

Town of Ferrisburgh - Approved
Selectboard Minutes
April 21, 2020

Members present: Jim Benoit, Chris Campbell, Clark Hinsdale, Jessica James, Michael “Red” Muir. All members participated electronically using Zoom.

Town officials present: John Bull, road foreman; Pam Cousino, town clerk; Laurie Curler, assistant town clerk; Deb Healey, treasurer; Jean Silveira, selectboard minute taker, assistant town clerk, office clerk. All town officials participated electronically using Zoom.

Visitors present: See roll call

1. 6:30 p.m. Call regular meeting to order. Jessica James called the meeting to order at 6:31 p.m. by requesting a roll call attendance of all participants in the meeting: Jessica James, Red Muir, Clark Hinsdale, Laurie Curler, Pam Cousino, Deb Healey, Jim Benoit, Chris Campbell, Jean Silveira, Jean Richardson, Wally Reed, John Bull, Wes Snyder, Ashley LaFlam.

2. Approve minutes — April 7, 2020, regular meeting.

Clark Hinsdale made a motion to approve the minutes of the April 7, 2020, regular meeting, as submitted. Jim Benoit seconded. All voted in favor. MOTION PASSED.

3. Selectboard new business

(a) Local Emergency Management Plan update and adoption — Bill Wager. Jessica James said Bill Wager was not on the call, which limits the discussion. She asked if any board members had questions about the plan. Clark Hinsdale asked if the state has information of what it would want a town of 2,700 people to have as opposed to checking off what we do have. Clark continued by saying if Bill were on the call he would ask him what is the town’s biggest shortcoming in emergency preparedness. Jessica said she would follow up with Bill about both items. Following discussion, Jim Benoit made a motion to sign and approve the Local Emergency Management Plan. Clark Hinsdale seconded. All voted in favor. MOTION PASSED.

(b) John Bull — highway operations report. Discussion ensued when John Bull asked the board if he should be doing business as usual or pulling back given cash flow. Jessica James said she feels we have to be very careful about where we are spending money and when, like everyone else. John said paving and construction pushed out from last fall is planned from now to July 1 to finish the year out, adding projects would be partially paid by grants. He discussed ways to reduce actual dollars being spent, such as pushing out construction projects. He spoke about the truck scheduled to be built in April, saying it is on hold and would probably be built in late summer. He feels the truck is a necessary piece of equipment, and there are funds which would cover two years of truck payments and also could be leveraged for a loan. He said for the next three weeks to a month he would limit out-of-pocket dollars. He asked the board to get back to him in the next 10 days after it reviews cash flow.

John reviewed for the board the current situation with owners of two properties who installed fences in the town right-of way without 1111 permits. He said he was about to send a second letter to Steven Shores. He is also sending a letter and an 1111 permit application to the owners who installed a fence at the corner of Wing Road and Middlebrook Road. If that permit is approved, the fence will need to be moved back because it blocks the view from the road. Jim Benoit asked John to copy the selectboard on both letters.

Deb Healey said she sent paperwork to the state to apply for a low-interest loan from the Municipal Equipment Loan Program to replace the truck totaled in an accident. Since she has not heard back from them it may be necessary to contact a bank.

(c) Wes Snyder — National Multiple Sclerosis Society bike ride — August 15, 2020. Wes Snyder addressed the board stating there is a national work team evaluating everything going on with COVID-19, adding if the race would need to be cancelled they would do so. He gave detailed information about the ride and answered questions. Following discussion, Clark Hinsdale made a motion to approve the use of town roads by the National Multiple Sclerosis Society for a bike ride on Saturday, August 15, 2020, providing riders follow the Ferrisburgh town requirements and station volunteers for traffic control at intersections with traffic lights. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(d) Tree cutting in ROW on Button Bay Road discussion. Jessica James read an email dated March 4 from Cliff Mix, tree warden, which stated he “inspected the site and spoke at length with the neighbor, Walter Reed on 3/3. I observed a freshly cut stump (approximately 10" DBH cedar, alive when cut) approximately 8 feet from the edge of the pavement in a hedgerow of native shrubbery. It appears from my observations and the remarks from Mr. Reed that his neighbor, Bernie Dam knowingly and willfully removed the tree as well as numerous other trees in his own yard. A large pile of freshly cut trees/brush was obvious in the rear corner of his property. It is my recommendation that he be fined a total of \$500 for the removal of this public tree as provided under Sec. 2510, Chapter 067 of Title 24.” Wally Reed began the discussion by saying there are many ROW issues in the town given the Vorstevelds, the Dams, and Steven Shores. He said without action taken against all of them the precedent is set that they can do what they want. Wally expressed concern that all parties be treated equally. When asked by Red Muir if Bernie needed an 1111 permit to cut the tree in the town ROW, John replied he did need one and did not apply for one. Wally said Bernie is very familiar with the ROW having come to the planning commission when he subdivided three lots on contiguous property. John said he would send Bernie an 1111 permit application and a letter informing him that this item will be on the next selectboard meeting agenda.

(e) Cash flow update. Jessica James stated she was informed by the Vermont League of Cities & Towns about two bills in the Legislature, though she had not heard any update on what municipal relief would look like for property taxes for school funds. She said she, Pam Cousino, and Deb Healey, along with representatives from Panton and Vergennes have a call scheduled with Elizabeth Jennings, director of finance and operations at the school district, to discuss what to expect for school district payments during this crisis. Deb said that since we do not know who will be able to pay their taxes decisions need to be made at the state level so every town is doing the same thing about possible tax relief. Both Pam and Deb said that tax payments for June may not be too much of a problem; the concern is for the September and December payments. When asked by Red Muir about waiving the interest and penalty for late payments, Deb replied we cannot waive penalties and interest at this time. Pam said these have been set by the voters and cannot be changed unless the state comes up with something to waive that. Discussion shifted to tax abatements and the need for these to be reviewed on a case-by-case basis. Clark Hinsdale said he wanted to go on record saying he would not want to say as a blanket statement right now that he believes that all of that [penalty and interest] should be waived for everybody.

Red Muir asked whether or not given the COVID-19 virus the Friends of the Union Meeting Hall should continue to pursue applying for a grant to make the building ADA compliant and create a second exit. Jessica James said it is important to understand the sensitivity of the emotion of the town and not spend money, even if it would be reimbursed later. After discussion, she said the board would prefer the Friends apply for the grant one year from now.

(f) Waiving of dog license late fees for 2020. Following discussion, Chris Campbell made a motion to waive late fees for dog licenses until September 1, 2020. Clark Hinsdale seconded. All voted in favor. MOTION PASSED.

4. Selectboard old business

(a) Vorstevelds — tree cutting in ROW update. Jessica James read the following email from Kevin Kite, the town's attorney in this matter: "The court denied the Vorsteveld's request to define a shade tree as 'a tree planted by the town for the purposes of providing shade' and indicated it will withhold refining the definition of 'shade tree' until additional facts were before the Court."

5. Selectboard general business

(a) COVID-19 updates. Jessica James said she, Pam Cousino, and Bill Wager would be attending the weekly regional COVID-19 meeting on April 22, 2020, for an update. She also mentioned the "Clang and Bang" parade, led by Fire Chief Bill Wager, which went through Vergennes and Ferrisburgh last Wednesday at 7:00 p.m. held to thank our healthcare workers. She added it really raised people's spirits. She said the next parade would go through West Ferrisburgh.

(b) Applicant's appointment request

Tree Warden — 1-year term. Clark Hinsdale made a motion to appoint Cliff Mix to the 1-year term. Chris Campbell seconded. All voted in favor. MOTION PASSED.

6. Public comment

There was no public comment.

7. Other business

There was no other business.

8. Correspondence

There was no correspondence.

9. Selectboard to approve or sign

(a) Selectboard warrant. Red Muir made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$36,495.96. Jim Benoit seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Jim Benoit made a motion to adjourn the meeting at 8:15 p.m. Red Muir seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira