

**Town of Ferrisburgh
Selectboard Minutes
July 6, 2021**

Members present: Chris Campbell, Jessica James, Michael “Red” Muir, Jim Benoit, Clark Hinsdale

Town officials present: Pam Cousino, Town Clerk, Bonnie Barnes, Zoning Administrator

Visitors present: Jean Richardson, Bessie Sessions, Ashley LaFlam, Tom McClay, Gail Blasius, Ken Villeneuve, Aubrey Choquette, Rebekah Gebo, Angela Patnode, Rodney Stearns, David Pierson, and Jane Melrose

1. 6:30p.m. Call regular meeting to order

Jessica James called the meeting to order at 6:35 p.m.

Jessica James asked for a motion to amend the agenda to include The Golf Club at Basin Harbor’s application for a liquor license to agenda item 9) c. Red Muir moved to add The Golf Club at Basin Harbor’s application for a liquor license to the agenda as 9) c. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

Clark Hinsdale moved to add the Jesse Amblo insurance letter discussion to the agenda under 7) Other Business. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

2. Approve Minutes – Executive session, June 15, 2021; Regular meeting, June 15, 2021

Jessica James asked for approval of the minutes for the Executive Session on June 15, 2021. Clark Hinsdale moved to approve the minutes of the June 15, 2021 Executive Session as submitted. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

Jessica James asked for approval of the regular meeting minutes on June 15, 2021. Jim Benoit moved to approve the regular meeting minutes of June 15, 2021 as submitted. Chris Campbell seconded the motion. All voted in favor. MOTION PASSED

3. Public Comment

None

4. Selectboard New Business

a) Neighbor parking vehicles on town property at Union Meeting Hall

Jessica James did not participate in the discussion due to a conflict of interest. Tom McClay and the Selectboard reviewed the map of the Union Meeting Hall and his adjoining property. Discussion was held on where vehicles park and where access needs to be open. Chris Campbell clarified that parking and blocking the Union Meeting Hall driveway is the concern. Jim Benoit referenced the deed which has a 12’ common right of way. Both parties understand the requirements for everyone to have access and not be blocking vehicles. Tom McClay will make a parking area on his property. Red Muir said fencing will be installed soon for the construction area and it will not impact the neighbor’s access. Tom McClay asked if there is any lead paint on the building. Red Muir said there is on the windows, however the tower does not because it had burned and was rebuilt after the use of lead paint.

b) Request for letter from town attorney re: Tanker Facility on Tupper's Crossing/ZBA Decision

Bonnie Barnes provided background on the zoning permit issued for the JSCL LLC fuel trucking facility on Tupper's Crossing. The ZBA had granted a conditional use permit and since then it has been before the Environmental and Supreme Courts where the Supreme Court remanded it to the Environmental Court to revisit one condition, nighttime impact, known as Condition 8. Many neighbors attended with Aubrey Choquette providing details from the original permit conditions and the request for the town to give their support of the Zoning Board's condition that there are no trucks from 10pm to 5am daily. David Pierson stated that John DeVos is now requesting 3 nighttime trucks, 365 days per year. David Pierson and Jane Melrose explained the process for a truck every time it enters the facility, which takes approximately 30 minutes, and how this would impact all of the neighbors. Irene Steady shared her fears and concerns for her disabled residents in the event of a fuel spill or fire. Jim Benoit and Chris Campbell said they would like to hear from the Zoning Board on this condition before voting. Bonnie Barnes will present the request to the Zoning Board on July 7, 2021. Jessica James will consult the town attorney. Aubrey Choquette will confirm with Liam Murphy the exact date this letter would be needed and let Pam Cousino know. If the letter must be complete by July 16, 2021, the Selectboard could hold a special meeting.

c) Tax rate – set 2021 – 2022 tax rate

Red Muir moved to set the 2021 – 2022 tax rates to \$2.0352 for residents and \$1.9717 for non-residents. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

d) Carryover of vacation and holiday time for Pam Cousino, Town Clerk

Pam Cousino submitted a request to carry over vacation time and holiday time into the 2021/2022 fiscal year that she postponed due to COVID. Clark Hinsdale moved to allow Pam Cousino to carryover the vacation time and holiday time into the 2021/2022 fiscal year. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

5. Selectboard Old Business

a. Ferrisburgh Day update

Jean Richardson, Gail Blasius, and Ashley LaFlam, the committee for Ferrisburgh Day, were in attendance. Jean provided an update on the event to be held on September 26, 2021. She has requested a non-budgetary line item be set up so they can accept donations for the event and have already received \$200. Jean believes there is a need for traffic control in the center of town from 11am to 5pm on Sunday, September 26. Chris Campbell said he would help them secure traffic control resources.

b. Updated version of proposed town policy relating to performance bonds on town contracts

Jean Richardson presented her research on the use of performance bonds in town contracts. She proposed the following:

It is the Policy of the Town of Ferrisburgh that contract work, such as for building repairs:

1. Shall include a beginning and end date; and
2. May include a retainage of 10% until the project is completed and accepted by the Town; and

3. May include the following clause: "Contractor warrants all work performed under this Contract for a period of one year from the date the work is completed and accepted by Municipality. The warranty must be secured by either Contractor's performance bond or such other security as acceptable to Municipality" and
4. Shall not include a liquidated damages clause.

Clark Hinsdale moved to approve the terms as amended. Chris Cambell seconded the motion. All voted in favor. MOTION PASSED

c. Motion to request American Recovery Act Plan funding

Clark Hinsdale moved that the town of Ferrisburgh, of Addison County Vermont accept its allocation of Coronavirus Local Fiscal Recovery Funding (CLFRF) from the US Treasury, along with the Award Terms & Conditions and Assurances of Compliance with the Civil Rights Requirements that are requirements of accepting these funds. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

d. Building maintenance committee update

The roof has been replaced at the Sisters's house. The back porch roof has some weak spots but is waterproof. They do not have a signed contract for painting the town hall. Should have it signed in the next week or so. The fencing will go up at the Union Meeting Hall in preparation for work to begin.

6. Selectboard General Business

None

7. Other Business

a. Jesse Amblo insurance letter discussion

A letter was received previously from Jesse Amblo. No action was taken at that time. Clark Hinsdale recommended Jesse Amble's letter be forwarded to the town insurance company. Pam Cousino will forward the letter to the insurance company, "PACIF".

8. Correspondence

a) Addison County Regional Planning Commission – status of American Recovery Act Plan aid to cities, towns, and villages

A letter was received from the Addison County Regional Planning Commission providing an update on the allocations of the funds to the towns.

b) Ferrisburgh Day Letter

A letter was sent by the Ferrisburgh Day Committee to business owners and farmers inviting them to participate in Ferrisburgh Day.

c) Long Point Corporation response to April 21, 2021, letter from John Bull, Road Foreman

A letter was received from Mary Lou Ivey regarding John Bull's letter and the site visit.

9. Selectboard to approve or Sign

a) Approve loan proposal from Community Bank for tandem dump truck

Community Bank submitted a proposal with two options for the loan to purchase the tandem dump truck. In the past the five year option was used. Clark moved to accept the proposal for

the five year option with an interest rate of 2.35%. Jim Benoit seconded the motion. All voted in favor. MOTION PASSED

b) The Golf Club at Basin Harbor Liquor License

Jim Benoit moved to approve the liquor license application for The Golf Club at Basin Harbor. Red Muir seconded the motion. All voted in favor. MOTION PASSED

c) Selectboard Warrant

Jim Benoit moved to approve the warrant in the amount of \$54,437.88. Chris Campbell seconded the motion. All voted in favor. MOTION PASSED

10. Adjourn

Red Muir moved to adjourn the meeting at 8:08. Clark Hinsdale seconded the motion. All voted in favor. MOTION PASSED

Respectfully submitted,

Carol Allen