

**Town of Ferrisburgh
Selectboard Minutes**

May 3, 2016

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

Town officials present: Gloria Warden, town clerk; Ken Wheeling, zoning administrator.

Visitors present: Michael Coyle, Gary Eley, Jamieelyn Gaboriault, George Gardner, Craig Heindel, Arabella Holzapfel, Bob McNary, Bessie Sessions, Charlene Stavenow.

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 — April 19, 2016, regular meeting; and April 19, 2016, special meeting.

Jim Warden made a motion to approve the minutes of April 19, 2016, as presented. Jim Benoit seconded. All voted in favor. MOTION PASSED.

Jim Benoit made a motion to approve the minutes of April 19, 2016, as presented. Red Muir seconded. Jim Benoit, Loretta Lawrence, Red Muir, and Jim Warden voted in favor. Steve Gutowski abstained. MOTION PASSED.

3. Selectboard new business

(a) Jamieelyn Gaboriault — animal control officer report. So far in 2016, no dogs have been picked up. Jamieelyn stated that Front Porch Forum has been a huge resource for recovery of lost dogs. She asked the board for guidance regarding a complaint of domesticated geese living with wild geese, which are going on to a neighboring property. After discussion, Steve Gutowski suggested she contact Warden Dana Joyal of the Vermont Fish and Wildlife Department. There was one nuisance complaint regarding a cat on Little Chicago Road. Jamieelyn commented that she has visited a residence more than once to ask the homeowner to repair a fence that continues to allow dogs to escape.

(b) Charlene Stavenow — Act 250 permit — 72 Locust Lane. As chair of the Zoning Board of Adjustment, Charlene highlighted two discrepancies between the permit granted by the town of Ferrisburgh and the Act 250 permit: the project location and the use of the ancillary building. The Ferrisburgh permit states that the location is 72 Locust Lane, and the use of the building is for personal storage. The Act 250 permit states that the location is the junction of VT Route 22A and US Route 7, and the use of the building is for a home rug fabrication business with no outside employees and no retail sales. Charlene was only recently made aware of these discrepancies. Despite that the date to appeal has past, she asked the board if she could send a letter to Geoffrey Green, Addison County district coordinator, outlining these discrepancies. Jim Warden made a motion to authorize Charlene Stavenow to send a letter to Geoffrey Green detailing the discrepancies. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

(c) Vermont Senior Games Association bicycling race — August 27, 2016. Gary Eley, president of the Vermont Senior Games Association, said his organization will run four bike races on Ferrisburgh roads on August 27. The races include 1-mile, 5-kilometer, and 10-kilometer time trails, and 20-kilometer and 40-kilometer road races. Discussion ensued about rider safety, adherence to traffic laws including stopping at stop signs, parking area(s) on Avery Road, and parked cars blocking farmers’ fields. Steve Gutowski stated that one reason the town parking ban was imposed was because of the association’s event last year. Gary agreed to make changes to the event to be able to use the town roads. Loretta Lawrence tabled this agenda item until the next regular selectboard meeting on May 17, 2016.

4. Selectboard old business

No items were discussed.

5. Selectboard general business

(a) Civil Ordinance Regulating Open Burning and Incineration — ordinance proposed for adoption. After discussion of a few minor changes, Red Muir made a motion to approve the final draft of the Civil Ordinance Regulating Open Burning and Incineration. Steve Gutowski seconded. All voted in favor. MOTION PASSED. The ordinance will be warned and posted in the *Addison Independent*.

(b) Personnel Policy — review proposed edits and updates. After review and discussion of the latest draft, Loretta Lawrence tabled this agenda item until the next selectboard meeting on May 17, 2016. Additional edits will be made, and she will draft new language—recommended by John Bull—about employees passing all Department of Labor physical requirements in order to be cleared for a commercial driver's license (CDL) card.

6. Public comment

Craig Heindel, a member of the town's Vermont Green Line committee, gave an overview of the April 28, 2016, meeting with Vermont Green Line Devco, LLC (VGLD). He stated that an agreement had been signed that among other things states that town-selected experts for engineering, plan review, survey, real property valuation, and legal support to negotiate the terms of the Host Town Agreement (formerly known as the Memorandum of Understanding) will be paid for by VGLD with a cap of \$40,000 for 2016. Craig also stated that an escrow agreement had been signed which declares that Conley & Foote Law Offices of Middlebury, Vermont, is the escrow agent. All documents related to this project may be viewed on the town website (see Announcements) and in a binder at the town offices. This project will be an ongoing agenda item at selectboard meetings under Selectboard General Business. Steve Gutowski thanked Craig for all of his help to move this project forward. Jim Warden, Steve's replacement on the committee, also commended Craig's work.

Jean Silveira stated that the next American Red Cross blood drive will be May 24, 2016, upstairs at the town offices from 1:00 p.m. to 6:00 p.m. She encouraged people to donate blood and spread the word about the drive.

Gloria Warden reported the details of her meeting with Sargent Nason of the Addison County Sheriff's Department. He commented that it is difficult to monitor speeders on the portion of Plank Road that is located in Ferrisburgh because the speed limit changes three times. He is compiling a list of missing road signs. Gloria gave Sargent Nason copies of the parking ordinance and the dog ordinance. Loretta Lawrence asked that all information regarding future meetings with Sargent Nason be written up and sent to the full selectboard for its review.

7. Other business

A tentative, special meeting of the board was scheduled for May 10, 2016, at 5:30 p.m., to discuss the Vermont Green Line Devco, LLC (VGLD) project; the Vermont Green Line is the proposed Anbaric/National Grid 400 megawatt high voltage direct current electric transmission line, which would run through approximately seven miles of Ferrisburgh.

Loretta Lawrence asked the board to consider authorizing existing funds from the Zoning/Planning budget to pay for edits to draft #4 of the Town Plan and changes to the town map. Arabella Holzapfel went over some of the changes to the town plan and asked the board to support the request for funds. Jim Warden made a motion to approve the \$948 cost estimate. Red Muir seconded. All voted in favor. MOTION PASSED.

After review of the mileage certificate provided by road foreman John Bull, Jim Benoit made a motion to submit the mileage certificate to the Vermont Department of Transportation to receive the town's portion of annual town highway aid. Red Muir seconded. All voted in favor. MOTION PASSED.

8. Correspondence

(a) Secretary of State — Certification of the Addison Northwest Unified Union School District. Pursuant to 16 V.S.A. section 706g, the town received a certified copy of the Secretary of the Agency of Education's certification of the formation of the unified district.

(b) Oosterman Court Order for appeal to Superior Court, Environmental Division. The town was notified that the Environmental Division granted the Motion of Summary Judgment; this allows reconfiguration of three existing lots into two new lots: new lot A is 4.02 acres containing a driveway and RV parking area; new lot B is 21.66 acres developed with a house.

(c) Vermont Secretary of Transportation (VTrans) reply to New Haven Selectboard — redirected truck traffic from Vergennes. By letter, Transportation Secretary Chris Cole suggested that the first step in the process would be for the city of Vergennes to reach out to neighboring towns to gauge support, and to ask for ideas on how to address this challenge.

(d) Jim Carroll — closed town files. Jim Carroll, the town's attorney from the firm of English, Carroll & Boe, notified the town that his firm was closing several files that will now be stored electronically. The town will retain the file documents and store them at the town offices.

(e) Northeast Resource Recovery Association (NRRA) — voting member. The town received a certificate stating that it is a voting member of the NRRA from April 1, 2016, to March 31, 2017.

(f) Vermont League of Cities & Towns — human resources employment law workshop – June 2, 2016. This workshop will take place at the Capital Plaza Hotel and Conference Center in Montpelier, Vermont.

9. Selectboard to approve or sign

(a) Vermont Elevator Inspection Services — Vermont Department of Public Safety, Division of Fire Safety conveyance inspection report. After discussion about the violation mandating the removal of a smoke alarm, Loretta Lawrence tabled this agenda item until Fireprotec Fire & Safety Equipment coordinates a site visit with the Division of Fire Safety.

(b) Selectboard warrant. After review, Steve Gutowski made a motion to approve the selectboard warrant, which details town expenditures, for a total of \$41,420.07. Jim Benoit seconded. All voted in favor. MOTION PASSED.

10. Personnel

(a) Ken Wheeling — zoning administrator. Ken Wheeling will return to his position on May 6, 2016. His administrative schedule will be Mondays from 10:00 a.m. to 3:00 p.m., Tuesdays and Thursdays from 1:00 p.m. to 4:00 p.m. He will also attend Zoning Board of Adjustment and Planning Commission meetings. Ken expressed his appreciation to the board and others who came to visit him while he was on medial leave.

11. Adjourn

Jim Benoit made a motion to adjourn the meeting at 8:37 p.m. Jim Warden seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Jean Silveira