

**Town of Ferrisburgh
Selectboard Minutes
August 15, 2017**

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

Town officials present: John Bull, road foreman; Gloria Warden, town clerk; Deb Healey, town treasurer; Pam Cousino, assistant town clerk and assistant town treasurer.

Visitors present: Lisa Brace, Scott Brace, Carl Cole, Justus DeVries, Jaimeelyn Gaboriault, Arabella Holzapfel, Steve Huffaker, Bessie Sessions, Charlene Stavenow.

1. Regular meeting: call to order

Loretta Lawrence, chair, called the meeting to order at 6:30 p.m.

2. Approve minutes: August 1, 2017, regular meeting; August 7, 2017, special meeting; August 8, 2017, town plan hearing

Rick Ebel made a motion to accept the minutes of the regular meeting on August 1, 2017, as submitted. Steve Gutowski seconded. Rick Ebel, Jim Benoit and Loretta Lawrence voted in favor. Steve Gutowski abstained. MOTION PASSED.

Rick Ebel made a motion to accept the minutes of the special meeting on August 7, 2017, as submitted. Jim Benoit seconded. Rick Ebel, Steve Gutowski and Loretta Lawrence voted in favor. Steve Gutowski Benoit abstained. MOTION PASSED.

Rick Ebel made a motion to accept the minutes of the third selectboard hearing on the town plan on August 8, 2017, as submitted. Steve Gutowski seconded. Rick Ebel, Jim Benoit and Loretta Lawrence voted in favor. Jim Benoit abstained. MOTION PASSED.

3. New business

(a) John Bull – highway operations report. John Bull reported that work had been completed on the bridge on Little Chicago Road. The work was done mostly with a state grant for about \$97,000. The town's share of the project was about \$2,000. Bull said the town's portion of the cost was kept down in part through use of an automated traffic signal, which meant the town did not have to hire traffic controllers.

Bull said that otherwise the department had been working to keep up with maintenance projects following a wet spring and early summer. He said the town needed to work on the intersection of Route 7 and Old Hollow Road, which is getting a lot more traffic because of the Route 7 project under way in Charlotte. He said Fuller Mountain Road had required culvert work. He reported that two trucks were in the shop for repairs, including one that is getting a new transmission. He said the road crew would be doing some work around the town hall, removing stumps and working on drainage.

(b) Town Plan 2017-2025 – adoption vote by legislative body. Rick Ebel read a motion concerning the Town Plan: "Three public hearings for the Town Plan were held by the Selectboard on May 9, 2017, June 27, 2017, and August 8, 2017. In accordance with Title 24 VSA Ch. 117 §4385(c), I make a motion to adopt the Ferrisburgh Town Plan 2017-2025 as approved by the Planning Commission March

15, 2017, and submitted to the Selectboard March 27, 2017.” Steve Gutowski seconded. All voted in favor. MOTION APPROVED.

(c) Justus DeVries and Deb Healey – discussion of protocol for setting tax rate. Following up on a discussion at the previous meeting about getting tax information to the selectboard at an earlier date, Justus DeVries talked about the role the appraisers and Board of Listers play in the development of the tax rate. He said special circumstances seem to arise just about every year that require more time and effort than expected. He suggested that he and the listers report to the selectboard a couple of times each year, to let the board know about issues that might be coming up. Rick Ebel suggested they attend a selectboard meeting in June each year, and DeVries said a preliminary meeting should probably happen earlier in the spring, followed by another session in June. Pam Cousino, assistant town clerk and assistant treasurer, said having more help in the town office would speed up the process.

4. Old business

(a) Deb Healey – work flow analysis. Deb Healey, town treasurer, sent a report to the selectboard including recommendations for changes in the workflow and hours worked in the town office. Gloria Warden, town clerk, asked the board to table the matter until the next meeting, because she had not had a chance to review the report and town office employees had not been able to discuss it together. Rick Ebel said he had just received the report that day, and said tabling it would give him more time to review it. Board members agreed to table their consideration of the report until the next meeting on September 5.

5. General business

(a) VT Green Line – committee update. Rick Ebel said there was nothing new to report on the Green Line project, though lawyers for the town and the developers are continuing to communicate. Jim Benoit made a motion to pay a bill for \$76 to Carroll, Boe & Pell, the town’s law firm, out of the Green Line escrow account. Rick Ebel seconded. Rick Ebel, Jim Benoit and Loretta Lawrence voted in favor. Steve Gutowski abstained. MOTION APPROVED.

(b) Hazard Mitigation Plan – adoption vote. Steve Gutowski read a lengthy resolution that served as a motion to adopt the Vermont Single Jurisdiction All-Hazards Mitigation Plan. The town developed the plan over the past few years, identifying strategies and projects for hazard mitigation, and has received conditional approval from Federal Emergency Management Agency. Adoption of the plan makes the town eligible for funding to help alleviate the impacts of future hazards. The board’s motion adopts the plan officially, and calls for town officials and support agencies to pursue implementation. Steve Gutowski thanked all those in town who had worked on the plan. Jim Benoit seconded the motion. All voted in favor. MOTION APPROVED.

(c) Health Officer appointment – three-year term. Jaimeelyn Gaboriault wrote to the board about her interest in continuing to serve as the town’s health officer after her term expires on October 1. Jim Benoit made a motion to appoint Jaimeelyn Gaboriault to a three-year term as health officer beginning October 1, 2017. Rick Ebel seconded. All voted in favor. MOTION APPROVED.

(d) Charlene Stavenow – zoning and lister issues. Charlene Stavenow, chair of the Zoning Board of Adjustment, said the selectboard’s appointment, at its special meeting on August 7, 2017, of Bonnie Barnes as interim zoning administrator was making a tremendous difference already. She said Barnes is quick study and a great joy to work with.

Stavenow said that an effort to appraise and identify the owners of a number of travel trailers, most of them at two campgrounds in town, had taken up a great deal of time. Justus DeVries, an appraiser who has worked with the town for many years, and Carl Cole, a longtime lister, said the issue was really a no-win for the town, since it took a lot of time and effort to try to implement what they described as an unenforceable statute. Travel trailers that are in the town for more than 180 days in a year are supposed to pay property taxes. DeVries said it is impossible for the town to monitor all the trailers to be sure they are in the town for that length of time; complicating the matter is that the 180 days do not even need to be consecutive. Cole said that it likely costs the town more to assess each unit than it would receive in taxes, since about 80 percent of the tax revenue goes to the state. Cole suggested the selectboard ask the town's state representatives, Diane Lanpher and Warren Van Wyck, to attend a board meeting to discuss the issues raised by the statute.

Justus DeVries also discussed the issue of "outside-only properties," meaning residences that appraisers had not been able to enter during the town's recent reappraisal. There were 84 properties involved, the owners of which were contacted multiple times, but never granted permission for officials to enter. He said appraisers had eventually been able to enter all but 22. He said education for property owners might help. While some people believe letting appraisers in will lead to an increase in taxes, that's not what appraisers have found. He said of the residences that appraisers were eventually able to enter, most values stayed the same or decreased, while those residences that appraisers could not access were more likely to see values increase, in some cases 10 to 15 percent.

(e) Ruggiano Engineering Inc. release (for design/build for former Denecker project). When Tom Denecker decided not to pursue his purchase of town-owned land at the corner of Route 7 and Route 22A, he said he would allow the use of the engineering work on the project if anyone did purchase the parcel. Now that the town apparently has a buyer for the property, the engineering company that did the work for Denecker, Ruggiano Engineering Inc., is ready to pass along its work. The town is one of several entities that needs to sign a release form to make this happen. Steve Gutowski made a motion to have the selectboard sign the release form. Rick Ebel seconded. All voted in favor. MOTION APPROVED. Board members signed the form and turned it over to Carl Cole, who will gather the other necessary signatures.

6. Public comment

Arabella Holzapfel, a member of the town's Planning Commission, thanked the selectboard for approving the new town plan.

Lisa and Scott Brace of Sand Road attended the meeting to complain about barking dogs at a neighboring property. They had complained before to the town, and Scott Brace said he had called the Vermont State Police the previous night. Board members said they were aware of the issue at what is described as a rescue kennel operated on Sand Road. In the past, the town has not been able to take action because of state rules on rescue kennels. Jaimeelyn Gaboriault, the Ferrisburgh health officer, said she had found a provision in the town's zoning rules that prohibits keeping dogs that bark frequently or for long durations and disturb people living in the vicinity. She filled out an animal complaint form and it will be delivered via certified mail. Board members said they may need to make changes to the zoning rule in question to allow for more effective enforcement.

7. Other business

Loretta Lawrence read a letter to the selectboard from Ken Wheeling, former zoning and planning administrator, submitting his resignation, as of August 11, 2017. He had been on leave since July. He

said that at 79, he wanted to shift his focus to other pursuits, including his garden. He said he had enjoyed working with Ferrisburgh residents and all those in town government.

Steve Gutowski asked whether the town had a new contact person in the Addison County Sheriff's Office, since the town's longtime contact had left to become chief of police in Bristol. Board members asked Gloria Warden, town clerk, to get in touch with Sheriff Don Keeler.

8. Correspondence

(a) Tulin, re: Champlin Hill Road. Board members received a letter about unsafe road conditions on Champlin Hill Road, but were told by John Bull that repairs to the road had been made before the letter arrived.

9. Selectboard to approve or sign

(a) Vergennes Recycling Contract – FY 2018. Rick Ebel made a motion to have the town sign a new contract with the Vergennes Recycling Center, which calls for an annual payment of \$15,000, payable in four installments of \$3,750, with the contract running through June 30, 2018. Steve Gutowski seconded. All voted in favor. MOTION APPROVED.

(b) Warren Van Wyck, Ferrisburgh GOP Town Committee – meeting room rental, September 13, 7-9 p.m. Jim Benoit made a motion to rent the town hall meeting room to Warren Van Wyck, representing the Ferrisburgh Republican Town Committee, on September 13 from 7-9 p.m., waiving the rental fee and acknowledging receipt of a damage deposit. All voted in favor. MOTION APPROVED.

(d) Selectboard warrants. Rick Ebel made a motion to approve the selectboard warrant, which details town expenses, for a total of \$161,698.83. Jim Benoit seconded. All voted in favor. MOTION PASSED.

10. Adjournment

Rick Ebel made a motion to adjourn the meeting at 8:17 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

— Respectfully submitted,

Tim Etchells