

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING**

**Minutes
July 31, 2017**

Present: Brian Smith, Josh Provost, Beula Shattuck, Grant Spates, Perry Hunt.

Others: Renee Falconer, Roger Ashman, Jaret Judd, Jessica Judd, Roger Stoddard, Adam Guyette, Rust Brown, Shannon Brown, Marc Nadeau, Melissa Jacobs, Dustin Horne, Carolyn Bakken, Tyler Bakken, Phylcia Kennison, Nathan Kennison, Michelle Rossi, Avani Stricker, Carolyn Rossi, Neil Stanzione, Rachel Stanzione, David Jacobs, Vicki Hosford, Ernest Judd, Martha Judd, Joanne Jacobs, Mark Jacobs, Brody Jacobs, Robin Smith, Jim Campbell, Lauri Moss, Joseph Gresser, Paul Prue, Joe Profera, Rod Lyon, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M.

Warrants #16A in the amount of \$19,744.14, and #16B in the amount of \$33,321.82 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of July 17, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

VICIOUS DOG HEARING:

Perry move to recess the meeting to go into a Vicious Dog Hearing, with Brian seconding. Unanimous.

Vicious Dog Hearing – Roxy & Bruno (dogs) Neil Stanzione (owner) – It was explained that this hearing was in accordance with The Town of Derby Ordinance Regulating the Keeping and Control of Dogs and or Wolf Hybrids with the Town of Derby. Animal Control Officer Renee Falconer went over the complaints involving Roxy & Bruno. The altercation between Roxy, Bruno and Lily resulted in the Sheltra's dog Lily dying. All the dogs were off the owners' property when the altercation took place. Roxy and Bruno are German Shepards and Lily was a Yorkshire Terrier/Maltese mix. In the past few years Renee has received 2 calls from people walking past the Stanzione residence who stated they were nervous walking by the house because of the dogs. Dustin Horne was a witness to the attack and explained what he saw. People from the neighborhood spoke about their concerns for the children and pets in the neighborhood if Mr. Stanzione's dogs are not kept under control. Chair Grant Spates read the complaint letters from Dustin Horne and Ruth Sheltra; he also read a letter from Jason Stanzione. All the neighbors, including the Sheltras, agreed that they didn't think that the dogs should be euthanized. All the dogs in the Dashner Circle neighborhood run free and the Board reminded everyone that all dogs in Derby are suppose to be under the owners control whenever off of the owners premises. In Jason Stanzione's letter he proposes that Roxy and Bruno be on leash when off their property and that a dog run be installed until a fence can be installed to control the dogs while on their property. Everyone thought this would be a good solution. Neil Stanzione was very sorry the incident happened and is willing to fence in his dogs. He thought he could get the fence up within 3 weeks and will keep his dogs on a lease or run until the fence is up. Written testimony was received from Jason Stanzione, Dustin Horne and Ruth Sheltra. The Board agreed with a 6 ft tall fence within 3 weeks and having Roxy & Bruno leased whenever off the property. The Board will write up an official decision and order, which will be mailed by certified mail to Mr. Stanzione.

Brian moved to close the vicious dog hearing and return to their regular meeting, with Perry seconding. Unanimous

NEW BUSINESS:

Derby Shooting Range – Ernest Judd – Ernest and his wife, Martha were concerned with the affect the shooting range was having on their property value. He claims that his property has lost

1/3 of its value since 2007. Other concerns are noise, hours of use and damage to the road. The club's policy is that shooting be between 8:00 am and 8:00 pm. They will be installing cameras and a gate which should help with after hour shooting. They are also willing to help with repairs to the road as they have in the past.

Laurie Moss – Community Day – The Town gave \$1,300 for Community Day last year. Beula moved to donate \$1,300 to Community Day again this year, with Josh seconding. Unanimous.

Road Department Position – Rod Lyon – The Board will review this in executive session.

Equipment Purchase – Road Department – The Board agreed that they would like to purchase the small excavator from JCB, but the figures they were given were not correct. JCB will have corrected figures for the Board's next meeting.

Approve 2017 Tax Rate – Brian moved to approve a Residential Tax Rate of \$1.7295 and a Non Residential Tax Rate of \$1.9415, with Perry seconding. Unanimous.

Ambulance Coin Drop – October Request – The Board agreed to allow the Ambulance to switch their coin drop to October.

OLD/OTHER BUSINESS:

Legislative Update – None.

Eagle Point/Johns River Project Update – The State expects to sign the agreement with the Feds soon and has decided to allow a lump sum bid.

Green Lantern Solar Update – Green Lantern Solar will not increase the Town's savings above 10%. The Board decided not to participate in the project. The Town is still in favor of the project.

ROAD REPORT:

We will be working on the ditches on West Street with some funding from a State grant. Fortin Road was discussed. A resident stated that the road is washing out in places. Rod will look into the washouts.

Rod is getting bids on line striping for the class 3 roads and hopes to get it done this year.

There is a petition from residents concerning the Fish & Game Road that will be on the agenda for their next meeting.

EXECUTIVE SESSION:

At 8:05 Perry moved to go into executive session to review applications for the Road Crew position, seconded by Brian. Unanimous

At 8:27 the Board came out of executive session. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, August 14, 2017.

Brian made a motion to adjourn the meeting at 8:28, with Josh seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved