

Town of Ferrisburgh
Selectboard Minutes / DRAFT
May 16, 2017

Members present: Jim Benoit, Rick Ebel, Steve Gutowski, Loretta Lawrence, Michael “Red” Muir.
Town officials present: Deb Healey, town treasurer.

Visitors present: Dennis Cassidy, Aubrey Choquette, Carl Cole, André Emmell, George Gardner, Arabella Holzapfel, Cliff Mix, David Pierson, Bessie Sessions, Linda Stearns, Ken Villeneuve, Stephanie Warner.

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 **3 (g) Listers — request 30-day extension**. Jim Benoit made a motion to amend the agenda as described. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

2. Approve minutes — May 2, 2017, regular meeting, May 2, 2017, special meeting, and May 9, 2017, Town Plan hearing.

Red Muir made a motion to approve the minutes of the May 2, 2017, regular meeting, as presented. Rick Ebel seconded. All voted in favor. MOTION PASSED.

Jim Benoit made a motion to approve the minutes of the May 2, 2017, special meeting, as presented. Steve Gutowski seconded. Jim Benoit, Steve Gutowski, Loretta Lawrence, and Red Muir voted in favor. Rick Ebel abstained. MOTION PASSED.

Rick Ebel, clerk of the selectboard, remarked that he would like to add an additional comment and two attachments to the minutes of the May 9, 2017, Town Plan hearing. After discussion, approval of these minutes was tabled to the next regular selectboard meeting on June 6, 2017.

3. Selectboard new business

(a) John Bull — highway operations report. Loretta Lawrence announced that John Bull was unable to attend the meeting due to laryngitis; he submitted his report in writing. Parent Construction, who is working on the Little Chicago road bridge, hopes to complete the project by the middle of this June.

The crew just finished stone lining the ditch on Plank Road, in preparation for replacing the large culvert this summer. Work has begun to replace the existing Y intersection with a safer T intersection on Fuller Mountain Road, at the intersection of Four Winds Road.

Corey Collette, a new employee for the road crew, starts Monday, May 22, 2017. He was hired at a special meeting held on May 2, 2017, prior to the regular selectboard meeting.

Before Memorial Day, cleanup will be completed at all town cemeteries, and a culvert on Schoolhouse Road will be replaced.

John complimented the report prepared by Cliff Mix, tree warden, regarding excessive tree cutting by the Vorstevelds in the town right-of-way on Arnold Bay Road in Ferrisburgh.

(b) Linda Stearns — speed limit — Shellhouse Mountain Road. Linda Stearns, who lives at 1549 Shellhouse Mountain Road in Ferrisburgh, addressed the board concerning excessive speed of motorists when the school bus drops off her grandchildren at her home. After discussion, it was agreed that the board would ask Town Clerk Gloria Warden to contact Sargent Bruce Nason of the Addison County Sheriff’s Department to ask for patrols of Shellhouse Mountain Road during late afternoons.

(c) Deb Healey — treasurer's update. Deb Healey announced that her public hours will be 9:00 a.m. to noon, Monday thru Friday. This information will be posted in the clerk's office, on the town website, and on Front Porch Forum. She also agreed to work extra hours as needed, such as tax time and to cover for other staff vacations.

(d) Deb Healey— overview of RHR Smith and Company audit (July 1, 2016, through February 28, 2017). Deb Healey, town treasurer, informed the board that she asked for a waiver from the Internal Revenue Service to return the \$1,320 paid in penalties. Deb sent in the 2016 1099 forms when she discovered that the past treasurer had not done so. She stated that past bank statements were being reconciled, with help from Assistant Town Treasurer Pam Cousino, and cash receipts were reconciled to the general ledger. Deb stated that she is following the recommended best practices suggested by Ron Smith, the town's outside auditor.

(e) Deb Healey — town credit card. After discussion, this item was tabled to the next regular selectboard meeting on June 6, 2017.

(f) FJG Electric Inc. — estimate to replace/repair exit/emergency combo lights. After discussion, Steve Gutowski made a motion to accept FJG Electric's estimate to repair/replace emergency lighting for \$1,298.40. This is for work to be done in the Town Offices/Community Center. Rick Ebel seconded. All voted in favor. MOTION PASSED.

(g) Listers — request 30-day extension. Carl Cole addressed the board citing the main reason for the extension is that all homeowners cannot be contacted by June 4, 2017, the deadline imposed by the State of Vermont. Some homeowners will not allow listers to enter their homes and some properties, such as camps on Long Point, are not occupied for the season yet. Steve Gutowski made a motion to grant a 30-day extension to the listers. Rick Ebel seconded. All voted in favor. MOTION PASSED.

4. Selectboard old business

(a) Tree Warden Cliff Mix — Vorsteveld tree situation. Cliff Mix presented his report to the board outlining the State statutes violated by the Vorstevelds and possible financial penalties that could be assessed. Based on the number and size of the trees cut down by the Vorstevelds in the town right-of-way on Arnold Bay Road in Ferrisburgh, the maximum penalty could be as high as \$1,088,000. The Vorstevelds will receive some income from selling the chips and logs from the cut trees. Cliff's recommendation to the board is a monetary penalty as well as full rehabilitation of the affected area, including stump and wood debris removal and installation of a hedge row along the approximately .75 mile town right-of-way.

Jim Benoit suggested that the Vorstevelds be invited to all future regular selectboard meetings pertaining to this issue. Loretta Lawrence stated that a copy of Cliff's report along with a letter stating that the board is seeking legal counsel from our town attorney would be sent to them.

The board thanked Cliff for his continuing work on this matter.

(b) State of Vermont Finance and Maintenance Agreement — railroad grade crossing improvements. Loretta Lawrence said that Jim Carroll, the town's attorney from the firm of Carroll, Boe & Pell, was able to obtain some of the recommended changes from the original agreement presented by the State. She stated that it is the town's responsibility to maintain the signage outside the right-of-way. The railway will bear 100% of any and all costs, and future costs, for anything within their right-of-way. After discussion, Steve Gutowski made a motion to accept the Finance and Maintenance Agreement. Rick Ebel seconded. All voted in favor. MOTION PASSED.

(c) Steve Gutowski — security camera update. Steve Gutowski announced that he has not received a response from DZ Security. He then asked George Gardner, owner of George's Locks

and Security, and Dennis Cassidy to provide information regarding the installation and use of Wi-Fi enabled security cameras. Dennis commented that as long as the cameras have power, video is streamed live to a smart phone or tablet using a free app. The system includes a 32GB SD memory card to record images from each camera. After discussion, the board asked George to provide a quote for installing eight cameras at strategic locations inside and outside the town offices building.

5. Selectboard general business

(a) Vermont Green Line (VGL) Committee update. Rick Ebel, a member of the town's VGL Committee, reminded those present about the upcoming public meeting with representatives from both Vermont Green Line Devco, LLC (VGLD) and the Vermont Department of Public Service. 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. He also stated that the committee has not heard back from VGLD regarding the committee's latest versions of the draft HTA and the draft Section 1111 Town Roads Right-of Way Use permit.

The board thanked the VGL committee for its continuing work.

(b) Town Offices Building — basement drainage. A lengthy discussion ensued regarding who is ultimately responsible for the cost to stop water seeping into the basement and other maintenance problems. At the end of the discussion, Carl Cole offered to research the issue and get back to the board in a week. He informed the board that Rob Volk of Valley Roofing has been hired to replace the broken piece of slate on the roof.

(c) Town Charter — next step in process. Loretta Lawrence stated that the results of the vote were 61 votes for and 59 against. The board unanimously decided to move forward on this matter. Discussion ensued regarding the small turn out. It was the consensus of the board that due diligence was done with all warnings, two hearings, advertising the election, and getting the word out. Also, the board had positive support on Town Meeting Day from the approximately 120 voters in attendance. The Town Charter will be sent to the State Legislature. Loretta stated that Representatives Warren Van Wyck and Diane Lanpher are currently drafting the bill, which they will introduce. She said that the possibility of getting it in this legislative session is not likely. However, anything is possible. If the Charter does not get introduced in this session, then it will be introduced in January 2018.

6. Public comment

David Pierson addressed the board regarding the Town Plan. He feels changing the zoning of the commercial/ industrial area near his home to rural/agricultural may be in the town's best interest in the long term. Loretta Lawrence commented that the zoning of that area is pre-existing and that issue did not involve the town plan. Loretta also stated that he could petition for possible zoning regulation changes in the future. He stated that an industrial area not only devalues the property surrounding it but also increases the wear and tear on town roads. He also said that some residential properties pay more taxes than some commercial/industrial properties.

Aubrey Choquette commented that he was at the meeting to discuss the process of how input is given and considered by the selectboard regarding the Town Plan. Concerned that it may be a foregone conclusion, he asked the selectboard to consider comments from planning commission and zoning board of adjustment meetings before adopting the Town Plan.

Using a Google Maps satellite image, Arabella Holzapfel, a town representative to the Addison County Regional Planning Commission, pointed out the borders of various areas zoned commercial/industrial and conservation. She explained why there are differences between the language of the Town Plan and the borders that designate land use.

7. Other business

There were no items under other business for this meeting.

8. Correspondence

(a) Copies of reimbursement invoices for fire calls by the Vergennes Fire Department.

Outstanding invoices include Vermont Rail Systems and the homeowner of 64 Button Bay in Ferrisburgh, Vermont.

(b) Vermont League of Cities & Towns — Planning and Zoning forum. The selectboard was invited to attend the spring Planning and Zoning forum on June 14, 2017, at the Lake Morey Resort in Fairlee, Vermont.

9. Selectboard to approve or sign

(a) Selectboard warrant. After review, Jim Benoit made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$308,489.58. Rick Ebel seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Steve Gutowski made a motion to adjourn the meeting at 8:47 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira