

Town of Ferrisburgh
Selectboard Minutes / DRAFT
December 6, 2016

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

Town officials present: Gloria Warden, town clerk.

Visitors present: Richard Bernstein, Gail Blasius, Carl Cole, Andrew Fritz, Jeff Fritz, Craig Heindel, Paula Moore, Ed Place, Walter E. Reed Jr., Bessie Sessions, Silas Towler, Kate Yarbrough.

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

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

2. Approve minutes — October 18, 2016 (special meeting); November 1, 2016 (regular meeting), November 15, 2016 (regular meeting); November 22, 2016 (budget work session); November 29, 2016 (budget work session).

Jim Warden made a motion to approve the minutes of the October 18, 2016, special meeting, as presented. Red Muir seconded. Loretta Lawrence, Red Muir, and Jim Warden voted in favor. Jim Benoit and Steve Gutowski abstained. MOTION PASSED.

Red Muir made a motion to approve the minutes of the November 1, 2016, regular meeting with the following correction: Approval of the minutes for the budget work session should have read October 25 not October 18. Jim Benoit seconded. Jim Benoit, Steve Gutowski, Loretta Lawrence, and Red Muir voted in favor. Jim Warden abstained. MOTION PASSED.

Jim Benoit made a motion to approve the minutes of the November 15, 2016, regular meeting with the following correction: Item 9. (a) is corrected to read as follows: **(a) Hall rental request for wedding ceremony — September 16, 2017.** September 17 was incorrect. Jim Warden seconded. Jim Benoit, Loretta Lawrence, and Jim Warden voted in favor. Steve Gutowski and Red Muir abstained. MOTION PASSED.

Steve Gutowski made a motion to approve the minutes of the November 22, 2016, budget work session, as presented. Red Muir seconded. Jim Benoit, Steve Gutowski, Loretta Lawrence, and Red Muir voted in favor. Jim Warden abstained. MOTION PASSED.

Jim Warden made a motion to approve the minutes of the November 29, 2016, budget work session, as presented. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

3. Selectboard new business

(a) Bixby Library — short presentation and budget request for 2017-2018. While showing a PowerPoint presentation, Paula Moore, president of the Bixby Board of Trustees, discussed three points: the phenomenal value of the Bixby for children and adults, the library’s funding sources, and the effect of increased funding by the town of Ferrisburgh on the library’s operating budget. Funds from Ferrisburgh, along with funds received from the four other Addison County towns, plus donations and grants, help pay for library staff, programs, books, utilities, and supplies. Building repair and maintenance funds come from a separate funding source. Paula explained how the current per capita

investment by the town of \$18.94 would increase for 2017 to \$22.00, or an annual payment from the town of Ferrisburgh of \$61,050. Currently, the town is paying over \$52,050 a year to support the Bixby. The selectboard has concerns that this additional increase would mean that the town would now be paying approximately \$1800 per week to the Bixby Library, if approved. The selectboard has concerns that this is a large sum of money to pay when not everyone in town is using/or wanting to use the Bixby. Paula stated that this additional support from the five towns would help reduce the projected shortfall in the Bixby's operating budget to four percent. Paula will provide the board with statistics regarding the current number of Ferrisburgh residents who use the many services offered by the library. The board stated that they are in the process of working on next year's budget, and will consider the Bixby's funding request at a future budget work session.

(b) Kate Yarbrough — discussion of proposed Grange Series and Grange Markets. Kate reported that after discussions with Silas Towler, her group would now operate under the umbrella of the Friends of the Ferrisburgh Grange Hall. She will obtain a separate insurance policy from Foote's Insurance of Vergennes, Vermont. The Ferrisburgh Grange/State Grange has stated that their organization is not allowing Kate to use their organization's name. The Grange suggested that she use the Grange Hall Series, or another name, in her advertising. Kate stated that she will change the name of the series and markets to Grange Hall Art Series and Grange Hall Markets. Kate's vision is to hold one event per month, such as contra dances, poetry readings, children's events, etc. Jim Warden and Loretta Lawrence shared concerns about the December date and stated that they do not feel that Kate can pull it together for December 17th. Having met all actions required by the board at the last regular selectboard meeting, Kate will submit a rental agreement for the upstairs community hall for Saturday, December 17, 2016, for a Christmas Market with approximately a dozen vendors. If Kate feels that she is ready to submit a rental agreement, she will submit it by Friday, December 9th or otherwise notify the board if she plans on cancelling the December date. If submitted, the board will review the rental agreement at the next budget work session on December 13, 2016.

4. Selectboard old business

(a) Personnel Policy — sign amendment. Jim Benoit made a motion to sign the approved November 15, 2016, amended Section V. – Leave time – A. Holiday Pay with the following language "If an employee is called to work on a holiday, he/she will be paid time and a half, for actual hours worked." Steve Gutowski seconded. All voted in favor. MOTION PASSED.

5. Selectboard general business

(a) Vermont Green Line (VGL) Committee update. Craig Heindel, chair of the town's VGL Committee, informed the board that the committee met in executive session with Jim Carroll, the town's attorney from the firm of Carroll, Boe & Pell, regarding the latest host town agreement. Negotiations with Vermont Green Line Devco will continue.

Craig submitted an invoice approved by the VGL Committee to the selectboard. After discussion, Red Muir made a motion to approve payment of invoice #29738 from Jim Carroll in the amount of \$598 from the VGL escrow account. (This account is fully funded by Vermont Green Line Devco, not by the town.) Jim Benoit seconded. Jim Benoit, Loretta Lawrence, Red Muir, and Jim Warden voted in favor. Steve Gutowski abstained. MOTION PASSED.

Craig commented that approximately \$20,000 of the 2016 escrow account has been spent so far. After discussion,

Red Muir made a motion to:

1. extend the existing escrow agreement to the end of Dec. 2017, and
2. that the current amount in the escrow account (\$19,706.68, per records from escrow agent) be rolled forward, to continue to be available, and
3. that Vermont Green Line Devco, LLC deposit an additional \$20,000 to the escrow account for the same uses as described in the current escrow agreement, and
4. that paragraph #9 in the escrow agreement be extended to allow negotiation of an additional agreement after 12/31/17.

Jim Benoit seconded. Jim Benoit, Loretta Lawrence, Red Muir, and Jim Warden voted in favor. Steve Gutowski abstained. MOTION PASSED.

(b) Red Muir — Building maintenance discussion and updates. Red reported that the pump for the basement of the town offices is backordered, and may not arrive for another two weeks. He also stated that the heaters in the listers' office are not working. He will address this issue after the pump is installed.

(c) Town auditors — report and review of the town's credit card policy. Auditor Walter Reed relayed to the board several points of the audit. A lengthy discussion ensued regarding the increase in credit card limits for Treasurer Garrit Smits and Road Foreman John Bull; the board expressed concern that these increases occurred without board approval. Loretta Lawrence tabled the credit card policy review until the next regular board meeting on December 20, 2016. She will send an email to Garrit and John, asking who increased the credit card limits. She will copy the full selectboard and town auditors on that email.

Loretta asked Walter if the town auditors noticed that there were several late fees from the IRS and the State of Vermont for late payroll taxes. He replied that he had not as the audit was only for hours worked, not payments. Loretta commented that payroll taxes are being collected from employees but not always being paid on time to the IRS and State of Vermont. She went on to say that there was one noticeable late fee of \$1200 owed to the IRS—but was negotiated down to approximately \$628. She said that these late fees are costing the taxpayers a lot of money and it is totally unnecessary to pay late fees for money already collected.

6. Public comment

Gloria Warden informed the board that the final copy of the Town Plan is ready, and a 15-day warned hearing needs to be scheduled. Loretta Lawrence asked Gloria to email the timeline to board members who will decide on a date for review.

Red Muir asked if the payroll audit letter had been received from the firm of RHR Smith & Company. Loretta Lawrence will check with Pam Cousino, assistant town clerk and assistant treasurer, to see if the letter has arrived yet.

Walter Reed, one of the town auditors, commented on the town auditors' credit card audit of November 8, 2016. Walter also stated that he has noticed that other people in the office were doing so much of the treasurer's work. Walter stated that he did not think it was fair that the assistant treasurer had to continually have to do her job and much of the treasurer's job. He stated that the treasurer is rarely in the office during operational hours of 8:00 a.m.-4:00 p.m. He stated that the treasurer's absences are affecting the entire workload of the clerk's office, and wanted to know if the board had any thoughts as

to how they plan on dealing with the situation. He asked the board several questions including if the town needs a treasurer. After discussion, Loretta Lawrence said that the treasurer position is an elected position, which would require a change to the town's charter to become an appointed position. The process would take three years. The board is looking into this process.

7. Other business

There were no items under other business for this meeting.

8. Correspondence

(a) Vermont Department of Forests, Parks & Recreation PILOT (Payment in Lieu of Taxes) update. The town received a letter noting that changes were made to the PILOT program during the last legislative session. The full text of the new legislation may be found starting on page 205 of Act 172; follow this link to find a copy of the full act, as passed: <http://tinyurl.com/glnltys>.

(b) Vincent — Copy of letter of appeal of Permit 16-142. Ken Wheeling, zoning administrator for the town of Ferrisburgh, received a letter from Anne and Bill Vincent requesting to stop/appeal the zoning permit for the eight-stall barn with an apartment on the second floor located at 38 Dean Road.

(c) Gramling — Copy of letter of appeal of Permit 16-142. Julie Grambling sent a letter to Ken Wheeling to file a formal complaint/appeal of the permit, citing numerous reasons for this request.

9. Selectboard to approve or sign

(a) American Red Cross — hall rental request for blood drive on January 25, 2017, from 12:00 to 7:00 p.m. After discussion, Jim Benoit made a motion to rent the upstairs community hall to the American Red Cross, waiving the rental fee but requiring the \$500 deposit and proof of insurance. Jim Warden seconded. All voted in favor. MOTION PASSED.

(b) Long Point Association — hall rental request for annual meeting on August 5, 2017, from 8:00 a.m. to 12:00 p.m. After discussion, Jim Benoit made a motion to rent the upstairs community hall to the Long Point Association, requiring the \$500 deposit and proof of insurance. Jim Warden seconded. All voted in favor. MOTION PASSED.

(b) Selectboard warrant. After review, Jim Benoit made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$52,574.33. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

10. Adjourn

Jim Warden made a motion to adjourn the meeting at 8:53 p.m. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira