris Melendy, Melissa Muzzy, Jennifer Rand, Bessie Sessions, Stephanie Taylor, 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.** Steve Gutowski made a motion to elect Loretta Lawrence as chairperson of the board. Jim Benoit seconded. Jim Benoit, Rick Ebel, and Steve Gutowski voted in favor. Loretta Lawrence abstained. MOTION PASSED.

**(c) Motion to elect vice chairperson.** Steve Gutowski made a motion to elect Red Muir as vice chairperson of the board. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(d) Motion to elect clerk.** Steve Gutowski made a motion to elect Rick Ebel as clerk of the board. Jim Benoit seconded. Jim Benoit, Steve Gutowski, and Loretta Lawrence voted in favor. Rick Ebel abstained. MOTION PASSED.

**(e) Appointment of minute taker.** Steve Gutowski made a motion to appoint Jean Silveira as minute taker. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**(f) Motion to adopt Robert’s Rules of Order.** Steve Gutowski made a motion to adopt Robert’s Rules of Order. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**(g) Motion to set the first and third Tuesdays of every month as the meeting schedule.** Rick Ebel made a motion to set the first and third Tuesdays of every month as the meeting schedule. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(h) Motion to designate the official newspaper.** Steve Gutowski made a motion to designate *The Addison Independent* as the official newspaper. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**2. Approve minutes — March 7, 2017.**

Steve Gutowski made a motion to approve the minutes of March 7, 2017, with the following amended paragraphs submitted by Craig Heindel, chair of the town’s Vermont Green Line Committee:

**(a) Vermont Green Line (VGL) Committee update.** Craig Heindel, chair of the town’s VGL Committee, commented that his committee is continuing to negotiate with Vermont Green Line Devco. Although a host town agreement has not been signed yet, Craig indicated that the committee feels that a mutually agreeable one, as well as a Section 1111 town right-of-way (“road access”) permit, with adequate financial and legal protections for the town, is still possible.

A lengthy discussion ensued regarding whether or not the Addison County Regional Planning Commission (ACRPC) will agree or disagree that the proposed buried electric cables, and a possible upgrade to the overhead transmission lines from New Haven northward that might be triggered by the

additional power transmitted by the VGL project, are in conformance with the Regional Plan. The board will ask Tim Davis and Arabella Holzapfel, the town's representatives to the ACRPC, to indicate to the ACRPC that, at present, the Ferrisburgh selectboard supports the Vermont Green Line Devco project as currently proposed, pending the selectboard's concurrence with the final Host Town Agreement and Section 1111 Town Roads Right-of-Way Permit.

Jim Benoit seconded. All voted in favor. MOTION PASSED.

### **3. Selectboard new business**

**(a) John Bull — highway operations report.** John Bull highlighted details of two contracts he received from the Vermont Agency of Transportation (VTrans) describing two rail crossing safety improvement projects: Tappers Crossing and Town Line Road. The projects will begin this spring with a completion date of June 30, 2018. An email from Cos Gardner, rail project manager at VTrans, mentioned that a Finance and Maintenance Agreement would need to be signed and returned. John stated that the town clerk, on behalf of the board, sent the contracts and maintenance agreement to Jim Carroll, the town's attorney, for review.

John submitted to the board a chart with pricing information and specifications for a new truck to be purchased at either R.R. Charlebois in Milton, Vermont, or Sheldon Trucks in Williston, Vermont. Each dealer would take the 2004 Freightliner truck in trade. Based on many years of experience with Mack trucks, Jim Benoit agreed with John's recommendation to purchase a truck made by this manufacturer. Jim Benoit made a motion to purchase a new Mack truck from Sheldon Trucks, not to exceed \$190,000. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

John informed the board that he is considering running an ad for an entry level highway grounds person to be paid \$12–\$15 per hour, depending on experience. He stated he would like to remove the last part of the job description, which states that to complete the probationary period, an employee must obtain a CDL license. Without this requirement, the job pool will increase. The board agreed. John plans to begin interviewing at the end of April.

Loretta Lawrence asked John what the purpose of the barrier is that she saw next to the town garage. He replied that it is the cement foundation from the old garage. John plans to use it to stockpile materials; it will also give privacy to the neighbors when the road crew is working in the yard.

Rick Ebel asked John to describe the meaning of the weight limit signs posted of certain town roads. John stated that at this time of year as the frost goes out of the roads, water gets trapped in between and heavy loads can quickly destroy a road. Haulers with heavy loads, such as cement, must contact John first to see if the posted road can be used at a particular time of day.

**(b) Clark Hinsdale — re: Atkins Farm Association membership.** A lengthy discussion ensued between Clark Hinsdale, the board, and several homeowners from the Atkins Farm Association. Clark spoke about the possible role the town might play in the maintenance of Atkins Farm Road. Loretta also stated that the town wants to be a good neighbor to the Atkins Farm Road homeowners. She continued by saying that issues involving the former town treasurer have taken much of the board's time. The board will now be able to focus to this matter.

Loretta Lawrence, selectboard chair, stated that she contacted Jim Carroll, the town's attorney, for advice on this matter. However, the board has not yet met to discuss this.

**(c) Town treasurer — set hourly rate.** Loretta Lawrence stated that although the town treasurer begins the job on the day after Town Meeting Day, the rate of pay cannot be established until the first

regular selectboard meeting after the vote. By letter, Deb Healey suggested that she be paid the same hourly rate as the past treasurer: \$18.50. Following discussion, Rick Ebel made a motion to set the hourly rate for the town treasurer at \$18.50 per hour, retroactive to Deb's first week. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(d) Kelly Brush Annual Bike Ride — September 9, 2017.** Jennifer Rand, a representative from the Kelly Brush Foundation, informed the board that the organization will hold its 12<sup>th</sup> Annual Bike Ride through Addison and Chittenden Counties. Jennifer and the board discussed moving the water stop at the Ferrisburgh Historical Society, located at 6 Little Chicago Road, to the rear parking lot (toward the school). This will be a safer pull off for riders traveling in both directions. Loretta Lawrence asked that the port-o-lets at the water stop not be placed near the bushes; this property belongs to a town resident not the town. Loretta informed Jennifer that at last year's ride, flaggers at the intersection of US Route 7 and Greenbush Road were a hazard; the flaggers and their vehicles need to be stationed off the road. After discussion, Steve Gutowski made a motion to approve the use of town roads by the Kelly Brush Foundation for the September 9, 2017, bike ride with the three above conditions. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**(e) Prevent Child Abuse Vermont — request to purchase pinwheels for “Pinwheel Garden.”**

Steve Gutowski made a motion to purchase 50 pinwheels for \$50.00 and display them on the lawn in front of the town offices building. Jim Benoit seconded. Steve Gutowski and Rick Ebel voted in favor. Jim Benoit and Loretta Lawrence voted against. MOTION FAILED. Steve Gutowski suggested sending a letter to Prevent Child Abuse Vermont describing the process to seek funding from the town.

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

There were no items under old business for this meeting.

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

**(a) Vermont Green Line (VGL) Committee update.** Craig Heindel, chair of the town's VGL Committee, submitted an invoice approved by the VGL Committee to the selectboard. After discussion, Jim Benoit made a motion to approve payment of the invoice from Jim Carroll, the town's attorney from the firm of Carroll, Boe & Pell, in the amount of \$76.00 from the VGL escrow account. This account, which funds continuing expenses such as legal bills, is fully funded by Vermont Green Line Devco, not by the town. Rick Ebel seconded. Jim Benoit, Rick Ebel, and Loretta Lawrence voted in favor. Steve Gutowski abstained. MOTION PASSED.

Craig stated that about 10 days ago, Joe Rossignoli, director of business development for National Grid, coordinated with his legal department to send to Gloria Warden the required paperwork to transfer additional funds for 2017 to the escrow account. Gloria commented that after scanning the documents she sent them to Joan Donahue, the escrow agent from the law firm of Brennan, Punderson & Donahue, PLLC.

Craig mentioned that on March 23, 2017, the committee will meet with the town's attorneys for this project (Jim Carroll and Ben Marks), mostly in executive session, to continue work on the draft Host Town Agreement (HTA) and the draft Section 1111 Town Roads Right-of-Way Use permit.

Craig also mentioned that he is pursuing updates from VTRANS and the Agency of Natural Resources regarding the status of processing the permit applications to these agencies. The Public Service Board is in the middle of several months of information gathering, so there is not much new to report from the board.

Craig reiterated the committee's general feeling that that this project will likely have a positive outcome

for the town, as long as the HTA, Section 1111 permit, and other permits can be finalized in a satisfactory way. The selectboard members expressed their continued support of the project in general, but pending positive outcomes of the HTA, Section 1111 permit, and Public Service Board processes; the board thanked the VGL Committee for its work.

Craig mentioned that the VGL committee no longer has a member from the selectboard. Rick Ebel volunteered to replace Jim Warden, and will attend the March 23, 2017, meeting.

**(b) Proposed Town Charter — update language.** Jim Benoit recommended that the board stay with the current charter language and move forward. After a lengthy discussion, the board decided not to change the language of the town charter presented at Town Meeting Day.

**(c) Town Charter — set date for town vote.** Following discussion, Jim Benoit made a motion to set May 10, 2017, as the date for the town charter vote. Steve Gutowski seconded. All voted in favor. MOTION PASSED. After further discussion, Steve Gutowski made a motion to amend the date to May 11, 2017. Jim Benoit seconded. All voted in favor. MOTION PASSED.

## **6. Public comment**

Bessie Session asked the board for the dates of the two public hearings for the town charter. Loretta Lawrence replied, stating that the dates are April 10 and April 17, 2017.

Discussion ensued after Gloria Warden informed the board about a large snowfall from the roof of the town offices building that extended into the parking lot on the south side. Steve Gutowski stated that he would pass this information on to Red Muir, the board's representative on the building maintenance committee.

After mentioning two recent break-ins at town clerk's offices in Rutland County, Vermont, Gloria Warden asked the board if it has given more thought to installing a security system in the town offices building. Steve Gutowski expressed concern that Gloria is often still working alone after the office is closed, including when it is dark outside. He described a security camera system that will call your cell phone if any sensors are tripped. The board will revisit this issue.

Gloria Warden asked the board if it wanted to set a target date for terms for upcoming appointed positions ending in 2017. After discussion, Loretta Lawrence stated that the date should be April 18, 2017. This will give Gloria more time to contact each board chair to see if current members want to continue prior to advertising for these positions.

Monica Tupper asked the board if an audit has been done of all financial accounts following the election of a new town treasurer. Loretta Lawrence replied it had not due to the fact that the election had just happened, and that this was the first regular selectboard meeting since the election. Jim Benoit commented that paying for an outside audit would be money well spent. Jim Ebel expressed his agreement.

## **7. Other business**

Following discussion of the transition of the new town treasurer, the board decided that Loretta Lawrence would contact the town's outside auditor Ron Smith of RHR Smith & Company, CPA, to ask for an audit of the town's financial records, from June 30, 2017, to current.

## **8. Correspondence**

**(a) PUBLIC NOTICE — DRAFT Indirect Discharge Permit ID-9-0326 — Button Bay State Park.**

The Department of Environmental Conservation proposes to issue to the Vermont Department of Forests, Parks & Recreation for the discharge of treated domestic sewage from Button Bay State Park in Ferrisburgh, Vermont, to groundwater and indirectly to Lake Champlain. The public comment period is March 8 to April 6, 2017.

**(b) Addison County Readers, Inc. — 2016 Annual Report to Donors.** Since April 2007, children in the town of Ferrisburgh, Vermont, have received 5,399 books through Dolly Parton's Imagination Library.

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

**(a) Glenn Rossier — hall rental request for memorial gathering on March 23, 2017, from 3:00 to 5:00 p.m.** After discussion, Jim Benoit made a motion to rent the upstairs community hall to Glenn Rossier, for the rental fee of \$100.00, a \$500 deposit, and proof of insurance. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

**(b) Brett Danyow — hall rental request for annual meeting of the Walker Road – LCR Water Users on April 11, 2017, from 7:00 to 8:30 p.m.** After discussion, Jim Benoit made a motion to rent the upstairs community hall to Brett Danyow, waiving the rental fee, but requiring a \$500 deposit, and proof of insurance. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

**(c) Homeward Bound — 2017 contract for animal holding facility.** After discussion, Jim Benoit made a motion to accept the 2017 contract for the flat rate of \$550.00. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**(d) Dollar General Store #13135 — 2017 liquor license renewal application.** After review, Steve Gutowski made a motion to renew the liquor license for a second-class store in a single-story building, located on the southwest corner of Monkton Road and US Route 7, designated as #186 in the town of Ferrisburgh. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**(e) Selectboard warrant.** After review, Rick Ebel made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$27,327.84, holding three invoices pending clarification: Kofile Technologies invoice # 217528 for \$3,473.39; Kofile Technologies invoice # 217610 for \$2,275.41; Neuse, Duprey & Putnam P.C. invoice #21144 for \$684.00. Jim Benoit seconded. All voted in favor. MOTION PASSED. Once satisfactory clarification has happened, Loretta will authorize the treasurer to pay the three invoices.

#### **10. Adjourn**

Rick Ebel made a motion to adjourn the meeting at 9:03 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira