

## Town of Ferrisburgh

### Selectboard Minutes

June 20, 2017

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

**Town officials present:** John Bull, road foreman.

**Visitors present:** Julie Adams, Mark Berger, Bev Biello, Ed Biello, Joe Bogan, Paulette Bogan, Lisa Brace, Scott Brace, Dave Crawford, Aubrey Choquette, John Eisenhardt Jr., Deb Hartenstein, Mel Hawley, Anna Hopper, Vicki Hopper, Mary Hurlie, Jeanne Kelly, Andy Kirkaldy, Katia La Manna, Janice Perry, Bessie Sessions, Cheryl Shea, Gerard Vorsteveld, Hans Vorsteveld, Sean Willerford, Robert Yantz, Victoria Yantz.

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

Loretta Lawrence, chair, called the meeting to order at 6:35 p.m. She asked for a motion to amend the agenda, adding: **3. New Business (f) Vergennes/Ferrisburgh 2017 VTrans Bicycle and Pedestrian Grant**

**Program — discussion with Dave Crawford and Mel Hawley.** Jim Benoit made a motion to amend the agenda as noted. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

#### 2. Approve minutes — May 16, 2017, and June 6, 2017.

Approval of the minutes for the May 16, 2017, regular meeting was tabled because information missing from the minutes was not available at the June 6 or June 20, 2017, meetings.

Steve Gutowski made a motion to approve the minutes of June 6, 2017, as submitted. Jim Benoit seconded. All voted in favor. MOTION PASSED.

#### 3. Selectboard new business

**(a) John Bull — highway operations report.** John Bull brought up safety issues that need to be addressed prior to the rental of the Union Meeting Hall on June 30, 2017. He stated that the entrance ramp needs to be fixed or taken down. After discussion, the board asked John to remove the ramp, so the stone steps beneath the ramp may be used. John said the second exit door has been blocked with a wooden board and brackets to prevent break-ins. After discussion, the board asked John to remove the board and brackets. After reviewing the rental agreement, Red Muir will unlock the hall in advance of the arrival time of the renters.

John stated that he has been dealing with several issues regarding the Vermont Department of Transportation US Route 7 paving project, including aprons not being replaced at key intersections.

John presented a proposal from the town of Waltham to contract winter road snow removal and sanding to adjacent towns. After a lengthy discussion, the board agreed with John that his department is already stretched enough with the road crew he has and the amount of work required. Thus, the town is not interested in pursuing any agreement with the town of Waltham at this time.

John commented that roadside mowing had begun, and this and other projects will be worked on once some of the crew return from vacations, after July 4, 2017.

**(b) Lisa Brace — dog complaint.** Lisa and Scott Brace, addressed the board regarding the continuing problem of dogs escaping Sheila McGregor’s animal rescue business—Heidi’s Haven—and coming onto the Brace’s property, two houses down on Sand Road. Lisa owns a state licensed day care, which is fenced in. When outside, children and their parents are in danger of possible aggression/biting from McGregor’s rescue dogs. The Braces and the selectboard have tried for many years to file complaints/sought legal action, regarding the rescue operation. However, the State of Vermont issues the rescue certificate and continues to support the rescue operation business. That state certificate overrides all town regulations, except for the leash law policy. Ms. McGregor does not have to file vaccination records or license the dogs, due to the fact that they are rescue dogs. Following a lengthy discussion, the board confirmed what the Braces had been told by Jaimeelyn Gaboriault, Ferrisburgh animal control officer: by law, they may defend themselves against this action. It was suggested by the board that the Braces seek legal counsel.

**(c) Set date for first July 2017 selectboard meeting — conflict with July 4, 2017.** The board set the new date of the regular meeting as July 3, 2017, at 6:30 p.m.

**(d) Christine Blakeney — request to waive interest and tax penalty charges for property taxes.** Christine Blakeney was not present at the meeting. The chair stated that since Ms. Blakeney did not come before the board, it is assumed that she is not interested in pursuing her request.

**(e) Johann Lefebvre — vehicle speeds on Shellhouse Mountain Road.** Johann Lefebvre was not present at the meeting to speak about her complaint. Steve Gutowski asked if the traffic study had been done on Plank Road; Loretta Lawrence replied that it still has not been done. She commented that she will again contact Josh Donabedian, transportation planner at the Addison County Regional Planning Commission, to inquire about the continuing delay. After Plank Road, Shellhouse Mountain Road is next on the list for a traffic study.

**(f) Vergennes/Ferrisburgh 2017 VTrans Bicycle and Pedestrian Grant Program — discussion with Dave Crawford and Mel Hawley.** Loretta Lawrence stated that the board was not happy to have this proposal come before it at the “eleventh hour” and then be expected to make a decision. Dave Crawford, project manager for this new sidewalk project proposal, discussed how phase I of the project, already completed by Vergennes, added additional sidewalks in Vergennes in front of the Vergennes Redemption Center and part of the Vergennes Police Department building. He described the scope of phase II, saying that it would continue the sidewalk under the bypass and to the train station and park and ride. Further discussion ensued including the projected cost (\$630,000) and the July 14, 2017, deadline to submit a letter of interest. Vergennes City Manager Mel Hawley asked the board to forget the cost for the moment and consider the merits of the project. Discussion ensued. Loretta Lawrence stated that the board will review the proposal and add it to the next regular selectboard meeting agenda for July 3, 2017, at 6:30 p.m.

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

**(a) Security camera quotes.** After discussion, this item was tabled until the next regular selectboard meeting on July 3, 2017, at 6:30 p.m.

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

**(a) Vermont Green Line (VGL) Committee update.** Rick Ebel, a member of the town’s VGL Committee, said that there were no updates. Vermont Green Line Devco, LLC (VGLD) is still reviewing the committee’s latest versions of the draft HTA and the draft Section 1111 Town Roads Right-of-Way Use permit.

Rick Ebel submitted an invoice approved by the VGL Committee to the selectboard. After discussion, Red Muir 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 \$38 from the VGL escrow account. This account, which funds continuing expenses such as legal bills, is fully funded by Vermont Green Line Devco, LLC, not by the town. Jim Benoit seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski abstained. MOTION PASSED.

Rick Ebel submitted an invoice approved by the VGL Committee to the selectboard. After discussion, Red Muir made a motion to approve payment of the invoice from Civil Engineering Associates in the amount of \$813.61 from the VGL escrow account. This account, which funds continuing expenses such as legal bills, is fully funded by Vermont Green Line Devco, LLC, not by the town. Jim Benoit seconded. Jim Benoit, Rick Ebel, Loretta Lawrence, and Red Muir voted in favor. Steve Gutowski abstained. MOTION PASSED.

Resident Janice Perry stated that she received a letter from VGLD because her home and well are on the revised proposed route for the buried cable. She asked Rick if there would be blasting since this change requires drilling through ledge to bury the cable. Rick replied that at the recent informational meeting, VGLD said the trencher would be able to cut through the ledge.

**(b) Steve Alexander — request appointment to fence viewer.** Steve Gutowski made a motion to appoint Steve Alexander as fence viewer for a one-year term. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**6. Public comment**

Resident Mary Hurlie thanked the board for allowing time for Jim Carroll, the town's attorney, to be available after the executive session. The attendees at the meeting were able to ask questions about the extensive tree cutting by the Vorstevelds on Arnold Bay Road. She stressed that the group of 39 people she is part of is not anti-farmer; the group is concerned that the town of Panton has not handled past violations. She thanked the board for being on top of this matter.

Robert Yantz asked the board to address the poor condition of his road, Champlain Hill. He has brought this matter to the town's attention before. Jim Benoit stated that he had spoken with John Bull, road foreman. John told him that when the work on the culvert is fixed, he will repair the road.

**7. Other business** - There were no items under other business for this meeting.

**8. Correspondence** - There were no items under correspondence for this meeting.

**9. Selectboard to approve or sign**

**(a) Participation in the RPC/DE Municipal Roads Grants-in-Aid Pilot Project.** Red Muir made a motion to sign the letter of intent to participate in the RPC/DE Municipal Roads Grants-in-Aid Pilot Project. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

**(b) Highway equipment note, resolution, tax certificate.** Steve Gutowski made a motion to sign the promissory note to Community Bank for \$190,000. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(c) Selectboard warrant.** After review, Steve Gutowski made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$37,065.27. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**10. Adjourn**

Jim Benoit made a motion to adjourn the meeting at 8:30 p.m. Red Muir seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira