

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
DECEMBER 23, 2013**

Present: Brian Smith, Beula Shattuck, Grant Spates, Steve Gendreau, Laura Dolgin

Other's Present: Joe Profera, Mary Grant, Phil White, Bob Kelley

MEETING CALLED TO ORDER: at 6:38 p.m.

ROLL CALL

Sign Warrants & Payroll:

Warrants number 26 A was signed in the amount of \$16269.38, and 26B was signed in the amount of \$23,709.99.

Grant moved to approve the minutes of December 9, with Beula seconding. Unanimous.

PUBLIC COMMENTS: none offered

NEW BUSINESS

RCT – Sign Derby Representative Board appointment letter – Mary Grant; The board appointed Judy Nommik at our June 24, 2013, select board meeting. Statistics: RCT spent \$75,000.00 in Derby taking 74 people in Derby. \$58,482 was Medicaid reimbursement. \$13,905.00 expended on elderly and disabled aka critical care, \$1,573.00 on reach up, and \$712 for special students. Volunteer drivers get paid .56.5 a mile. RCT funds are being cut across the board so coordination is exceptionally important. They provide on average 800 rides per day. They are working on routes to provide transportation to major employment hubs in the NEK and central Vermont. Thank you for the update, Mary.

Approve & Sign - Liquor License – Derby Corner Mini Mart, Derby Village Store

& Newport Elks: Motion to recess to go into a liquor license meeting made by Grant, seconded by Laura, at 7:38 p.m. Out of the liquor license meeting at 7:42.

Steve moved to approve the licenses as submitted, with Laura seconding. The motion passed unanimously.

Kingdom Games – Phil White –Phil White has started a company called Kingdom Games to keep the summer events formerly attached to IROC alive and allow them to grow. They have expanded the offerings to 39 days including running, cycling, kayaking, skating, & swimming, and more. Expansion and recognition requires community support and volunteers.

Phil requested to use the Beach House for the Dandelion Run on May 17, and Kingdom Triathlon in August.

It is important to ask for sponsorship from the towns to keep the fees low for local youth to participate in these opportunities. It is a motivational force. Phil intends to go around school by school to

get the students organized to participate. Phil would like to keep the fees low, get youth to participate, and train. This is not a money making venture.

The sponsorship allows more advertising. We've historically appropriated \$2,000.00 per year to support the games as a benefit to Derby.

These events draw people from all over the county and have grown exponentially over the years. The average demonstrates 50% of participants are re-enrolling in successive years and adding days of participation. Participants bring their families, stay in our hotels, eat in our restaurants and explore the area. Kingdom Swim is now listed in the top 100 swim competitions in the world due to factors such as low boat traffic, water cleanliness, & local support.

20% of incoming fees are allocated directly to local charities, such as NCH patient care initiative, The Halo Foundation, Teri Weed in c/o Umbrella. Establishing a for-profit allows Phil to reinvest for capital items such as boats and equipment to support the games.

Laura moved to approve the request for \$2,000.00, to support 39 recreation days because this is a consistent model with previous IROC initiatives, that this is good for the local economy; this benefits our youth and local community, including our local charities. Grant seconded: Discussion included the hope that local businesses and chambers ought to support these initiatives, too. Brian suggested we add an additional \$500.00 for youth vouchers. Steve amended the motion to include a \$10 sponsorship up to \$500.00, for each Derby youth signed up for the Dandelion Run. These youth will need to apply through their schools so that the school submits a list of youth to the town clerk, who will then follow up with Phil. Grant seconded the amendment. The amendment passed unanimously.

The original motion for the \$2,000.00 sponsorship passed unanimously. Phil thanked the board immensely.

OLD BUSINESS

EXECUTIVE SESSION: Beula moved to go into executive session at 7:44 regarding personnel, with Grant seconding. Out of executive session at 7:52. No action taken.

ROAD REPORT: The road crew did an amazing job with yesterday's storm and we acknowledge their hard work. Thank you. The roads are all open.

OTHER BUSINESS

ADJOURNMENT

Meeting adjourned at 7:55

Annual Budget Meeting scheduled for Saturday, January 4, 2014, at 9:30.

Next meeting scheduled for January 06, 2014, at 6:30 p.m.; both meetings scheduled at the town clerk's office.

Submitted by Laura Dolgin

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
December 9, 2013

Present: Grant Spates, Brian Smith, Steve Gendreau.

Other's Present: Bob Kelley, Dave LaBelle, Joseph Gressor, Robin Smith.

MEETING CALLED TO ORDER-6:40 P.M.

Brian on behalf of the entire Select Board wishes to express their condolences to Beula and her family for the loss of her husband Roy.

ROLL CALL

Sign Warrants & Payroll: 25 A in the amount of \$16,327.49 and 25 B in the amount of \$863,410.63

Approval of Minutes: Grant moved to approve the minutes of November 25, 2013, with Steve seconding. The motion passed unanimously.

PUBLIC COMMENTS:

Karen Jenne was wondering if there was some way for the Town to acknowledge the death of Beula's husband Roy. Questions about next year's budget meeting and draft budget - Jan 4th budget meeting date. Questions about Audit Agreement and Waterline project. Question about NVDA traffic study and Derby Center's involvement – Village should contact Doug Morton at NVDA.

NEW BUSINESS

RCT request of approval for Derby member to RCT Board – Because of road conditions RCT representative did not attend meeting. Grant moved to write letter, with Steve seconding. After discussion the motion was rescinded. Board tabled action and would like an RCT representative at their next meeting to discuss this.

Sign Cash Flow Certificate with CNB – Steve moved to sign the Cash Flow Certificate with CNB in the amount of \$705,624.09, with Grant seconding. The motion passed unanimously.

Sign Audit Service Agreement with Gene Besaw – Steve moved to sign the agreement, with Grant seconding. The motion passed unanimously.

Smoking & Tobacco policy – The board reviewed the revised policy which explained consequences of violation the policy. First violation – written warning, second violation – dismissal. Steve moved to approve the revised policy, with Grant seconding. The motion passed unanimously.

Liquor License for Across the Border – 7:00 pm Steve moved to recess the meeting to go into liquor control board meeting, with Grant seconding. The motion passed unanimously. The board discussed the application. 7:03 pm Steve moved to come out of the Liquor Control Board meeting, with Grant seconding. The motion passed unanimously. Grant made a motion to approve and sign the Liquor License for Across the Border, with Steve seconding. The motion passed unanimously.

Set date for Town Plan hearings – The Board decided to hold the first meeting on Monday, January 6th and the second meeting on Tuesday, January 21st.

OLD BUSINESS

Personnel Policy – Discussion about the day after Thanksgiving being considered a holiday and the road crew had to work so they got holiday pay plus time and a half for working on a holiday. It was thought that this might have to be amended.

EXECUTIVE SESSION

7:30 pm Grant moved to go into executive session for personnel issues. Out of executive session at 7:50 pm Grant moved to keep the zoning administrators health coverage as it has been in the past which is a 2-person policy, with Steve seconding. The motion passed unanimously.

ROAD REPORT

None.

OTHER BUSINESS

Brian thanked Asack & Son Christmas Tree & Nursery for donating the wreath for Veteran's Memorial Park again this year.

NVDA – They have submitted a request for appropriation in the amount of \$1,933 which is the same as last year. The Town will continue to budget this as a line item under General Obligations.

ADJOURNMENT

Next meeting is scheduled for Monday, December 23, 2013 at 6:30 p.m. at the Town Clerk's office.

Adjourn at 8:00 p.m.

Submitted by Bob Kelley
Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
November 25, 2013

Present: Grant Spates, Laura Dolgin, Brian Smith, Steve Gendreau

Other's Present: Susan Best, Bob Kelley, Dave LaBelle, Joe Profera, Lynn Batchelor, Joseph Gressor, Elizabeth Bumps, Robin Smith, and the Girl Scout Troop 30100

MEETING CALLED TO ORDER-6:43 P.M.

Welcome Girl Scout Troop 30100. Welcome and thank you for coming in tonight. It was a pleasure to host you and to have your interest.

ROLL CALL

Sign Warrants & Payroll: 24 A in the amount of \$14,364.88 and 24 B in the amount of \$32,341.08

Approval of Minutes: Grant moved to approve the minutes of November 11, 2013, with Laura seconding. The motion passed unanimously.

PUBLIC COMMENTS:

Elizabeth Bumps contributed her wishes for the town to put some multi colored holiday lights on the tree by the town green.

Lynn Batchelor inquired as to the possibility of putting an additional sign on Caswell Ave to access I 91 South. Lynn and Brian will give Dale Perron a call to see if this can be addressed.

NEW BUSINESS

Drift Dusters Landowner Permission Form: The routine annual request from the Drift Dusters to use certain town property for the vast trail. Steve made a motion to approve the request as submitted, with Grant seconding. Unanimous.

Warning Exemption for Village Forest: The Derby Center Board of Trustees requested to include the following article on the 2014 Warning for Town meeting. To see if the Town will vote to exempt the Village of Derby Center municipal forest on Hinman Settler Road from real estate taxes for a period of ten years. Laura moved to approve the request as submitted, with Grant seconding, the motion passed unanimously.

Review Commerce Way Deed – Laura moved to approve the deed as submitted by John Monette, with Grant seconding. The motion passed unanimously.

NVDA Review Improvement Options for Route 5 & 105 Intersection: This is a request to comment on the results of a study from 2007 because the NVDA is updating the study. The board endorsed a 3 way stop.

OLD BUSINESS

Review Town Plan: The Planning Commission will hold a public hearing on the proposed town plan on Monday, December 2, 2013, beginning at 7:00 p.m. The public is encouraged to attend. The town is on scheduling target to be able to vote on the town plan at the town meeting.

The board provided commentary to Bob and Joe when they reviewed the town plan.

EXECUTIVE SESSION

Grant moved to go into executive session at 7:08 p.m. for the purposes of discussing a legal case and a contract negotiation: Out of executive session at 8:12 p.m. with no action taken.

ROAD REPORT

Roads are in good condition and everyone is expecting a big storm this week.

OTHER BUSINESS

A new restaurant is coming into the former Brenda's Restaurant and requested a liquor license but it was not warned on the agenda, so we will place this on our agenda for our next meeting.

ADJOURNMENT

The planning commission has scheduled a public meeting on the Town Plan for next Monday, December 2, 2013 at 7:00 p.m. at the Town Clerk's Office.

Next meeting is scheduled for Monday, December 9, 2013 at 6:30 p.m. at the Town Clerk's office.

Adjourn at 8:55 p.m.

Submitted by Laura Dolgin
Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
November 11, 2013

Present: Grant Spates, Brian Smith, Steve Gendreau, Beula Shattuck, Laura Dolgin

Other's Present: Betsy Bumps, John Joly, Paul Prue, Joe Gressor,

MEETING CALLED TO ORDER at 6:30.

Beula moved to approve the minutes of October 28, with Grant Seconding. Unanimous

ROLL CALL

Sign Warrants & Payroll: The following warrants were signed: # 22 C in the amount of \$45.42, # 22 D in the amount of \$1,770.00, #23 B in the amount of \$39,910.99, and #23 A in the amount of \$16,167.55.

PUBLIC COMMENTS: John Joly mentioned he needs to replace a fixture at the beach house.

NEW BUSINESS

Moved into a liquor control board meeting at 6:34 by Beula, seconded by Grant:

Derby Line Village Inn – Approval of Liquor License –

Out of the Liquor control hearing at 6:36. Laura moved to approve the application as submitted, with Grant seconding. Motion carried.

The board spent a few minutes reviewing the draft town plan.

OLD BUSINESS

Draft - Personnel policy- n/a for tonight.

EXECUTIVE SESSION n/a

ROAD REPORT – everything is good.

OTHER BUSINESS

Fran Batchelder has requested to be the select board's liaison with the Daily Memorial Library. Thank you, Fran.

ADJOURNMENT

Move to adjourn at 7:00 pm.

Next meeting scheduled for Monday, November 25, 2013.

Submitted by Laura Dolgin

Unofficial until approved

**TOWN OF DERBY, VERMONT
BOND VOTE INFORMATION MEETING
MINUTES
October 29, 2013**

Present: Brian Smith, Steve Gendreau, Grant Spates

Derby Line Village Trustee's: Keith Beadle, Ralph Miko

Other's Present: Elizabeth Bumps, Robin Smith, Joe Gresser, Frank & Ginny Davis, Danny & Vicky Lewis, Diane Beadle, Paul Prue, Suzie Dix, Karen Jenne, Lynn Batchelor, Mike Macbeth, Sharon Booth, Craig Ellam, Faye Morin, Richard Nelson - Moderator, and Wayne Elliott - Engineer

MEETING CALLED TO ORDER – 6:33 P.M.

Richard Nelson - Moderator introduces Wayne Elliot, Engineer from Aldrich & Elliott Engineering Water Resource Company. Wayne Elliott explained the water distribution improvements handout brochure to the village and town residents. Then the floor was opened for any discussions from the residents who choose to speak and marked it on the sign-up sheet that Richard Nelson passed around. There were several questions and concerns from the residents, and the Village Trustees and Derby Select board & Wayne Elliott answered the questions and concerns.

Brian thanked everyone for coming. Brian move to adjourn, seconded, motion carried.

ADJOURNMENT

Meeting adjourned at 7:20 p.m.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
October 28, 2013**

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates

Other's Present: Elizabeth Bumps, Robin Smith, Maureen Fountain & Joe Gressor

MEETING CALLED TO ORDER – 6:37 P.M.

Sign Warrants: Warrants 22 B was signed in the amount of \$6,291,025.39 & 21 C \$229.07 and Payroll 22 A in the amount of \$22,460.81.

Approval of Minutes: Grant moved to approve the minutes of 10/14/13, with Beula seconding. Motion carried.

No public comments

NEW BUSINESS

Health Officer- Steve made a motion to appoint Barb Russell as the Health Officer, Grant Seconded. Motion carried. The board would like to thank Barb Russell for taking on the responsibilities of this position.

OLD BUSINESS

Personnel policy draft: No action taken

OTHER BUSINESS: Maureen Fountain suggested that we look into Red Cross training in the event of a local disaster. We will pass info on to Craig Ellam for his suggestions.

EXECUTIVE SESSION: N/A

ADJOURNMENT

Meeting adjourned at 7:50 p.m.

Next meeting scheduled for Monday, Veteran's Day November 11, 2013.

*Minutes by Brian Smith
Unofficial until approved*

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
October 14, 2013**

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates, Laura Dolgin

Other's Present: Faye Morin, Susan Judd, Elizabeth Bumps, Maryann Tetreault, Roy Lancaster, David Royston, Lisa Judd, Joe Profera, Joe Gresser, Bob Kelley, Tony Wikar, John Joly, and Ed Barber

MEETING CALLED TO ORDER – 6:38 P.M.

ROLL CALL

Sign Warrants; warrants 21 B was signed in the amount of \$66,429.61, \$400.00, and 21 A in the amount of \$19,976.32.

Approval of Minutes, Grant moved to approve the minutes of 9/30/13, with Beula seconding. Motion carried.

PUBLIC COMMENTS: Betsy offered constructive comment regarding allowing the public comments throughout the agenda meetings. The format of the meeting is prescribed by the adoption of Roberts rules of order and we allow comment throughout the meetings.

Tony wanted to know if the pipes were going to be PVC or Iron and will be discussed at the 2 public hearings. If one of the towns turns down the vote, the village will have to proceed by themselves or go back to the drawing board.

Grant discussed a correction needed in the local paper regarding the timing of the discussion of impact fees. Bob did a full report back in April, 2013. Bob did a report which the board adopted at that time.

NEW BUSINESS

Disposal Certificate – NEKWMD. A disposal certification application for our stump dump. Beula moved to sign the disposal certificate with Grant seconding. Motion carried.

OLD BUSINESS

Personnel policy: The personnel policy was finished being reviewed. Bob will take the policy through another draft.

Health Insurance: Sue Judd, a local broker, has received the same training as a 'navigator' and is here to explain the health care options now available in Vermont as a result of the health care exchange.

We would need to sign up, list employees, approval the application as a formality by the state, on line. Not terribly onerous, and then the employees would be notified of their eligibility and they will apply, and we will be billed. The employees can pick the plan they want. If their plan is more than the allocation, they pay for it through payroll deduction. An HSA (health savings account) can be set up for those employees want them. If they don't use it, it can roll over to the next year or go into their estate. HRA (health reimbursement account).

Have to be signed up November 30th, first premium to be paid by December 14.

Grant moves we contribute a minimum of \$6,500 per employee for a single medical plan, with Steve seconding. This still gives us options to see how we can manage this in the coming months. The motion passed unanimously.

EXECUTIVE SESSION: N/A

ROAD REPORT: Sand and gravel is all in. Pushing road cuts and pre-winter road grating.

OTHER BUSINESS:

Arrangements were made for the last few closing details.

Green-Up would like a \$300.00 contribution and the board declined this opportunity.

ADJOURNMENT

Meeting adjourned at 7:52 p.m.

Next meeting scheduled for Monday, October 28, 2013.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 30, 2013

Present: Grant Spates, Brian Smith, Laura Dolgin, Steve Gendreau

Other's Present: Joe Gressor, Sue Best, Tom Cyr, Tom Roberts, Joe Profera, Maryann Tetreault, Betsy Bumps, John Joly, Dan Corduea, Ann Azur, Diane Mengal, Tony Wickar, Nancy Gosselin, Paul Prue, Faye Morin, Don Hendrick, Ben Copans, Robin Smith, Laura Carpenter, Dan and Vicki Lewis

MEETING CALLED TO ORDER – 6:30 P.M.

Meeting called to order at 6:33.

ROLL CALL

Sign Warrants – Warrants #20 A was signed inn the amount of \$16,586.22, and 20 B in the amount of \$15,499.72.

Approval of Minutes of September 16, 2013: Laura moved to approve the minutes with Grant seconding. Unanimous.

PUBLIC COMMENTS – Vicki expressed her opinion regarding impact fees.

NEW BUSINESS

Don Henderich and Ben Copans, representing Memphremagog Water Shed Association: This group applied for and received a grant to conduct a storm water study. The study ID's storm water outfalls to see if any detection of waste water may be entering the storm water system. Once Id'd they notify the municipality their findings. If a significant negative scope is discovered, this association will help find funds to mitigate. The amount received \$50,000.00 to subcontract the study, awarding a contract for work to be performed during spring and summer of 2014. An 'in-kind' match is required which can be defined as volunteer support. No direct cost to the municipalities but there is a request for cooperation which can be used as in-kind, such as traffic control or road crew. The study begins with dry weather screening of outfalls followed up with wet study of outfalls. An assessment for nutrients and bacteria takes place. Once a problem is identified, they go back and do a bracket study to ID where the problem is originating. No sampling of the lakes themselves but of the major tributaries.

In kind from the towns might look like this: producing a mapping of storm water systems, helping to locate the outfalls, deal with manholes, traffic control flagging, etc. Don asked for our cooperation and commitment. Report expected in late summer and early fall. Grant wraps up in early 2015.

The board pledged to work with this study and the association will keep us posted.

Dan Cordeau - Street Light request for Applewood Drive: The road is private. Steve suggested we review our lighting costs for the entire town to audit our budget and resources to see if we can save money over all. The board feels there is more to do before we can commit.

Health Insurance: Bob Kelley: VLCT gave a small presentation to Bob to learn more about health care for municipalities which goes into effect Oct 1. <http://hcr.vermont.gov/timeline/exchange>

Everyone is encouraged to attend a public presentation scheduled for Oct 9th, 5:30-7:30, at the Career Ctr, room 380. Bob will schedule a time with a health navigator for employees to meet as soon possible to learn more.

OLD BUSINESS

Personnel policy na for tonight because we need to know what we are going to do for medical before we can finalize anything.

Elm Street water line – Strategy to produce \$410,000.00 from Derby and an equal amount from Derby Line totaling \$820,000.00. Potential exists although not hopeful for the school to contribute money because many strings are attached to educational funds that it seems unlikely, even though the school board supportive. We will proceed with a vote for \$410,000.00. October 22 at 7:00 p.m. is when the Derby Line Trustee will hold a public meeting, and October 29th at 6:30 p.m., is when the Derby Select Board will hold their public meeting. These public hearings will be coordinated joint meetings so that the public hears the same information no matter which location they choose to attend. The official warning goes in the Newport Daily. We normally post at the municipal office and 2 post offices.

Public vote will be on November 5, 2013, from 7:00 a.m. until 7:00 p.m. Grant made a motion to adopt the following resolution:

DERBY SELECTBOARD TOWN OF DERBY, VERMONT

WHEREAS, the Village of Derby Line, Vermont (“Village”) is a party to an agreement with an international water company that owns and operates a public water supply system that serves the Village and the Town of Stanstead, Province of Quebec, Canada (“International Water System” herein); and

WHEREAS, the Village intends to make certain improvements to the International Water System; and

WHEREAS, in connection with the improvements the Village intends to make to the International Water System, the Village is willing to extend the system to serve the Derby Elementary School (“School”, herein) located in the Town of Derby, Vermont (“Derby” herein); and

WHEREAS, the School is owned and operated by the Town of Derby School District (“District”, herein); and

WHEREAS, the cost of extending water service to the School is expected to be approximately Eight Hundred and Twenty-thousand Dollars (\$820,000.00); and

WHEREAS, Village has asked that Derby contribute to the cost of constructing said improvements an amount not greater than Four Hundred and Ten-thousand Dollars (\$410,000.00); and

WHEREAS, since Derby and the District are co-extensive with the same voters and tax-payers, Derby voters may lawfully approve actions beneficial to the District; and

WHEREAS, the public interest and necessity require that public water service be extended to the School; and

WHEREAS, the cost of paying the contribution requested by the Village to construct said improvements is too great to be paid out of the ordinary annual income and revenue of Derby;

NOW THEREFORE, it is hereby resolved by the Select board of the Town of Derby that the proposition of incurring bonded debt be submitted to the qualified voters of the Town of Derby in the foregoing form:

Shall the bonds of the Town of Derby in an amount not to exceed \$410,000.00 be issued for the purpose of extending public water service to the Derby Elementary School in the Town of Derby?

IT IS FURTHER RESOLVED, that a vote on said proposition shall be conducted by Australian Ballot at a Special Town Meeting to be held on November 5, 2013 at the Town of Derby municipal offices at which meeting the polls will open at 7:00 in the forenoon and close at 7:00 in the afternoon; and

IT IS FURTHER RESOLVED, that the Warning for the above mentioned Special Town Meeting shall be published in the Newport Daily Express on October 15, 22 and 29, 2013 and that the Warning for such meeting shall posted on or before October 4, 2013 in the following public places in the Town of Derby, Vermont:

<u>Derby Municipal Building</u>
<u>Derby Post Office</u>
<u>Derby Line Post Office</u>

; and

IT IS FURTHER RESOLVED, that the Derby Select board shall hold public informational hearings on the above stated bonding proposition on October 22, 2013 at 7:00 PM and October 29, 2013 at 6:30 PM at locations that will be publicly noticed.

Dated at Derby, Vermont, this 30th day of September, 2013.

DERBY SELECTBOARD

Laura seconded the motion and the motion passed unanimously.

EXECUTIVE SESSION

Laura moved to go into executive session at 7:33, with Grant seconding. Unanimous. Listers - Ward
Case : Out of executive session at 7:57 p.m.

Laura moved to direct the town's attorney to continue with the case of Ward vs. town of Derby. Grant seconded. Steve abstained. Brian voted in agreement and the motion passed.

ROAD REPORT : Sand is all hauled and the dept is getting ready for winter.

OTHER BUSINESS

Grant was approached with a request for the Goodall Road be posted for 35 miles an hour. Steve confirmed it is a 35 mile an hour road, and he will arrange to for a sign.

Steve mentioned speeding is a problem on Bridge St., so he will arrange some signs to see if that will help. Steve made a motion to sign the Cargill quote for de- icing salt \$68.05 a ton with an estimate 1170 tons, with Laura seconding, and the motion passed unanimously.

ADJOURNMENT

Motion to adjourn at 8:06 p.m.

Next meeting is scheduled for Monday, October 14, 2013, at 6:30 at the Town Clerk's office.

Submitted by Laura Dolgin

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
September 16, 2013

Present: Grant Spates, Steve Gendreau, Brian Smith, Beula Shattuck, Laura Dolgin

Other's Present: Gilles M. Blais, Scott Warthin, Shirley Fournier, Elizabeth Bumps, Dave LaBelle, Barbara Norton, Joe Profera, Dan and Vicki Lewis, Skip Hastings, Karen Jenne, Sue & Tim Gustafson-Byrne, Diane Essaff, Tim Bronson, John Joly, Rick Geisel, John Bunell

MEETING CALLED TO ORDER – 6:34 P.M.

ROLL CALL

Sign Warrants: Warrants Number 19 A was signed in the amount of \$28,117.42, and 19 B was signed in the amount of \$55,533.03.

Approval of Minutes: Beula moved to approved the minutes of 8 19 with Grant seconding. Unanimous.

PUBLIC COMMENTS: Barbara Norton – thanks the road commissioner and crew for their hard work and dedication regarding the quality of the roads.

Karen Jenne wants more information about the sewer project vote.

NEW BUSINESS

Tim Gustafson-Byrne – discuss existing permit status- a variance for a second story was approved a few years ago. He provided the permit to his contractors and the project proceeded. Due to unusual confusions regarding the certificate of occupancy permitting process between the state and the town, Beula moved to reimburse \$400.00, with Grant seconding. The motion passed. This is non-precedent setting. Mr. Gustafson-Byrne promised to file his certificate of occupancy as soon as possible and pay the required fees associated with doing so.

NEKCA – Head Start – Emergency Relocation shelter agreement – Diane Essaff represented NEKCA to personally ask if they can use the town clerk's office as a destination point in a case of emergency for a one year term. They will conduct a few previously coordinated test drills and find another location for Friday's. Beula moved to approve signing the contract, with Grant seconding. Unanimous.

Health Officer – Resignation letter – Jennifer Sheets submitted a resignation letter as the health officer. Brian read Jennifer's letter in which she regrets not being able to help more people. Grant made a motion to accept the resignation with regrets and appreciation for her service, with Steve seconding. Unanimous. The town will advertise.

Sign Road Grant – Steve made a motion to sign the road grant agreement, with Beula seconding. This has been previously discussed. Unanimous.

Derby & Derby Line – water project board discussion: the primary objective of this project is to provide water pressure by improving the size of the water line to the Derby Elementary School. While the village would ultimately request any bond as owner of the water company, sharing project expenses with the town of Derby was discussed with the Trustees. Total project cost is anticipated to be around \$783,000.00. A few options for financing have been proposed. The ultimate decision will go to the voters.

Brian and Grant have met with the Village Trustees and believe a 50/50 split makes sense because the town of derby owns the school and it is an important asset. The new water line will improve the water flow for the entire neighborhood. Brian and Grant asked the Derby Elementary School to look at any funding options for contributing given their constrictions with educational funding. Grant funding is being researched and no matter how this is funded, a town vote will be required.

To give an idea of plausible figures, if \$410,000 is borrowed, the annual payment is expected to be around \$26000 (+/-) at a 3% loan. No figures are confirmed at this time. The Village would be the entity going for the bond vote. The select board has options to fund this project. 1) Enter into an annual agreement with the village. 2) Pay it in 5 years or less which could be approved at an annual or special meeting. Or 3) Pay in more than 5 years (Grant – would this be approved at an annual or special meeting?). Grant made the motion to proceed with the 50/50 split using option #3, and the amount may change depending upon participation from the school of which any amount would go to the town's portion, seconded by Beula. The board voted unanimously to approve and to continue to coordinate with the Derby Village Trustees.

Listers Corrections – 2013 grand list corrections: Letter dated September 3, 2013, incorporated into these minutes. Grant moved to accept the Listers corrections, with Beula seconding. Unanimous.

OLD BUSINESS

Personnel policy n/a tonight

EXECUTIVE SESSION

Beula moved to go into executive session at 7:40, with Steve seconding. Unanimous.

Interviews – Road department winter driver.

Out of executive session at 8:17 p.m. Grant made a motion to check the references candidate C and if the references, and medical card check out we will offer the position at \$12.00 per hour. If Candidate C does not check out, we will discuss candidate B and appropriate pay, with Laura seconding. Unanimous.

ROAD REPORT - everything is good. New grater is excellent. Gravel is good. The storms haven't hit us hard.

OTHER BOARD BUSINESS –

The Beach House will need to be closed just after October 11. John Joly will maintain the screen doors.

Expanding the recycling center is a possibility but we do not have funds designated for this project this budget year. It seems that lots of materials are being recycled that could be reused or exchanged.

ADJOURNMENT

Move to adjourn 8:20.

Next meeting scheduled for September 30, at the town clerk's office, at 6:30

DERBY BOARD OF LISTERS

124 Main Street

Derby, VT 05829

Susan Best
G. Tom Cyr
Thomas Roberts

Tel. # 802-766-2012
Fax. # 802-766-4931
e-mail listers@derbyvt.org

Date: September 3, 2013
TO: Selectboard Members

From: Derby Listers

Please make the following corrections to the 2013 Grand List:

1. Parcel ID: TRD32044J4-T
Following the 2013 Sales Study Review other reports affecting the Grand List were reviewed with District Advisor Stearns Allen. One such report was entitled NON-TAXABLE PARCELS ABSTRACT. In that report was included the above cited parcel. This parcel was deemed taxable because it is land located outside the territorial limits of the municipal corporation owning said parcel. Reference is made to 32 V.S.A. Sec 3659. At the current time this parcel has not been specifically exempted from taxes. The parcel consists of 70 acres on Hinman Settler Road known as the Village Forest.
2. Parcel ID: TR26HACK02-5B07
Mobile home was removed from site after father of owner Harlan Miles passed away. The owner inadvertently failed to notify the Listers that the mobile home was removed from the sited. Mobile home was removed at least one year ago.
3. Parcel ID: TRD32015H4-T2
Error made in listing owner as Lawrence R Kelley when should have been Shawn Kelley.

TOWN OF DERBY
Select Board Meeting Minutes
August 19, 2013

Present: Brian Smith, Laura Dolgin, Steve Gendreau, Grant Spates

Other's Present: Bob Kelly, Joe Profera, Paul Prue, John Joly, Dan and Vicki Lewis

Meeting Called to Order: 6:37 p.m.

Sign Warrants: Signed Warrants # 17 A in the amount of \$18,431.65, and signed Warrant 17 B in the amount of \$449,513.47.

Approval of Minutes: Grant moved to approve the minutes of August 5, 2013, with Steve Seconding. Unanimous.

Public Comment:

Vicki Lewis demanded to know who has authority to hire a lawyer, if the board was fully aware, and if this board took a vote to hire an attorney. She insisted that her entire public comment be fully included in detail in these minutes. She stated her opinion that the board has violated the open meeting laws.

Paul Prue expressed his opinion and disbelief commenting that this type of ridiculous episode that costs the town money is even happening and that we shouldn't have to respond to anything. Bob Kelley commented that he was glad the board hired an attorney to deal with these allegations.

Brian suggested she put her questions in writing for our attorney to respond since she is a complaining party. He also pointed that we are lay people doing the best we can, and that if we are found to have made mistakes we will own up to it and fix it. Grant explained this is not a matter which requires warning or a vote. The town has legal fees built into our budget as standard operating procedure to be used for a variety of scenarios.

NEW BUSINESS:

Culvert Steamer: Grant Receipt Approval – the price of a hot water pressure steamer is \$4,199.99. The grant we received is for \$2,100.00, which would leave a balance of \$2,099.99 for the town to pay. This is a requirement by our insurance company which will no longer insure us to use the old steam pipe culvert steamer with a separate boiler. Steve made a motion that we purchase this steamer, with Grant seconding. Unanimous.

PUBLIC HEARING - Zoning Amendment 7:00 P.M.

Laura made a motion to recess our regularly scheduled meeting to go into a public hearing at 7:00 p.m., with Steve seconding. Unanimous.

Proposed Bylaw Amendment:

The proposed Bylaw Amendment addresses a request for parcel # NDRT5068F4C to be re-designated from village residential multi family to commercial. Thoughts about this are that there is no reason to

deny this request because there is a lack of commercial interest given the grade of the land which makes it expensive to develop, and the owners thought it would stand a better opportunity for development if it were to become residential. An R1 Zone does allow many commercial developments as a conditional use.

The second proposed Bylaw Amendment is to address a request for parcel # NDRT5033G3T to re-designate village residential multi family to commercial. The planning commission endorses these proposals. Laura moved to come out of the public hearing at 7:10, with Grant seconding. Unanimous. Grant moved to approve the proposals as presented, with Steve seconding. Unanimous.

OLD BUSINESS:

Personnel policy – n/a.

EXECUTIVE SESSION:

Review applications- Road Department - winter driver: Into executive session at 7:17 p.m. to review applications. Out of executive session at 7:40 p.m. with no action taken.

ROAD REPORT: Roads are all in good shape.

OTHER BUSINESS:

The Listers requested a corrections to the grand list parcel ID's: TRD34001H6-T & TRD03051B5-T. Grant moved to approve the requests as presented, with Steve seconding. Unanimous.

ADJOURN:

Meeting adjourned at 7:40 p.m.

Next meeting scheduled for Monday, September 16, 2013.

Submitted by Laura Dolgin

Unofficial until approved.

TOWN OF DERBY

Select Board Meeting Minutes

August 5, 2013

Present: Steve Gendreau, Brian Smith, Grant Spates, Beula Shattuck

Other's Present: Bob Kelley, Joe Profera, Paul Prue, John Joly

Meeting Called to Order: 6:30 p.m.

Sign Warrants: Signed Payroll 16 A in the amount of \$16,582.61 and signed Warrant 16 B in the amount of \$44,896.01.

Approval of Minutes: Beula moved to approve the minutes of July 22, 2013, with Steve Seconding. Unanimous.

Public Comment: No comments from the public.

New Business:

Sign Excess Weight Permits - Steve signed overweight permits for Jeff Corey Excavating and Goodhue Excavating.

Lister's correction to the Grand List - The Board approved the correction to the grand list as submitted by the listers.

Old Business:

Sign revised Tax Rate Sheet - The Board approved the change to the tax rate due to the Lister's correction to the Grand List. The Homestead tax rate was changed from 1.6850 to 1.6856 and the nonresidential tax rate was changed from 1.7941 to 1.7947.

Personnel Policy - The Board decided to skip review of the policy because Laura was not present.

Road Report:

The roads are in good shape and all the equipment is in good running condition. Road striping has been completed. The town will need to hire a part-time employee for winter plowing. Steve would like to have someone on board by the middle of October. The town will advertise the position in Friday's and next Wednesday's paper. The position requires a CDL and applications will need to be submitted prior to the next meeting in 2 weeks. Contact person for applicants is Bob Kelley.

Other Business:

Beula brought up the issue of people having multiple days of yard sales along Main Street Derby Center. Currently the zoning bylaw allows for 14 yard sales per year. Some board members thought this was excessive and would like the Planning Commission to look into this before next summer's yard sales begin.

The Health Officer has resigned and we need to advertise the vacancy.

Executive Session:

Personnel – John Joly – Maintenance – Grant made a motion to go into executive session, seconded by Steve. Unanimous.

Upon returning from executive session, Steve made a motion to rehire John Joly, effective immediately, to his former position at the same salary and benefit rate as before. Beula seconded. Unanimous.

Adjourn:

Meeting adjourned on a motion by Grant Spates and seconded by Steve Gendreau at 7:00 p.m.

Next meeting scheduled for Monday, August 19, 2013, at the Derby Town Clerk Office.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY

Select Board Meeting Minutes

July 22, 2013

Present: Steve Gendreau, Brian Smith, Laura Dolgin, Beula Shattuck

Other's Present: Bob Kelley, Joe Profera, Paul Prue, Rick Geisel, Joe Gressor, Sharon Booth, Vicki and Dan Lewis, Roger Ashman, Becky Jacobs, Laura Carpenter, Phil White

Meeting Called to Order: 6:31 p.m.

Sign Warrants: 14 C in the amount of \$195.71; 15 A in the amount of \$17,155.50; 15 B in the amount of \$350.00; and 15 B in the amount of \$39,100.84, was signed.

Approval of Minutes: Beula moved to approve the minutes of July 8, 2013, with Laura Seconding. Unanimous.

Public Comment: Inquiries regarding status of requested info by Attorney General. Brian replied that he intends to respond timely.

New Business:

Tax Rate – Thank you, Faye, for assisting us by providing the formula and forms for setting the tax rate. This year's tax rates: 1.685 for Residential. Non residential is set at 1.7941. Laura moved to approve the tax rate due October 15, 2013, with Beula seconding. Unanimous.

Derby Line Community Day – Derby Line Village Clerk Sharon Booth: here to request a donation to support Derby Line Community Day, scheduled for August 10, 2013, for the 12th Annual Event. Last year we gave \$1500.00. Beula moved to give them \$1500.00 from our recreation budget this year, with Steve seconding. The motion passed unanimously.

Nathan Pickard – no show.

Sign Excess Weight Permits- Steve signed an overweight permit for Dale E. Percy, Inc.

Old Business:

Road Report – When trees are down day or night, citizens may call the town garage and leave a message at 766-2405. The road crew is usually already patrolling the roads, as they were during the last storm. If there is power lines involved in downed trees, the road crew is helpless because no one can touch a tree with a power line in it. When leaving information on the road crew's answering machine, please include if there is a power line in the tree so that the garage can coordinate with the power company. Fortunately, we didn't have too many problems in Derby during the storm but other towns did. The machine is checked constantly during storms. Often times the crew is already patrolling.

Other Business:

Phil White requested written proof of authorization that the scheduled Triathlon is approved. The select board previously approved the event in a past meeting and Brian signed off on his request.

Steve made a motion to approve the request for the statewide Rails Trails to replace the signage for the bike path in the town's right of way, with Laura seconding. Unanimous.

Bob mentioned the website is no longer under construction.

Adjourn

Meeting adjourned at 6:57 p.m.

Next meeting scheduled for Monday, August 5, 2013, at the Derby Town Clerk Office.

Submitted by Laura Dolgin

Unofficial until approved

**TOWN OF DERBY
SELECT BOARD MEETING
Minutes
JULY 8, 2013**

Present: Beula Jean Shattuck, Brian Smith, Laura Dolgin, Grant Spates & Steve Gendreau

Other's Present: Vicky & Daniel Lewis, Roger Ashman, Jessica & Jared Judd, Roger Stoddard, Joseph Noble, John Joly, Joe Profera, Bob Kelley, Robin Smith, Chad Hickey, Karen Jenne, Joe Gresser, Irene Dagesse, Paul Tomasi, Ed Barber & Fran Batchelder

MEETING CALLED TO ORDER – 6:34 p.m.

ROLL CALL

Sign Warrants: Warrants # 14 A was signed in the amount of \$17,575.11, and # 14B was signed in the amount of \$57,771.22.

Approval of Minutes: Beula moved to approve the minutes of June 24th, with Steve seconding. Moved unanimously.

PUBLIC COMMENT: Roger Stoddard, President of Fish and Game Club informed the board that we may receive complaints about noise and traffic on the road. The Fish and Game Club closes the gate in the winter to protect the road and water lines even though the range is open in all seasons. Access and timing of shooting gets complicated because law enforcement is required to do night time training 4 times per year. Roger asked to please be included in any discussion and to please refer any complaints.

Karen Jenne thanked Beula for her involvement with the beach house and asked to have the changing rooms available. John Joly pointed out that major vandalism is a constant issue and as a result no plumbing is available outside. The board will experiment by having one unisex changing room open and hope for the best. If vandalism continues to be an issue, a natural consequence will be to close it, which would be a shame.

The town's website should be fully functioning by the end of the month.

NEK Waste Management District, Executive Director Paul Tomasi invited Derby to become involved in the composting of residential food scraps. He explained the mechanics and pros and cons, and it appears the program will be easily understood and accessible for all. The food scrap receptacles are provided by the waste district and are designed to handle odors and vermin attraction. As long as the receptacles are maintained properly using sawdust, there will be no issues. The District has about 20 home containers to give away to residential users, ideally meant for those who would be least inclined to participate. Any kind of home container will do, such as coffee cans, sealed buckets, etc. Instruction signage is provided. NEK waste district will empty the receptacles with each visit which is generally twice a week. By 2020 all Vermonters will be required to divert their food scraps from solid waste. Training and orientation is provided to all attendants. Joe, John, Irene, and Fran, are in favor of moving forward with this project. We hope to get this rolled out within the next 30 days or so. Thank you, Paul.

Renee Falconer: N/A

Community National Bank/IROC-CDBG Mortgage- Chad Hickey neglected to name the town as a party in the IROC foreclosure action as a result of a CDBG. This is a mortgage discharge process stemming from a block grant that has been resolved and is now a formality. Laura suggested having our attorney review this as a safety measure so we don't inadvertently incur liability. Grant moved to allow Brian as chair sign off on this assuming our attorney gives us the go ahead. Seconded by Laura; unanimous.

Road Report: Black top paving is done and came out nice. More sand to haul and we have a good supply of gravel. The new truck is running well. Regulations and insurance is disallowing the practice of using steam washers for de-icing culverts. We may need to purchase a new pressure washer. Steve has a grant opportunity to pay for half of it. We will apply for the grant now while Steve explores options for addressing this. Laura moved to have Brian sign the VLCT 2013 PACIF grant. Beula seconded it and the motion passed unanimously.

Other Business: N/A

ADJOURNMENT

Meeting adjourned at 7:21.

Next meeting scheduled for Monday, July 22, 2013, at 6:30 p.m., *at the Derby Beach House.*

Submitted by Laura Dolgin
Unofficial Until approved

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

**Minutes
JUNE 24, 2013**

Present: Beula Jean Shattuck, Steve Gendreau, Grant Spates, Laura Dolgin

Other's Present: Joe Profera, Bob Kelley, Paul Prue,

MEETING CALLED TO ORDER – 6:30 p.m.

Sign Warrants: Warrants # 13 A was signed in the amount of \$17,882.06; # 13B was signed in the amount of \$26,577.82; #13 C was signed in the amount of \$1226.56; & 12 C was signed in the amount of \$12,579.00.

Approval of Minutes: Laura moved to approve the amended minutes of June 10, 2013, with Steve seconding. Unanimously approved.

PUBLIC COMMENTS none offered.

NEW BUSINESS

Derby Historical Society requested use of the lawn/skating rink in front of their building for a yard sale on July 6, from 9:00 until 2:00 pm. Laura moved to approve with Steve seconding. Unanimously approved.

NE Kingdom Mental Health, Inc. – sign certificates: no one appeared and the board found no materials in the file pertaining to tonight's meeting. N/A.

OLD BUSINESS

Personnel policy - We will review pages 18-23 at our next meeting.

Coin Drop – Lake Salem Association respectfully stepped aside from this year's assigned coin drop because they had one last year. Laura moved to approve the Dailey Memorial Library because the town swaps each year between the Lake Salem and Daily Memorial and this will keep things on track, with Steve seconding. Motion passed unanimously.

RCT - Steve moved to appoint Judith Nommik to the RCT board because she is on the planning commission and this will promote continuity. Laura seconded. Motion passed unanimously. Thank you, Judith, for your willingness to serve.

ROAD REPORT

Paving began on Hinman Settler and Schuler Roads today and will then head for the Beebe Road tomorrow. We discussed the urgency and advantages to properly maintain Shattuck Hill at our last meeting. We have enough money in the budget to run a 'heavy shim' from the bottom up to Ridge Hill drive, for \$40,095.00. We can afford it and our window of opportunity is now. The road is in bad shape, has a heavy traffic pattern, and is one of the hardest roads in town to plow. We decided last meeting we would no longer pave West St. due to the concerns of increasing speed and the ongoing expensive problems with the embankment. We now have money we can put towards Shattuck Hill, can afford to pave Shattuck, and now is the time so that it can be enjoyed. The contract with Pike states that all paving projects will be done by July 1. Steve made a motion to pave Shattuck Hill, with Grant seconding. The motion passed unanimously.

OTHER BUSINESS

Bob Kelley went to an NVDA traffic study meeting to discuss our plans and concerns for roads and traffic. A concern expressed at the meeting was that no 'study' should hold up development.

ADJOURNMENT

Meeting adjourned at 6:45.

Next meeting scheduled for Monday, July 8, 2013, at 6:30 p.m., **at the Derby Beach House.**

Submitted by Laura Dolgin

Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JUNE 10, 2013

Present: Grant Spates, Steve Gendreau, Brian Smith, Laura Dolgin

Other's Present: Bob Kelley, Joe Profera, John Joly, Paul Prue, Robin Smith, Roger Vachon, Bob Ovitt,

MEETING CALLED TO ORDER – 6:30 P.M.

ROLL CALL

Sign Warrants: Warrant number 12A was signed in the amount of \$16,398.13, and warrant number 12 B in the amount of \$88,740.18, as was the general ledger for May, 2013.

Approval of Minutes: Grant moved to approve the minutes of May 13, 2013, with Steve seconding. The motion passed unanimously.

PUBLIC COMMENTS: None offered

NEW BUSINESS:

John Joly – requested to designate a storage area for the maintenance & mowing equipment other than the salt shed. The salt shed is a corrosive area to keep the mower. Steve will talk to Craig Ellam to ask if the fire department has room to store it in the back of the garage. And, Grant will check with Tom Rooney at the NCUHS to see if an addition to the existing NCUHS built recycling center makes logistical sense.

Dump truck bids – The following bids were received for the 1999 International Dump truck: Green Logging: \$1000.00. Town of Troy: \$2750.00, Bob Ovitt: \$1801.00, Roger Vachon: \$3695. Bill's Sales and Service: \$2021.00, Raymond Jones: \$2550, Bubba Houlton: \$1557, Rocky Andrus: \$1257.00. Steve made a motion to accept the bid of Roger Vachon, for \$3695.00, with Grant seconding. Unanimous. Mr. Vachon was present.

OLD BUSINESS:

Personnel policy: we reviewed page 13 – 18. Next meeting will cover from page 18 on. Bob will generate another draft once we are finished with draft 1 review.

ROAD REPORT: Steve revisited his paving plan now that he's had time to study the roads without snow. Discussion ensued about the benefits of paving either Shattuck Hill or West St. Both high traffic roads are in dire need and both have advantages to being addressed this paving season. The budget will not allow paving both and we want to be strategic in expending these dollars and caring for the roads.

After discussion, Steve made a motion to pave everything in his original plan but to hold off West St for now, with Grant seconding. Unanimous.

Steve signed the contract with Pike Industries, Inc., in the amount of \$349,717.50.

OTHER BUSINESS

The Household hazardous waste event went well. The NEK Waste Management staff was professional and helpful.

The board hopes the weather will allow some of our summer meetings to be held at the beach house to give us a chance to appreciate and highlight this town asset.

The voters approved at town meeting the purchase of a fire truck. Steve moved to approve the Fire Equipment Fabrication Contract, with Grant seconding. Unanimous.

The town's website is under much need and improved construction.

We will revisit the coin drop schedule because the Lake Salem Association, scheduled for August, has respectfully withdrawn their request upon realization they were allotted a coin drop last summer. The board will review the other requests that came in on deadline and make a decision about who gets August.

RCT has requested that we appoint someone to the RCT board. Bob will look at this more closely because we do not recall appointing anyone in the past.

Laura moved to go into executive session to discuss personnel with one employee, with Grant seconding, at 7:42. Out of executive session at 7:59 with no action taken.

ADJOURNMENT

Next meeting scheduled for Monday, June 24, 2013, at 6:30 at the Derby Town Clerk's.

Meeting adjourned at 8:00 p.m.

**Submitted by Laura Dolgin, Clerk
Unofficial until approved.**

TOWN OF DERBY, VERMONT SELECT BOARD MEETING

**Minutes
MAY 13, 2013**

Present: Beula Shattuck, Brian Smith, Steve Gendreau, Grant Spates, Laura Dolgin

Other's Present: Dave LaBelle, Vicki Lewis, Dwayne Lowell & Jim Gregory, Paul Prue, Faye and Bobby Morin, Joe Gressor, Joe Profera

MEETING CALLED TO ORDER – 6:30 p.m.

Sign Warrants: Warrants #10 A in the amount of \$17,362.17, and # 10 B in the amount of \$26,388.18, and General Journal Posting Register Report for period 4 to period 4 April 2013, was signed.

Approval of Minutes: Steve made a motion to approve the minutes of April 29, with Beula seconding. Unanimous.

PUBLIC COMMENTS:

Dave Labelle reminded the road crew to remove the logo off the old town truck before it gets sold.

NEW BUSINESS

Aflac – Duane Lowell & Jim Gregory presented as AFLAC representatives. Aflac is a series of benefits to the employees at no cost to the town. Aflac reviews the current town benefits and designs a plan to fit gaps. It is a product designed to add to the benefit package the town is already offering, paid for by the employees. This can be done on a pre tax plan and with auto deduction. They are present to request permission to access our benefits plans and talk to employees. The billing is done on a monthly basis. They will set up meetings at the convenience of employees. Aflac has 8 plans to choose from and the employees can choose independently. Aflac is the intermediary between the employees and the AFLAC. Faye does not see this as an administrative burden and indicated the employees might be interested in learning more. Approved.

OLD BUSINESS

Personnel policy: Review: The board reviewed pages 1 – 13 and gave Bob a list of research. Next meeting will review pages 13-23.

ROAD REPORT

A Spreadsheet of sand and gravel, and equipment bids was reviewed.

New signs have been put up around the town. Shattuck Hill needs unanticipated pavement attention. Steve recommends a 'shim and patch' job because he is worried that the pavement will not endure the current high level of use, which is expected to intensify. Steve will pursue this with a goal of the road lasting an additional 2-3 years. We may need to adjust summer road paving plans to accommodate.

OTHER BUSINESS

Dandelion Run is Saturday, May 18 and the Beach house will be open.

Meeting tomorrow night at 6:30, with the Derby Line Village Trustees, at their invitation, to learn about the progress of the new water line on Elm St.

ADJOURNMENT

Meeting adjourned at 7:36.

Next meeting scheduled for June 10, 2013, at 6:30, Derby Town Clerk's office.

Submitted by Laura Dolgin

Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
APRIL 29, 2013

Present: Laura Dolgin, Grant Spates, Beula Jean Shattuck, Brian Smith, Steve Gendreau

Others Present: Bob Kelley, Dave LaBelle, Joe Gressor, Robin Smith, Betsy Bumps, Vicki and Dan Lewis, Heidi Myers, Paul Prue, Laura Carpenter, Lois Major.

MEETING CALLED TO ORDER – Meeting called to order at 6:32.

Sign Warrants: Warrants were signed as follows: # 9A - \$14666.95, and 9B - \$108,173.97.

Approval of Minutes: Beula moved to approve the minutes of April 15, with Laura Seconding. Unanimous.

PUBLIC COMMENTS

Who to call when there are problems on the tennis courts at night? The state police, and please keep the select board apprised if there are continuing problems.

NEW BUSINESS

Dog Park – Bob Kelley: Asked permission to hold a 1 mile walk, with a 5 K & 10 K benefit run for the dog park on Saturday, July 13, at 9:00 a.m. The route will begin on the 4H Rd and depending upon the length of the run, parts of route 111, the Derby Pond Road, and Nelson Hill will be used. Because this is the first year, a small turnout is expected so the state has deemed no reason to bother with a permit. The organizers will address appropriate safety mechanisms. Laura made a motion to approve as presented with good luck. Grant seconded, unanimous.

Grounds maintenance-Assistant: John is out for a period of time. Joe Noble has offered to mow the lawns and he is already an employee. These duties will fall under ‘other duties as assigned’ and will be at the same rate of pay. Thank you, Joe, for stepping up. Bob mentioned that some of the town employees would like to donate time to fill in for John so that he can continue to collect his hours. The board acknowledged and thanked the employees for their demonstration of care, concern, and team work. Bob will generate a communication system with Joe and the employees so the work is tabulated and coordinated. A heartfelt thank you to every one involved.

Robin Smith to discuss ‘Jake Brake’ noise on Caswell Avenue. There is large truck activity on Caswell Ave with ‘Jake’ brakes which are noisy. The brakes are considered safety equipment. Robin suggested strategically placed signs asking truck drivers to be mindful about the noise level when using Jake Brakes. Speed may be an issue as well. Steve will bring this up at the regional road foreman meeting to see how other towns have dealt with the issue.

Bike Race August 31st: Heidi Myers was present to ask permission to use the Junior High Green and some Derby roads to organize a 60 mile bike race. Ten of these miles are in Derby and the race would like to start at the Junior high, go out 111, over Nelson Hill Ride. Forty of the 60 miles are on dirt road. It is expected that every rider abides by laws and the organizers will follow all safety mechanisms. Sheriff Martin gave the project his blessing. Steve suggested safety cones at logical intersection. The ride will start at 7:00 a.m. The purpose of the ride is for the love of the sport. Heidi will check with the

Junior High, provide proof of insurance, and procure the necessary state permits. Laura moved to approve the request pending insurance and all other required permitting, with Steve seconding. Unanimous.

Sand & Gravel Bids: Bids received from Pine Hill Sand and Gravel, R. Gosselin, Double D landscapers, Inc., Bob will put these on a spread sheet for review at our next meeting.

Equipment Bids: Equipment bids received from Patenaude, Choquette, Green Mtn. Roads for road side mowing, Tetreault's Maple. Bob will put these on a spread sheet for review at our next meeting.

OLD BUSINESS

Personnel Policy - Laura submitted some written comments and suggested board members review. We mentioned the areas where more research is needed and to have our town attorney review the final product.

Signed Lease Agreement for Skating Rink Building – Contract with Matt Wright at the skating rink for Sweet Scoops. The rent shows at \$400.00. A heating bill was incurred when they placed the tile on the floor that will go to Matt, and the sewer access is underway. Questions arose about the line and the ownership of various sections of the green.

Sign access weight permits – permit was signed for Omer Choquette Trucking.

ROAD REPORT: Going to put truck #2, a 1999 4900 International, to sell at bid. It will be outside the town garage and is inspected till June. Bob will advertise for bids to be in by the June 6, to be awarded at our June 10th meeting.

Roads are in good shape and everything is running good. Regularly scheduled Road Foreman Meeting at the Glover town hall at 11:00 on Wednesday and Derby will be represented by Terry, Bob, and 2 additional road employees. This meeting counts towards continuing education credits.

The road dept. is focused on scheduling the paving projects. The paving price is good and locking in the price is an advantage which will help the pavement projects get done early in the season while it can be enjoyed.

OTHER BUSINESS

Green-Up Day is Saturday, May 4, 2013. Leaving bags at intersections, or at the end of the road, is preferable for the road crew when they pick them up Monday,. People can also drop them at the recycling center during normal hours. People can pick up bags at the town clerk's office.

Website: Our web site is in the process of being updated so that it can be more of a community resource.

Daily Memorial requests to use the Green for the Annual Craft Show on August 3. Approved. The board signed a letter to support the Daily Memorial Library's building expansion. Beula moved to approve with Laura seconding. Unanimous.

A meeting with the Derby Line Trustees to discuss the water line is scheduled for Tuesday, May 14, 2013, at 6:30, at the Village Trustees.

ADJOURNMENT

Meeting adjourned at 7:40 p.m. Next meeting: May 13, 2013. 6:30 at the Derby Town Clerk's Office.

Submitted by Laura Dolgin

Unofficial until approved.

TOWN OF DERBY, VERMONT SELECT BOARD MEETING

Minutes APRIL 15, 2013

Present: Beula Shattuck, Brian Smith, Laura Dolgin, Steve Gendreau

Other's Present: Dave LaBelle, Sharon Booth, Ralph Miko, Buzzy Roy, Robin Smith, Lois and Andy Major, Bob Kelley, Karen Jenne, Vicki and Dan Lewis. Keath Beadle, Craig Ellam, Matt Beswick, Mike Carbonneau, Laura Carpenter, Betsy Bumps, Gilles Blais

MEETING CALLED TO ORDER – 6:35 P.M.

Sign Warrants: Warrants Number 8A was signed in the amount of \$13,646.18, and 8B in the amount of \$58,496.76.

Approval of Minutes: Motion made to approve the minutes of April 1, 2013, by Steve, seconded by Laura. Unanimous.

PUBLIC COMMENTS:

Vicki Lewis and Karen Jenne expressed their dissatisfaction with the new meeting format. Karen included comments endorsing impact fees and stated an interest in the Derby Line water line project.

NEW BUSINESS:

Derby Line Village – Water line decision, Derby Line Village Trustees Ralph Miko, Buzzy Roy, and Keith Beadle, attended the meeting to update the board on the Derby Line water line improvement project. For historical context, a house burned down on Elm St. which was served by the town water line. It was discovered that there was not sufficient water volume which raised logical concerns about risk to the school. The water line size is inconsistent which is causing a lack of pressure or volume. The engineering firm working with Derby Line is quite familiar with water system because they did the work in 1996. Their advice is to put a new water line in either 8 inch or 10 inch width on the north side of Elm St. The current water line runs underneath the side walk. The cost is anticipated to be about \$800,000.00 which is considered to be the best option for the money. The houses on Elm St. should be hooked up for fire protection, too. ANR has notified International Water that it is in violation of its permit because it can't currently supply sufficient water pressure to Elm St. and have given until the end of 2014 to address the situation

The Derby Select Board is on board and supportive of this project. 2800 feet of the water line is located in Derby Line, and 4000 in Derby. The engineers will help look at available funding streams and funding strategies and will make recommendations for the best option for the town and/or village. There is research to do and many things to consider such as who can vote and who can pay. Many questions need to be explored and the boards will work together towards the best outcome. The next step is to schedule a meeting with the engineer and the boards.

Town Policy: Bob Kelley: It is time to review and refresh the town's personnel & procedure manual. Bob distributed copies for our review and this will be on future agendas.

Impact fees: The board is generally not in favor of impact fees. Our zoning application process already requires improvements to certain types of development, such as widening roads, and traffic light installation. The towns that have impact fees are bedroom communities of major metropolises, such as Burlington and South Burlington, which are heavily commercialized. We are actively trying to recruit businesses to come to Derby and impact fees could be seen as a detriment. The board may consider the time to be ripe for impact fees at some point in the future.

Glover Rd Proposal: Matt Beswick & Mike Carbonneau – The town maintains the road to a certain point where the bus stops. These folks live about a quarter mile down the road from the bus stop. There is no maintenance for that part of the road. They request to extend the road maintenance up to the beginning of the pond and to have the bus stop/turnaround be re-located to the same spot. They also request a pump to be placed in the pond as a resource. The pond is higher than the road by about 8 feet and the road should technically be at the same elevation as the pond. A state engineer will have to come and look. The land owner is willing to cooperate with the placement of a new bus stop as long as it is cared for properly. A viewing and discussions are necessary in order to be clear. Culverts may come into this equation. They also ask for a couple loads of gravel each spring and they will do the labor. Very expensive and every one will want that so it is unlikely this will be permitted. Brian, Terry, and Steve will visit this to make a better determination on these 3 requests.

OLD BUSINESS

Bob needs to follow up with the coin drop requests and schedule.

Beula made a motion to have a letter drafted thanking Karen for her years of service. Laura seconded. Discussion ensued about ‘acknowledging’ versus ‘thanking,’ along with determining the proper author of the letter considering Karen ran against Faye. Beula asserted that the town clerk has always written these types of letters and that should be the process in this case. Beula voted yes, and the motion did not carry.

ROAD REPORT - It is time to update our town road and bridge standards, as a formality, which will qualify us for our ‘90/10 dollars’ and protect us in case of floods. New standards are required and this update will keep us in alignment. Steve moved to sign the report, with Laura seconding. Unanimous.

OTHER BUSINESS n/a

ADJOURNMENT

Motion to adjourn by Laura, with Steve seconding, at 7:59.
Next meeting scheduled for April 29, 2013, at 6:30

Unofficial until approved.

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

**Minutes
APRIL 1, 2013**

Present: Grant Spates, Steve Gendreau, Brian Smith, Laura Dolgin

Other's Present: Dave LaBelle, Jimmy Bumps, Bob Kelley, Vicki and Dan Lewis, Matt Wright, Rick Geisel, Phil White, Andy and Lois Major, Joe Gressor, Betsy Bumps, Kirk Martin, Robin Smith, Paul Prue

MEETING CALLED TO ORDER –6:34 p.m.

Reading of Rules of Procedure: Laura moved to waive the reading of the rules with Steve seconding. Discussion ensued as follows: at the last meeting, Laura offered to research the effectiveness of these rules as currently written given the meeting experiences over the past year or so. The research produced the following recommendation: do away with the rules as currently written and officially adopt Roberts Rules of Order, and that we move the public comment section to the beginning of the meeting. Grant mentioned that this model has been effective for the schools, and other towns and boards. The motion to waive the reading of the rules passed unanimously. Laura made a motion to adopt Roberts Rules of Order as the official select board rules of conduct, move the public comment to the beginning of the meeting, and to officially appoint Grant Spates as parliamentarian. Steve seconded the motion and it passed unanimously.

Sign Warrants: Warrants number 7 A was signed in the amount of \$14,914.81, and 7 B in the amount of \$22,804.14.

Approval of Minutes: Grant moved to approve the minutes of March 18, 2013, with Steve seconding. Motion passed unanimously.

PUBLIC COMMENTS:

Questions arose about moving public comment to the beginning of the agenda versus advantages and disadvantages of public comment at the end. By placing public comment at the beginning of an agenda, it's an opportunity to people to discuss issues without causing undue stress or emotion, and brings more order to the meetings. The public may not realize when a motion is on the table, that is the time for discussion amongst board members only, not a 'free for all' debate. The chair can waive this but few boards enter debate with the public during board motion debate.

School meetings for example, often see the chair allowing some clarifying questions after an agenda item. These situations allow public clarification rather than entering into a debate. Another advantage to public comment at the beginning of an agenda is that it allows board members to hear what people have to say at the beginning so board members can contemplate what is said prior to a vote.

NEW BUSINESS:

Impact fees: Bob Kelley and the planning commission would like to have some idea as to the select board's feelings towards impact fees. Bob is generating an in-depth analysis of impact fees which will be most helpful for public education. Thus far, he has found that most Chittenden County towns have adopted impact fees. Jimmy Bumps mentioned that residences are subject to impact fees in South

Burlington and that is a big financial hit for citizens. He suggested if we adopt them, we may want to limit them and be mindful that Vermont does not have a good reputation for being business friendly. In theory it may help out some projects. Brian mentioned impact fees are an anti-business procedure. The income levels in the NEK could slow business down which means impact fees may not be appropriate at this time. Steve Gendreau pointed out the site plan review permitting process mandates certain improvements already and aside from impact fees which also needs to be considered as part of this research.

Dave LaBelle mentioned the town can design our own impact fee criterion. The benefit of fees is that these can help with exceptionally large projects to assist in purchasing fire equipment for example, to use it to help off set future costs that benefits everybody. It is a one time fee and Derby can set the design, schedule of implementation, and scope. Steve suggests that similar to the permitting process, it is better to have any costs be known in advance. Hartford, Vt., is the closest town to us that has them. Implementing fees can be complicated and may require the services of a consultant if and when we get to that point. Regardless, we all look forward to Bob's report.

Coin Drops- we limit coin drops to 4 per summer, which equates to one a month. We had to limit them because there was a time when coin drops were so frequent that the town received many complaints. This year, we have 6 requests; two of the requests are automatically allowed – that being the Fire Department and DAV. The additional requests are from Lake Salem, VFW Ladies Auxiliary, Junior High School for a walking path, and the Daily Memorial Library. These are all worthwhile projects and the board tries to please every body by distributing the allowance evenly in those cases where we just can't approve due to the number of requests. Grant moved to allow Lake Salem, Fire Dept, DAV, and the VFW Ladies Auxiliary due to their steadfast support of the veteran's monument. Steve seconded and the motion passed unanimously. Bob will follow up and square away the dates with each requester.

Uniforms – We have a uniform service for the road crew which we don't use with frequency any more because it is very expensive. Steve moved we cancel the service and work something different out for less money, with Grant seconding. The motion passed unanimously.

Excess Weight Permit – Steve Signed the following excess weight permits:

Kelley View Farm, Inc.
Cardinal Logistics Management Corp.
Feed Commodities International
Engineers Construction, Inc.
Curtis Lumber Company, Inc.
Barrett Rucking Co. Inc.
H.J. Manosh, Corp.
Harrison Red's Mix Corp.

Sheriff's Dept – Sheriff Kirk Martin presented the town meeting voter approved contract at \$44,731.15 for 20 hours per week.

Matt Wright – Lease renewal – Ice Cream Shop at the skating rink. The three year lease is up and he would like to renew for a five year term. He'd like to upgrade with a sewer hook up, and investing in a 5 year lease makes sense because the upgrade is likely to be expensive. He still plans to use a porta potty but needs a water cooling machine. He'd like to place tile on the floor with a complimentary rubber matt for the winter. He would disconnect the water in the winter. The application would have to be in our name as he's not the owner of the building. He is willing to pay \$400 a month, up from \$300, and he makes donations as much as possible to local worthwhile community endeavors. The board is receptive to his proposal and he will work with Bob to request the sewer.

IROC – Phil White. Thank you for your hard work and efforts over the past several months with the IROC foreclosure. Phil thanks the board for the support over the years. Iroc, the incorporation still exists and will be supporting the summer games. A couple thousand people are scheduled to come here over the summer and we will get great exposure. Derby has sponsored these events for the past 3 years at a total cost of \$2000.00.

The Beach house is needed on May 17th and May 18th for the Dandelion Run. Last year 141 local kids ran in the dandelion run. They hope to double these numbers this year. Lots of substantial runners from the Northeast in general are signed up. These runners keep spreading the word and are opening up the market.

The Beach house is needed for the Kingdom triathlon on August 2nd and 3rd. Derby has sponsored each event at \$500.00 for a total of \$2000.00. The number of days of each event has expanded and IROC wants to keep these events alive so that they can be transferred into a new business model. IROC is still an entity, and this can cover the wind-down expenses, payroll comp time, taxes, and vendors. They are not just walking away from these obligations. Jay Peak, the Hospital, Wilson and White, Delta Dental and the Town of Derby have been sponsors. Brian asked about the appropriation. Phil explained that we are not obligated unless the doors re-open under a new business model to run the facility as a rec center. Steve moved to approve the \$2000.00 requests at the same rate as last year, with Laura seconding, unanimous.

OLD BUSINESS

ROAD REPORT: the annual meeting with AOT at 8:00 Wednesday a.m. at District 9 office, with Scott Keysor, is scheduled. We should be in line for 2 for 1 money at \$100,000.00.

OTHER BUSINESS

Area Agency on Aging and OCCA thanked the board for the appropriations.

Bob got a grant for the library for internet services; it involves training at no cost to the town.

Recycling Center would like to hire another person, as follows: Laura moved to hire Dustin Sheltra at minimum wage to work on Saturday, with Grant Seconding. Unanimous.

Steve moved to go into executive session at 7:45 to discuss personnel. Unanimous.
Out of executive session at 7:59 p.m. No action taken.

ADJOURNMENT

Meeting adjourned at 8:00 p.m.
Next meeting scheduled for Monday, April 15, 2013

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
MARCH 18, 2013

Present: Brian Smith, Beula Shattuck, Grant Spates, Laura Dolgin

Other's Present: Joe Profera, Dave LaBelle, Betsy Bumps, Andy and Lois Major, Mary Harney, Joe Profera, Scott Warthin, Faye and Bobby Morin, Paul Prue, Maureen Fountain

Meeting called to order at 6:32

Reading of Rules of Procedure: Beula moved to waive, with Laura seconding, Laura suggested that with the reorganizing of the board it is time to review the rules to be sure they are still relevant. The reading of the Rules was waived unanimously.

Approval of Minutes: Beula moved to approve the minutes of March 4, 2013, with Laura seconding. Grant abstained because he was not a member of the board at that time, and the motion passed.

Sign Warrants: Warrants number 6A was signed in the amount of \$17,735.26, and 6B was signed in the amount of \$173,530.86

New Business:

Reorganize Board & Board Appointments: Brian welcomed Grant Spates to the board, thanking him for taking on the role. Grant responded he is pleased to be here and excited to get started. Brian read last year's appointments and asked for a motion. Laura moved to keep the appointments as is, with the addition of the appointment of Grant Spates as the second NVDA representative. Brian will stay as Chair, Beula as vice-chair, with Grant acting as back up as a way to share his expertise of Roberts Rules of Order (parliamentarian) to both the chair and vice-chair, and Laura as clerk. Beula seconded, and the motion passed unanimously.

Orleans County Citizens Adv. – Mary Harney, program coordinator, solicited for an advocate for a gentleman who lives in Derby Line, in his mid-40's, drives, and has a steady job. Mary provided a history of Orleans Citizen Advocacy and described the program: 25 years, pairing adults with adults with special needs. They have created lots of matches that are beneficial to the area, the needs, and the community. Mary thanks the town of Derby for the \$2000.00 appropriation. They have other fundraising initiatives including the beloved Echo Lake Road Race and the Claassen Century. If any one is interested in contributing in any way, please contact Mary Harney, at 802-673-2237.

Sign Request – Northern Forest Canoe Trail. They have requested permission to install a proposed sign to encourage canoe washing to prevent invasive species at 2 different canoe launching facilities in Derby. Approved. The board encourages them to put a third sign at Lake Salem, too.

Janitorial Services – review & choose applicant under contracted services. Laura moved to go into executive session to discuss the bids at 7:12, with Beula seconding. Unanimous. Out of executive session at 7:20. The following action was taken: Beula moved to hire Abba Floor Care, from Derby, for our janitorial Services for a 3 month trial period, with Laura seconding. Unanimous.

Signed Excess weight permits: Brian signed the following Excess Weight Permits:

United Natural Foods, Inc.
Pike Industries
Camp Pre-Cast Concrete Products, Inc.
New England Quality Service, Inc., Earth Waste & Metal
Calkins
Newport Sand & Gravel
Carroll Concrete Co., Inc.

OLD BUSINESS

ROAD REPORT n/a

OTHER BUSINESS

Betsy wondered if the amount of IROC's appropriation at town meeting is for the entire year. We have historically given them funds throughout the year to support on going programs which benefit the community.

ADJOURNMENT

Meeting adjourned at 7:25
Next meeting scheduled for April 1, 2013, at 6:30 p.m. at the Town Clerk's Office

Submitted by Laura Dolgin

Unofficial until approved

Derby Select Board Meeting
Minutes
March 4, 2013

Present: Steve Gendreau, Brian Smith, Laura Dolgin, Beula Shattuck, Karen Jenne

Other's Present: Rick Geisel

Approval of Minutes:

Steve made a motion to approve the minutes of February 18, 2013, with Laura seconding. Unanimous.

Meeting Called to Order:

Meeting called to order at 6:01. The purpose of this meeting was to sign warrants and to address other basic or time sensitive matters, in advance of attending town meeting at the Derby Elementary School scheduled to begin at 7:00 p.m.

The following warrants were signed: 4C = \$1,018.04, 5A = \$15,356.09 and 5B = \$33,850.24.

Overweight Permits:

Overweight permits were signed for Clem-Dee, Inc., and Real Desrochers.

The meeting was recessed for the purpose of allowing board members to attend town meeting. That meeting was adjourned at approximately 9:00 p.m. with separate minutes taken.

Next regular select board meeting scheduled for Monday, March 18, at 6:30, at the Derby Town Clerk's Office.

Submitted by Laura Dolgin

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
FEBRUARY 18, 2013**

Present: Beula Jean Shattuck, Brian Smith, Laura Dolgin, Karen Jenne, Steve Gendreau

Other's Present: Dave LaBelle, Lois Major, Joe Profera, Bob Kelley, Vicki and Dan Lewis, Laura Carpenter

MEETING CALLED TO ORDER – 6:30 P.M.

ROLL CALL

Reading of Rules of Procedure – Beula moved and Karen seconded to waive the reading of the rules.

Approval of Minutes: Laura moved and Steve seconded, motion carried.

Sign Warrants: Warrants number 3 AA was signed in the amount of \$13,737.89, 4-A in the amount of \$17,507.88, and 4-B in the amount of \$39,136.90.

ROAD REPORT

Salt and Sand storage is good. Lots of frost heaves. Weather is hard on the roads.

NEW BUSINESS

Select Board meeting for March 4th at 6:00 p.m. Meet at 6:00 at the town clerks first to sign orders. Then head to town meeting for 7:00 at the Derby Elementary School, Elm St., Derby Line.

Approval of Financial statement for 12/31/12, Laura moved to approve the financial statements, with Beula seconding. Unanimous.

Open Janitorial Bids: 5 Bids received to service the Derby Town Clerk's office.

- 1). Abba Floor Care, Derby, Vt. Jimmy Oates owner. Labor and materials, staff will be Jimmy Oates, and Mariza Dasilva, at \$900.00 per month.**
- 2) Claire's HomeComfort Cleaning, Newport, Vt. Claire Beaulieu, \$1603 per month.**

3) Davis Maintenance, East Charleston, \$800 per month.

4) Marsha A. Descheneau, West Charleston, \$30.00 per hour for 74 hours per month =\$2220.

5) Robert Derick, Shattuck Hill, Newport. \$1285.00 per month. No insurance or tax id at this time but he will get them if awarded the contract.

Bob will review the bids, call references, and put the bids in an excel spread sheet in preparation for our March 18th meeting.

Approve Weight Permit:

Gould's Well Drilling, Inc., out of Lyndonville, Vt. Beula moved to sign the weight permit, with Laura seconding. Unanimous.

To Transact Any Other Business

Derby received a solicitation from 'Back Woods Anger TV.com,' who will be doing a shoot in the area. There are groups around who might have budgets to accommodate an opportunity for public relations or marketing.

ADJOURNMENT

Motion to adjourn at 6:58

Next meeting here at 6:00 on Monday, March 4, just prior to town meeting only to sign warrants.

**Town of Derby
Select Board Meeting
January 21, 2013**

Present: Brian Smith, Beula Jean Shattuck, Karen Jenne, Steve Gendreau, Vicki and Dan Lewis, Warren Friske, Joe Profera, Dave Labelle, Phil Letourneau, Bryan Davis, Lois Major, Maryann Tetreault, Jennifer Cleveland, Susan Judd, Maureen Fountain, Glenda Nye, Edie Lindblom-Warthin, Tina and Robert Favreau, Lisa Erwin Davidson, Paul Stuart, William Higgins, Loren Shaw, Paul Prue, Michelle Richard, Brad Judd, Bob Kelley, Laura Carpenter

Brian called the meeting to order at 6:30 pm.

Beula moved to waive the reading of the rules of procedure second by Karen and so voted.

Approval of Minutes

Beula moved to approve the minutes of January 7, 2013 were approved as written on a motion by Beula second by Karen and so voted with the following corrections. We came out of the Liquor control hearing at 6:46 not 7:46 and the additional discussion from Dave Labelle on the Wind energy question matter under other business. The minutes were approved with the corrections.

Warrant numbers 1AA for \$16,440.27
1B for \$7,413.22
2A for \$14,277.43
2B for \$399.00
2B for \$104,135.51 were reviewed and signed.

Road Department

Steve reported that there was not anything new to report as far as the Road department and he or Brian had not heard from Terry regarding damage or trees down from the high winds from yesterday. The new truck is not in yet.

Annual Budget

The 2013 budget was reviewed and discussed. Steve moved to approve the budget of \$1,954,088.18, second by Beula and so voted all in favor. There is \$343,061.76 in additional appropriations which may be approved by the voters at Town Meeting bringing the total to \$2,297,149.94 if everything is approved and all the petitions are turned in with the required signatures.

Liquor & Tobacco Licenses

The board recessed to go into liquor and tobacco license hearing at 6:43 pm. On a motion by Steve second by Beula all in favor. Those submitting applications include Shaw's, Short Stop, Junior's Grill, Kinney Drugs, Circle K, Champlain Farms and the Cow Palace. The Board came out of the hearing at 6: 45 pm. Karen moved to sign all the applications as presented second by Steve and so voted.

Northeast Kingdom Waste Management Services

Northeast Kingdom Waste Management Services had a letter to sign for approval of “Insignificant Waste Management Event Approval Application Form for Hazardous Waste Collection Events in Derby at the Recycling Center”. This is something we have signed in the past for hazardous waste collection. Beula moved to have Brian sign the letter on the Town’s behalf, second by Steve and so voted.

Wind Turbines

Brian next brought the issue of having the issue at Town Meeting on how residents feel about wind turbines in Derby. He stated that it is probably a moot point as the legislature is debating the issue and may issue a moratorium. He addressed the issue of properly wording the question. He read the question the Planning Commission had submitted to the Select Board by memo from Bob Kelley. He opened the discussion to those present with a three minute time limit as the Board has to finalize the article by Monday. Vicki Lewis spoke that the Planning Commission had not properly warned the subject and it was a violation of Vermont’s Open meeting laws. There was no request from the Select Board to the Planning Commission. Joe Proffera stated it came up under Other Business. Vicki restated that it was still the lack of proper protocol and procedure. People could not participate and provide input if it is not on an agenda. She gave the board copies of meeting agendas and minutes to document her comments (see attached copies for record). Dave Labelle stated that only the Select Board can get things on the warning or ballot articles. Glenda spoke about the moratoriums and the benefits to those that host industrial sized turbines. Warren Friske asked that the question include how close to your home would you want an industrial size turbine. He is a taxpayer in Derby. Bob Kelley stated that the purpose of the question was to get the opinion of people for the update to the Town Plan’s energy section. Vicki reminded those present that NVDA and VEC have both passed moratoriums in some form and the legislature has them under consideration. Maureen Fountain had information and a copy of Brighton’s question. Taxpayers and registered voters were asked if they were in favor of, opposed or undecided about ridge line wind development in their Town. They sent out ballots postage paid and had a 60% response rate (see attached copies of Brighton’s question and procedures). Everyone had a voice she felt as not everyone can get to Town meeting. Brad Judd would like to see a vote take place as would Steve Gendreau.

Beula moved to end the discussion on the wind issue for a Town Meeting article, Steve seconds the motion and it was so voted. No article will be submitted.

Highway Mileage Certificate

The Highway certificate of mileage will be signed at the next meeting after Bob is asked to look into it.

Maintenance Department

The cleaning proposals will be reviewed as John will be reducing his hours.

Appropriations

Faye will ask those requesting money (appropriations) from the Town to submit financial reports so that they can be viewed at the Town Clerk’s office otherwise the Town report would be very costly to print and distribute.

Common Level of Appraisal

Brian had a letter from Property Valuation and Review stating our COD at 12.22% and our CLA at 99.96 % both very good numbers.

Weight Permit

An overweight permit for Classen Crane Service was signed.

The meeting adjourned at 7:25 pm.

Respectfully submitted,
Karen Jenne,
Acting Clerk

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JANUARY 7, 2013**

Present: Beula Shattuck, Steve Gendreau, Brian Smith, Laura Dolgin, & Karen Jenne

Present: Dave LaBelle, Joe Profera, Bob Kelley, Lois Major, Vicki & Dan Lewis, Paul Prue, and Maureen Fountain

MEETING CALLED TO ORDER: Brian called the meeting to order at 6:38 pm.

Rules of Procedure: Beula moved to waive the reading of the rules of procedure, with Karen seconding. Unanimous.

Sign Warrants: Warrants number 1A was signed in the amount of \$16,526.36, and 26C in the amount of \$41,449.12.

The minutes of December 10, 2012 were approved as written on a motion by Beula and Steve seconding. Unanimous.

ROAD REPORT: Salt and Sand is in good supply. New Mac 10-Wheeler truck has been ordered and on schedule, and we expect it by town meeting.

NEW BUSINESS: The board signed the annual Non Arbitrage Certificate at 2.03% borrowing \$814,140.00. Laura moved to approve this as presented as standard operating procedure and Steve seconded. Unanimous.

Liquor & Tobacco License Approval: Steve moved to go into Liquor and Tobacco hearing, with Karen seconding at 6:44 pm.

Renewals for the following businesses were reviewed:

**China Moon
Charbo Campground
Hellbilly Hideaway
Price Chopper
Derby Village Store**

Derby Corner Mini Mart

Out of Liquor and Tobacco at 7:46 pm. Steve moved to approve as presented with Karen seconding. Approved unanimously.

Laura made a motion to approve John Joly's salary at \$15,000.00 effective immediately, with Steve seconding. Unanimous

EXECUTIVE SESSION: Steve made a motion to go into executive session to discuss personnel at 6:47pm, with Bob Kelley included, which Laura seconded. Out of executive session at 7:16 pm. No action taken.

**OTHER: To Transact Any Other Business
Public Comment**

ADJOURNMENT:

Meeting adjourned at 7:16

Next meeting scheduled for Monday, January 21, 2013 at 6:30 pm.