

Town of Ferrisburgh
Selectboard/Board of Health Minutes / Approved
June 19, 2018

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

Town officials present: John Bull, road foreman; Kristin DeBellis, deputy health officer; Gloria Warden, town clerk.

Visitors present: Nancy Armell, Christina Brace, Deb Brace, Kaitlyn Brace, Lisa Brace, Scott Brace, Cheryl Brinkman, Anna Charland, Ziggy Comeau, Robin Curler, Kim Cynewski, Russ Cynewski, Lesley Deppman, Pat Fischer, Jerry Fisher, Julie Fisher, Lauren Fisher, Rick Fisher, Tracy Fisher, Whittaney Fisher, Clark Hinsdale, Suzanne Hinsdale, Arabella Holzapfel, Steve Huffaker, Don Keeler, Teri Kuczynski, Sheila McGregor, Brent Newton, Bessie Sessions, Gary Taylor, Stephanie Taylor, Gloria Stokes, John Stokes.

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

Rick Ebel, chair, called the meeting to order at 6:30 p.m.

2. Convene as Ferrisburgh Board of Health — decision re: McGregor, 2512 Sand Road. Rick Ebel read the seven orders of the June 19, 2018, Selectboard and Local Board of Health Order. [This order is a public document available at the town clerk's office.]

Following this reading, Rick asked both Sheila McGregor and Lesley Deppman, Sheila's attorney, if they had questions. Sheila asked Rick to state for the record how much the town has spent on this matter. Rick replied that he did not have the exact amount but would get it to her within 24 hours. Then Rick reconvened the selectboard meeting.

3. Approve minutes — May 15, 2018, and June 5, 2018. Steve Gutowski made a motion to approve the minutes of May 15, 2018, as submitted. Jessica James seconded. All voted in favor. MOTION PASSED.

Jim Benoit made a motion to approve the minutes of June 5, 2018, with the following correction to **5 (a) Building maintenance update and Garaventa, Mountain Air:** Garaventa has completed some work on the LULA phone system. Jessica James seconded. Jim Benoit, Steve Gutowski, Jessica James, and Red Muir voted in favor. Rick Ebel abstained. MOTION PASSED.

4. Selectboard new business

(a) John Bull — highway operations report. John Bull said the crew has begun roadside mowing to get ahead of the poison parsnip. They are also prepping for the Old Hollow Road project, which will begin in July 2018; the town has received a 50% matching grant of \$6,118.00 from the Vermont League of Cities & Towns for a culvert. Rick Ebel asked if the ditching has begun on Arnold Bay Road. John replied that it has not started yet and would begin after July 1, 2018.

(b) Highway paving bids — award contract from bids. A lengthy discussion ensued regarding bids received from D & F Excavating & Paving and Pike Industries, Inc. Based on price and past performance, John Bull, road foreman, recommended D & F Excavating & Paving. Jim Benoit made a motion to accept the bid from D & F Excavating & Paving for the Old Hollow Road project for

\$159,333.00 and \$5,950.00 per ton for five other town roads. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(c) Addison County Sheriff's Department, Lieutenant Peter Newton — Hawkins Road-slang parking update. Lieutenant Peter Newton was unable to attend the meeting. Sergeant Brent Newton and Sheriff Don Keeler addressed the board. Brent stated that last week he had written the first ticket for violation of the no parking ban on Hawkins Road at the slang; the fee, which was \$10.00, was paid. He mentioned that cars parked half on the road and half off the road are receiving a warning. Don Keeler stressed that if townspeople call Gloria Warden, town clerk, about illegal parking she can call the department. Jim Benoit asked if Plank Road, Old Hollow Road, and Shellhouse Mountain Road were being patrolled. Brent replied they were being patrolled and, as a result, a person was ticketed for driving 73 mph in a 40 mph zone.

Gloria Warden asked the department's role for monitoring illegal burning. Brent said when complaints are received the department calls the Addison County Solid Waste Management District.

Scott Brace said if Hawkins Road was patrolled right now there would be 10 cars parking illegally, adding that from 6:00 p.m. until dusk cars are parked there.

5. Selectboard old business

(a) The North Ferrisburgh Village Association — request to close part of Old Hollow Road on July 14, 2018, from 3:00 to 8:00 p.m. for a neighborhood party (continued from June meeting). After Rick Ebel announced that no one from the association was present, Steve Gutowski led a brief discussion; he reiterated the board's concerns voiced at the June 5, 2018, regular selectboard meeting. John Bull, road foreman, mentioned he had not been contacted by anyone from the association since that meeting. He added that closing a main thoroughfare was a big ask.

(b) Atkins Farm Homeowners Association — discussion of possible town membership. Rick Ebel stated that this agenda item was about the property the town owns located behind the town offices building. Gary Taylor, who owns a home on Atkins Farm Road, stated he was at the meeting to learn whether or not the town would be a voting member of the association. Steve Gutowski summarized his feelings by saying that the town would not like to be an association member but a good neighbor who would maintain the paved part of Atkins Farm Road and establish proper drainage at the entrance.

(c) Arabella Holzapfel — planning commission bylaw revisions task force — technical review invoice. Arabella Holzapfel asked the selectboard if the \$4,500.00 invoice from Brandy Saxton of PlaceSense for review of the town's bylaws and town plan had been approved. Steve Gutowski replied that it would be approved and was in tonight's warrant. Arabella mentioned that the task force is still interested in having a member of the selectboard join the group. Clark Hinsdale stated that the town cannot wait another five years without regulations for lakeshore issues. Citing Steve Gutowski's expertise in this area, Clark asked Steve to consider joining the group. After a brief discussion, Rick Ebel asked Arabella to give bimonthly updates of the task force's progress to the board.

(d) Vorsteveld tree cutting – update. Rick Ebel said there is no further update at this time.

(e) Building maintenance updates — regular.

I. Mountain Air — piping repairs quote. Red Muir said he will continue to try to reach Mountain Air to discuss the issue. When asked if the system in the basement of the town offices building is leaking, Gloria Warden replied that since the heat is not on it is not leaking.

II. Union Meeting Hall shed. Loretta Lawrence, former selectboard chair, sent an email to the Ferrisburgh Elementary School principal and to the maintenance director requesting that all items belonging to the school be removed from the shed by July 1, 2018. After discussion, the board stated that it would ask John Bull, road foreman, to arrange for asbestos and lead testing of the shed. Carl Cole, who was unable to attend the meeting, had asked Gloria Warden to ask board members if they knew whether or not the shed was listed on the National Register of Historic Places. Carl had expressed concern that the shed not be torn down if it is on the register. Rick Ebel said someone would check the register.

6. Selectboard general business

(a) Discuss date of first selectboard meeting in July. After discussion, Steve Gutowski made a motion to move the July 3, 2018, regular selectboard meeting to July 10, 2018, at 6:30 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

(b) Discuss date/time for office employee reviews. After discussion, Steve Gutowski made a motion to set the date for office employee reviews on July 10, 2018, at 5:30 p.m. (probable executive session). Jim Benoit seconded. All voted in favor. MOTION PASSED.

(c) Steve Huffaker — Addison County Solid Waste Management District (ACSWMD) representative — possible recycling center closing. Steve Huffaker introduced Cheryl Brinkman, chair of the ACSWMD board of supervisors, and Teri Kuczynski, district manager of ACSWMD. Cheryl described for the board the circumstances surrounding the need to find a town in Addison County willing to host a recycling center to replace the one currently operated by Casella Waste Systems in Vergennes. She said the situation is changing and market value for recyclables has lowered. Casella Waste Systems increased costs to cover this by doubling the cost paid by towns for recycling, with no guarantee that the monthly cost would remain the same. Mel Hawley, city manager of Vergennes, negotiated a six-month contract with Casella hoping one of the five towns in the county would be able to host a facility before the end of 2018. Teri discussed a possible option for a regional center in Middlebury, which would allow more access to the transfer center. Red Muir asked when the current contract signed by the town expires. Cheryl replied that the contract would have been renewed in May 2018 if Casella had not increased its fees. She pointed out that if Addison County residents paid a fee for recycling at a county center then each town would save a substantial amount of money currently paid to Casella. Cheryl said towns in Addison County would receive a letter very soon describing plans to develop a pilot drop-off center.

(d) Year-to-date budget update. Rick Ebel said that with 10 days left in the town's fiscal year there is \$205,958.00 remaining in the budget. He commented that although some line items are over budget, Deb Healey, town treasurer, said the budget is in the black in aggregate.

7. Public comment

Kristin DeBellis, deputy health officer, informed the board that on June 22, 2018, she will be attending another inspection by Ehrlich Pest Control at 2512 Sand Road, the home of Sheila McGregor. Following discussion, Rick Ebel said he would ask Ron Kampner, a town fence viewer, to also attend the inspection.

8. Other business

There were no items under other business for this meeting.

9. Correspondence

(a) Vermont Department of Liquor Control (DLC) — compliance checks. The town received a letter from DLC stating that Jiffy Mart, located at 2822 US Route 7, sold an alcohol beverage to an underage person on May 22, 2018; this is a first offense for Jiffy Mart.

(b) Vermont Council on Historic Preservation — proposed nomination — Camp Marbury, Mile Point Road. By letter, the board was informed that Camp Marbury would be considered for nomination to the National Register of Historic Places at the council's annual meeting on July 26, 2018.

10. Selectboard to approve or sign

(a) Selectboard warrant. After review, Steve Gutowski made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$260,960.56. Jessica James seconded. All voted in favor. MOTION PASSED.

(b) Structural Energy Corporation bid.

8:12 p.m. . Steve Gutowski made a motion stating the selectboard finds that premature general public disclosure of the bid from Structural Energy Corporation for work on the Union Meeting Hall tower would put the town at a substantial disadvantage. Jessica James seconded. All voted in favor. MOTION PASSED.

8:13 p.m. . Steve Gutowski made a motion to enter into executive session to discuss the bid from Structural Energy Corporation. Jim Benoit seconded. All voted in favor. MOTION PASSED.

— *End of minutes from open session* —

Respectfully submitted,

Jean Silveira

— *Minutes from executive session and the open session that followed* —

Steve Gutowski made a motion to leave executive session at 8:33 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Red Muir made a motion to reconvene open session at 8:34 p.m. Jessica James seconded. All voted in favor. MOTION PASSED.

Steve Gutowski made a motion to not accept the bid from Structural Energy Corporation at 8:34 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED. Because the board voted to not accept the only bid, there was discussion about advertising for bids again at a date to be determined.

10. Adjourn

Jim Benoit made a motion to adjourn the meeting at 8:35 p.m. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jessica James