

**Town of Ferrisburgh**  
**Selectboard Minutes / DRAFT**  
May 2, 2017

**Members present:** Jim Benoit, Rick Ebel, Steve Gutowski, Loretta Lawrence, Michael “Red” Muir.

**Town officials present:** Deb Healey, town treasurer; Gloria Warden, town clerk.

**Visitors present:** John Eisenhardt Jr., Craig Heindel, Luke Husk, Jeanne Kelly, Cliff Mix, Christian Pinillos, Bessie Sessions, Pam VanDeWeert, Hans Vorsteveld, Gerard Vorsteveld.

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

Loretta Lawrence, chair, called the meeting to order at 6:30 p.m. She asked for a motion to amend the agenda, adding to **New business (d) Garaventa Lift — contract renewal**. Rick Ebel made a motion to amend the agenda as described above. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**2. Approve minutes — April 17, 2017, Town Charter hearing and April 18, 2017, regular meeting.**

Jim Benoit made a motion to approve the minutes of the April 17, 2017, Town Charter hearing, as presented. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Rick Ebel made a motion to approve the minutes of the April 18, 2017, regular meeting, as presented. Red Muir seconded. All voted in favor. MOTION PASSED.

**3. Selectboard new business**

**(a) Hans Vorsteveld — Arnold Bay Road — excessive tree cutting.** Hans and Gerard Vorsteveld attended the meeting, at the request of the selectboard. A lengthy discussion ensued with the board, regarding the excessive tree cutting on Arnold Bay Road. Cliff Mix, the town tree warden, spoke on behalf of the state statues regarding tree cutting and stated that what the Vorstevelds had done was not okay and was in violation of two state statues. Cliff also gave the Vorstevelds a copy of both statues so that they can better understand the law. The Vorstevelds appeared to be unaware that they had violated two Vermont Statutes: Title 24 Chapter 67 Parks and Shade Trees and Title 13 Chapter 77 Crimes and Criminal Procedures. Rick Ebel said the issue was brought to the attention of the board, and it has a duty to learn the details of the incident. The Vorstevelds maintain that they cut the trees because they wanted to expand their fields to the end of their property. Rick stated that regardless of what was known, the Vorstevelds are still responsible.

The board stated that the damage has been done and the Vorstevelds need to clean up the mess as soon as possible. This would include removing all the tree stumps. The board has also requested that some of trees be replaced as soon as the mess is cleaned up. The Vorstevelds stated they would consider this request. The board and the Vorstevelds agreed to meet again, at a future date, to review the status of the situation and how best to move forward.

Note: This agenda item was discussed after **5. Selectboard general business (a) Vermont Green Line (VGL) Committee update.**

**(b) Vermont CARES annual bicycle fundraiser Champ Ride — June 10, 2017.** Christian Pinillos, events & marketing director, came before the board to ask permission to use town roads for this event. He discussed many aspects of the ride including the route through town, the use of a van, and security at no cost to the town. He stressed that cyclists will obey all rules of the road including stopping at all stop signs. Red Muir reminded Christian that volunteers cannot be in the

road blocking traffic. Red Muir made a motion to approve the use of town roads for the Champ Ride on June 10, 2017. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Note: This agenda item was discussed before **6. Public comment**.

**(c) RHR Smith & Company — draft audit report.** After discussion, Loretta Lawrence announced that Deb Healey, town treasurer, will attend the next regular selectboard meeting on May 16, 2017. She will not only address issues pertaining to the audit but also discuss her set schedule and progress learning her new position.

**(d) Garaventa Lift — Contract renewal.** Gloria Warden informed the board that the annual maintenance agreement with Garaventa Lift needed to be renewed. Discussion ensued about past certifications, licenses, and other issues not properly addressed by Garaventa. The State of Vermont has granted a temporary conditional license for the lift for the next 10 months. Unfortunately, the company, located in New Hampshire, is the only one that services LULA sliding lifts. Red Muir made a motion to sign the one-year agreement with Garaventa Lift by prepaying \$774.20. Rick Ebel seconded. All voted in favor. MOTION PASSED.

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

**(a) Steve Gutowski — continued discussion of security cameras.** Steve Gutowski and Patrick Decelles, security consultant and co-owner of DZ Security, toured the town offices building to review possible systems, such as a hardwired one, and locations for cameras. One suggestion includes cameras with license plate readers. Steve will ask George Gardner, owner of George's Locks and Security, to update his quote based on this new information.

**(b) Red Muir — buildings maintenance — update on chair leg glides.** Red said he would be ordering test sliders tomorrow.

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

**(a) Vermont Green Line (VGL) Committee update.** Craig Heindel, chair of the town's VGL Committee, stated that the committee has not heard back from Vermont Green Line Devco, LLC (VGLD) regarding the committee's latest versions of the draft HTA and the draft Section 1111 Town Roads Right-of Way Use permit, which were sent by the town's attorney Ben Marks to VGLD's attorney on April 18, 2017. He said the delay may be because VGLD has recently changed attorneys.

Craig commented that a mailing is being sent about the upcoming public information meeting on May 18, 2017, at 7:00 pm at the Town Center, presented by the Department of Public Service and also by National Grid. This mailing is being sent by the town clerk's office to all landowners abutting the cable route in Ferrisburgh, Vermont, including abutters to Kingsland Bay State Park, to the affected town roads, and also to US Route 7 along the cable route. Notices about this meeting will also be posted in the usual public places.

Craig asked the board to authorize a third \$5,000 cost estimate from Civil Engineering Associates for payments from the escrow account. He reminded all present that this account, which funds continuing expenses such as consulting bills, is fully funded by Vermont Green Line Devco, LLC, not by the town. Red Muir made a motion to authorize this cost estimate by Civil Engineering Associates for \$5,000, for payments from the escrow account for their continued consulting on the project. Rick Ebel seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski abstained. MOTION PASSED.

Craig said the schedule set by the Public Service Board for various discovery sessions and the hearings has been delayed; hearings are now proposed to take place in late January/early February 2018.

The board thanked the VGL committee for its continuing work.

**(b) Vermont Green Line (VGL) Committee — public informational meeting about the proposed buried high-voltage direct-current electric transmission cables that would pass through the town.** Craig stated that the information will be presented in two topics: a representative of the Vermont Department of Public Service will describe its role in the 30 V.S.A. Section 248 permitting process (regarding the petition of Vermont Green Line Devco, LLC (VGLD) for a Certificate of Public Good from the Vermont Public Service Board), and representatives of VGLD will describe the Vermont Green Line project and answer questions. The meeting will be held on May 18, 2017, at 7:00 p.m. in the upstairs community hall at the Ferrisburgh town offices building at 3279 US Route 7.

**(c) Recording backlog update.** Pam Cousino, assistant town clerk and assistant town treasurer, sent a letter to the board stating that due to time spent training the new town treasurer, she was only able to work 6.5 of the 20 hours of overtime authorized by the selectboard at the regular board meeting on April 4, 2017. Pam said she will continue catching up on the backlog during the day as well as working more overtime.

## 6. Public comment

Bessie Sessions requested that the selectboard not brush aside the issue of the Vorsteveld's excessive tree cutting on Arnold Bay Road. She feels that they should be held accountable in some way, so it sends a message to others. Loretta assured Bessie that the issue would be addressed.

Gloria Warden said the electrician replaced the batteries in some emergency lights; he will return to provide quotes for other lights that need to be repaired or replaced.

## 7. Other business

Steve Gutowski asked if a delegate had been named to the Addison County Solid Waste Management District Board of Supervisors. Loretta Lawrence replied that the town's delegate had not yet been named. She continued by saying that based on his past experience, a member of the board asked for Steve to consider being Ferrisburgh's delegate again, for an interim period of time. He said he would consider it.

## 8. Correspondence

**(a) Letter to Hans Vorsteveld — re: excessive tree cutting.** On April 19, 2017, the selectboard sent a registered return receipt letter to Hans Vorsteveld requesting that he cease and desist all illegal activity—i.e., excessive tree cutting in the town right-of-way on Arnold Bay Road in Ferrisburgh, Vermont.

**(b) Disability Rights Vermont — town's polling location ADA Accessibility Survey.** A representative of Disability Rights Vermont will be at the town offices building on June 2, 2017, to perform an accessibility survey.

**(c) Green Mountain Power (GMP) — herbicide application 2017.** The town received a letter stating that if GMP's Vegetation Management Department determines that a herbicide application is warranted, a GMP representative or contractor will contact the town. The herbicide would be applied within 1,000 feet of the town offices building some time between May 23 and December 2017.

## 9. Selectboard to approve or sign

-- Ferrisburgh Selectboard, May 2, 2017 --

**(a) Pam VanDeWeert — Union Meeting Hall rental request for rehearsal on June 30, 2017, from 5:30 to 6:30 p.m. and wedding ceremony on July 1, 2017, from 4:00 to 4:30 p.m.** Jim Benoit made a motion to rent the Union Meeting Hall to Pam VanDeWeert, for the rental fee of \$100, the \$500 deposit, and proof of insurance. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

**(b) Champlain Valley Farm Coalition Inc. (University of Vermont) — hall rental request for a lunch and reception on May 17, 2017, from 10:00 a.m. to 1:00 p.m.** After discussion, Steve Gutowski made a motion to rent the upstairs community hall to Champlain Valley Farm Coalition Inc., for the rental fee of \$150, the \$500 deposit, and proof of insurance. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**(c) Selectboard warrant.** After review, Rick Ebel made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$34,749.35. Jim Benoit seconded. All voted in favor. MOTION PASSED. The board authorizes Town Treasurer Deb Healey to bill the homeowner of 64 Button Bay Lane for \$80 for reimbursement for a heat alarm call and Vermont Railway for \$176 for reimbursement for a grass fire at the intersection of Plank Road and the train track.

## 10. Adjourn

Steve Gutowski made a motion to adjourn the meeting at 8:23 p.m. Rick Ebel seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira