

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
January 7, 2017

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

Others: Sue Best, Steve Cross, Bob Kelley, Faye Morin, Craig Ellam, Becky Miller, Rod Lyon, Mike Dumas.

MEETING CALLED TO ORDER - 9:00 A.M.

NEW BUSINESS:

Budget Meeting – The board reviewed the draft 2017 budget with department heads and made adjustments. The draft budget will be adjusted to account for raises and other adjustments. The board plans to review and finalize the adjusted budget at their next meeting.

EXECUTIVE SESSION:

Beula moved to go into executive session to discuss raises, with Perry seconding. Unanimous.
Out of executive session.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, January 16, 2017.
At 11:30 am Beula moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
January 16, 2017

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

Others: Bob Lewis, Joe Profera, Joe Gresser, Chris Roy, Bob Kelley.

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

Warrants #1B in the amount of \$7,176.92, #2A in the amount of \$15,848.27 and #2B in the amount of \$145,773.22 were signed

Beula moved to approve the minutes of both December 19, 2016 and January 7, 2017, with Josh seconding. Unanimous.

PUBLIC COMMENTS:

Joe Profera asked if the Board was considering Impact Fees now that Walmart is here. It is a possibility that they will have to discuss at a later date and may include fees to cover sewer and police costs.

NEW BUSINESS:

Green Lantern Group Discuss Notice Period – Green Lantern Group failed to notify the Town when they notified all other statutory parties of their intent to apply for a Certificate of Public Good (CPG) to build a 500 kW solar array on the Gosselin property. Unless waived, they must wait 45 days before applying for the CPG and have asked the Town to waive the waiting period. Josh moved to waive the waiting period, with Brian seconding. Unanimous.

Sign Liquor Licenses – (Circle K, Derby Corner Mini Mart, Derby Line Village Inn, Thompson Redemption, and Tong Sheng Restaurant) – At 6:08 Brian moved to go into a liquor board meeting, with Beula seconding. Unanimous.

At 6:10 Brian moved to come out of the liquor board meeting, with Beula seconding. Unanimous.

Josh moved to approve the licenses for Circle K, Derby Corner Mini Mart, Derby Line Village Inn, Thompson Redemption, and Tong Sheng Restaurant, with Beula seconding. Unanimous.

Sign Budget – After reviewing changes made to the budget at their January 7th meeting, Brian moved to approve a budget of \$2,775,787.18 to send to the voters, with Beula seconding. Unanimous.

OLD/OTHER BUSINESS:

Police Protection – Bob Lewis – Bob gave the Board a handout outlining his findings on possible ways to expand police protection if needed. Bottom line is that contracting with the Sheriff is the most cost effective way.

Legislative Update – Brian will regularly update the Board on what is going on in Montpelier.

ATV's – Cobb Road – Beula has received more complaints about ATVs using Cobb Road.

ROAD REPORT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, January 30, 2017.

At 6:58 pm Brian moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
January 30, 2017

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

Others: Erik Christman, Sue Best, Albert Stringer, Joe Profera, Bob Kelley.

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

Warrants #3A in the amount of \$17,756.33 and #3B in the amount of \$39,804.03 were signed.

Brian moved to recess the meeting for a public hearing on the proposed discontinuance of a portion of Town Highway #33 (Christman Road), with Perry seconding. Unanimous.

PUBLIC HEARING MINUTES:

The proposed discontinuance being all that portion of the roadway designated on the Derby Town Highway Map as Town Highway No. 33, known as the Christman Road, which is presently classified as a Class 4 Town Highway, the center line of which said portion is described as follows: Commencing at the point located 0.90 mile West Southwesterly from the intersection of the center line of said Town Highway No. 33 with the center line of Derby Town Highway No. 5, known as the Hinman Settler Road; hence proceeding in a general Southerly direction a distance of 0.45 mile, more or less, to the point of termination of said Town Highway No. 33.

The Planning Commission reviewed the proposal and do not have any problem with it. Erik Christman asked that the board coordinate their site visit with his mother. There was no opposition to the proposed discontinuance. The Board agreed on a site visit to examine the road at 8:00 a.m. Saturday, February 4, 2017.

At 6:05 Brian moved to close the public hearing and return to their regular meeting, with Beula seconding. Unanimous.

APPROVE MINUTES:

Beula moved to approve the minutes of January 16, 2017, with Josh seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Listers – Town Wide Reappraisal – Sue Best explained the need for a reappraisal. The last town wide reappraisal was completed for the 2007 Grand List. The firm that did the last reappraisal can do this one over the next 3 years and have it completed for the 2020 Grand List. The State provides the Town with \$7/parcel/year for reappraisals. By 2020 the dedicated reappraisal fund will be sufficient to pay the anticipated \$235,000 for the reappraisal. The Board agreed to have the listers proceed with getting a contract for them to review and approve.

Sign Liquor Licenses – (Kinney Drugs, Price Chopper, CVS Pharmacy & Newport Elks) –

At 6:18 Brian moved to go into a liquor board meeting, with Perry seconding. Unanimous.

6:20 Brian moved to come out of the liquor board meeting, with Perry seconding. Unanimous.

Beula moved to approve the licenses for Kinney Drugs, Price Chopper, CVS Pharmacy & Newport Elks, with Josh seconding. Unanimous.

Sign Excess Weight Permits: RG Gosselin, Gosselin Water Wells, Velco, Newport Sand & Gravel, Caroll Concrete, and CSE Inc. – Perry move to have the Road Commissioner sign the Excess Weight Permits for RG Gosselin, Gosselin Water Wells, Velco, Newport Sand & Gravel, Caroll Concrete, and CSE Inc, with Josh seconding. Unanimous.

Sign Warning – The Board signed the warning for the 2017 Town Meeting.

Sign Audit Draft – The Board signed the Audit Draft and would like a copy of the Final Audit for all Board members.

Sign Budget – One anticipated appropriate was not submitted lowering the proposed budget by \$1,000, Brian moved to approve the revised budget of \$2,774,787.18, with Josh seconding. Unanimous.

Jr. High Crosswalk – A letter is needed to request approval from the State for the crosswalk at the Jr. High. Bob drafted a letter for the Board to review. The Board authorized Grant to sign the letter.

OLD/OTHER BUSINESS:

Drift Dusters Annual Landowner Appreciation Dinner – Brian is interested in going to the dinner and will fill out the form and return it to them.

Legislative Update – Brian updated the Board, he is on the General Affairs, Housing and Military committees. The senior hunting licenses have been moved back to the age of 66. Low and middle income housing is a priority in Montpelier this year.

Dairy Air Wind – Holland – The wind project has had 2 people filing for party status.

Zoning – Barrup Violation – Bob updated the Board, an application has been submitted for the lights that are in violation, but Mr. Barrup refuses to pay the added fee for applying after the fact. This makes it an incomplete application and it cannot be processed until the full fee is paid.

ROAD REPORT:

Potholes have been an issue with the weather we have been having, but there is not much we can do about it except keep repairing them.

3 trucks went off the road in the last storm due to slippery conditions, not driver error. They were all using chains at the time and there was no damage to the trucks or drivers. One hit a telephone pole on Ridgehill Drive and was a pain to get back onto the road because it was fully loaded.

The cab for the grader should be in on Friday.

We have a quote for a new truck; \$99,925.10 for the truck & \$55,100.00 for the body/plow. Total price \$155,025.10 This is \$10,000 under budget. Perry asked for permission to order the truck with a clause that it is dependent on the budget passing. Josh moved to purchase the truck, with Beula seconding. Unanimous.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, February 13, 2017.

At 6:59 pm Beula moved to adjourn, with Brian seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
February 13, 2017

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

Others: Robin Smith, Chris Roy, Joe Profera, Bob Kelley.

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

Warrants #4A in the amount of \$17,295.31 and #4B in the amount of \$58,243.16 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of January 30, 2017, with Josh seconding. Unanimous.
Brian would like a paper copy of the minutes mailed to him.

PUBLIC COMMENTS: None.

NEW BUSINESS:

9th Annual Dandelion Run – Building Use Approval – Brian moved to allow the use of the Beach House for the 9th Annual Dandelion Run from May 18th & 19th to setup and for race day on May 20th, with Perry seconding. Unanimous.

Review & Sign – Monthly Balance Sheet, Budget Status Report & Delinquent Tax Report – Reports were reviewed and signed.

Sign – Hazardous Waste Event Approval – Approval for a hazardous waste event on June 3rd was approved and signed.

Green Lantern Group – Solar Project – Green Lantern Group was not present due to the weather and was rescheduled for March 13th.

Sign Liquor Licenses – (Border Lounge LLC, Char-Bo Campground, G & T Bliss Corp, & Northeast Pizza Enterprise Inc) – At 6:13 Brian moved to go into a liquor board meeting, with Perry seconding. Unanimous.

6:14 Brian moved to come out of the liquor board meeting, with Josh seconding. Unanimous.
Brian moved to approve the licenses for Border Lounge LLC, Char-Bo Campground, G & T Bliss Corp, & Northeast Pizza Enterprise Inc, with Perry seconding. Unanimous.

Listers – Reappraisal Contract – The Board approved the use of the law firm of May & Davies to review the contract.

Town Reports – The Town prints the school report as part of the Town Report and does not charge the school to do this. The Board felt this has been working fine and will continue to do this the same as in the past.

Water & Sewer Update – Newport City and the Village of Derby Center are in negotiations to amend their water agreement to allow the City to expand the service area allowed to tap into the Village water line. The problem for the City is a lack of water pressure to service properties along Route 5. Proposed expansion of the Tavern on the Hill is being delayed due to this issue. Derby needs to get additional sewer allocation before it becomes critical and affects development. Due to an ongoing feud between the Village and the City this may be a challenge. The Town has contacted NVDA for help in finding funding for an expansion of the Newport sewer plant and will continue to move forward.

Sign Highway Mileage Certificate – No changes have been made in the last year. Perry moved to sign the certificate, with Brian seconding. Unanimous.

Sign Certificate of Compliance – Town Road & Bridge Standards – The Town uses the State’s template. Perry moved to sign the certificate of compliance, with Brian seconding. Unanimous.

Christman Road Discontinuance – Perry, Grant & Brian inspected the road on Feb 4th. In the absence of any public comment in opposition to the discontinuance at the hearing on January 30, 2017, the Selectboard adjudged that the public good, necessity and convenience of the inhabitants of the Town of Derby required that all that portion of the roadway designated on the Derby Town Highway Map as Town Highway No. 33, known as the Christman Road, which is presently classified as a class 4 town highway, the centerline of which said portion is described as commencing at that point located 0.90 mile west south westerly from the intersection of the center line of said Town Highway No. 33 with the centerline of Derby Town Highway 5, known as the Hinman Settler Road; thence proceeding in a general southerly direction as distance of 0.45 mile, more or less, to the point of termination of said Town Highway No. 33, be discontinued as a town highway. Accordingly, it was moved by Josh Provost, seconded by Perry Hunt and unanimously voted that the portion of Derby Town Highway No. 33 which is currently classified as a class 4 town highway be DISCONTINUED as a town highway.

OLD/OTHER BUSINESS:

Legislative Update – Brian updated the Board, he suggest that the board take a look at pending bills; H196 dealing with paid family leave, S58 & S74 dealing with Education Funding, and S76 dealing with Property Tax Appeals.

Act 46 – School board member Gigi Judd supplied the Town with a pamphlet about Act 46 and would like to discuss it with the board at their next meeting.

Zoning Update – Bob updated the Board on the Therrien violation and the Guillette appeal.

ROAD REPORT:

The cab for the grader has arrived and is in better shape than anticipated. The grader should be ready for use this summer.

The 2 oldest trucks were in the garage again. The new policy of rotating the trucks every 5-7 years should save the Town money after these last 2 trucks have been replaced.

EXECUTIVE SESSION:

At 7:11 Brian moved to go into executive session for a personnel matter, with Perry seconding. Unanimous.

At 7:26 the Board came out of executive session. No action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, February 27, 2017.

At 7:27 pm Brian moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

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

Minutes

February 27, 2017

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

Others: Gigi Judd, Chris Roy, Joe Profera, Bob Kelley.

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

Warrants #5A in the amount of \$19,192.94 and #5B in the amount of \$43,209.77 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of February 13, 2017, with Perry seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

ACT 46 – Gigi Judd – Gigi explained Act 46 and how it is affecting the Town and 2 likely options for meeting the goals of the law. Option A – Supervisory Union or Option B – Unified Union District. Pros and cons of both were discussed, with Option A being preferred. NCSU is hoping to come to a decision by November.

Sign Excess Weight Permits – Desrochers Excavation & United Natural Foods Inc – Both were approved for signature by the Road Commissioner.

Sign Liquor Licenses – (Shaws & Walmart) – At 6:40 Brian moved to go into a liquor board meeting, with Perry seconding. Unanimous.

6:41 Brian moved to come out of the liquor board meeting, with Josh seconding. Unanimous.

Brian moved to approve the licenses for Shaws & Walmart, with Josh seconding. Unanimous.

Sign VT Electric Perform Work Order – Tetreault Job – The wires are hanging down too low at the entrance drive to the Tetreault Sugarhouse and they need to add another pole next to the driveway within the Town's R.O.W. Brian moved to approve the work order, with Beula seconding. Unanimous.

Janet Slater – Lighting Permit – Janet and Rod Barrup were requesting that the Board waive the late filing fee (\$260) associated with a permit needed to replace lighting on his building. He did not realize a permit was needed and upgraded the lights without applying. A notice of violation was sent out May 9, 2016. The new lights are much brighter than the old light in order to light up the new parking area in the rear of the building. When issuing the permit for the expanded parking area the Planning Commission required the permit to be amended if additional lighting was installed. Brian moved to waive the late filing fee, with Beula seconding. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update – Brian updated the Board, 4 bills dealing with minimum wage have been introduced and he expects one of them may be passed but thinks the Governor will veto it. Another bill in his committee deals with free tuition to state colleges for National Guard members. Currently other States offer this, but Vermont does not.

Pine Hill - Speeding – Christina & Rene Cotnoir have complained about speeding along Pine Hill Road and that there is not a speed limit sign on the road. Perry will get a sign put up and Beula will contact the Sherriff to run radar on the road.

Mail – The Board reviewed their mail and asked that Perry be given a copy of the approved Highway Mileage Certificate.

ROAD REPORT:

The rain storm caused some damage on Bates Hill & Salem Derby Rd. The biggest problem was the Eagle Point culvert failed. The hole was filled with stone and will hopefully hold until we can get a temporary bridge installed asap.

EXECUTIVE SESSION: None.**ADJOURNMENT:**

Town Meeting is next Monday, March 6, 2017 at the Elementary School, 907 Elm Street, starting at 7:00 p.m.

The next regular meeting is scheduled for 6:00 p.m. Monday, March 13, 2017.

At 7:10 pm Beula moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

**2017 ANNUAL TOWN MEETING & ANNUAL TOWN SCHOOL
DISTRICT MEETING MINUTES
HELD MARCH 6TH 2017**

The Annual Town & Town School Meeting was called to order at 7:03 P.M. by Moderator Richard Nelson on March 6, 2017. The meeting was held at the Derby Elementary School, Elm Street, Derby, Vermont. There was a salute to the American Flag. Moderator Richard Nelson explained that the meeting would be run in accordance with Robert's Rules of Order. He asked that all comments be directed to the Moderator. He asked that anyone wishing to speak, approach the microphone and state your name. He also asked everyone to turn off their cell phones and to have respect and courtesy for anyone speaking. A moment of silence was given for citizens no longer with us and for those who are serving and protecting us and their families and friends. Thank You! Moderator Nelson explained that articles would be moved in the affirmative and he also mentioned where voting is held on March 7, 2017 at Derby Municipal Building from 8:00 A.M. to 7:00 P.M. at which time Article 1 thru 3 would be voted on.

Christine Moseley made a motion to approve the 2016 Annual Town & School Meeting Minutes as printed. Doug Spates seconded the motion. **Vote on motion:** "Ayes" have it; motion passed.

Joshua Provost made a motion to skip the reading of Articles 1 through 3 on the warning since they are voted on by Australian ballot March 7th and Allen Yale seconded the motion **Vote on motion:** "Ayes" have it; motion passed.

Article 1. To elect by the Australian Ballot System the following town and town school district officers for **one year**:

- | | |
|------------------------------|--------------------------------|
| (1) Town Agent | (1) Town & School Moderator |
| (1) Delinquent Tax Collector | (1) First Constable |
| (1) Second Constable | (1) Town School Board Director |
| (1) Town Auditor | (1) Town Grand Juror |

To elect by the Australian Ballot System the following town and town school district officers for **two years**:

- (1) Select Board Member

To elect by the Australian Ballot System the following town and town school district officers for **three years**:

- | | |
|-------------------------|--------------------------------|
| (1) Lister | (1) Town School Board Director |
| (1) Select Board Member | (1) Union School Board Member |
| (1) Town Auditor | |

To elect by the Australian Ballot System the following town and town school district officers for **five years**:

- (1) Cemetery Commissioner

Article 2. Shall the voters authorize the Northeast Kingdom Waste Management District to appropriate and expend a budget of **\$755,527.00**?

Article 3. Shall the voters of the Town of Derby School District approve the School Board to expend **\$5,529,402.00**, which is the amount the school board has determined to be necessary for the ensuing fiscal year? It is estimated that this proposed budget, if approved, will result in education spending of **\$12,249.00** per equalized pupil. This projected spending per equalized pupil is 5.5% greater than spending for the current year.

VOTING: The polls for voting on the above said **ARTICLES 1, 2, and 3** will open at **8:00 A.M.** and will close at **7:00 P.M. on TUESDAY, MARCH 7th, 2017 IN THE LOWER LEVEL OF THE DERBY MUNICIPAL BUILDING LOCATED AT 124 MAIN STREET, DERBY CENTER.** The polls shall be under the supervision of the Town of Derby Board of Civil Authority.

Article 4. To hear and dispose of the reports of the Town of Derby School Directors, Bryan Davis mentioned the report for the School Directors is on page 32-34. Bryan Davis asked Moderator Nelson to have 10 minutes at the end of the meeting to talk about "Act 46". There has been a change in administration Cynthia Adams retired last year and

Sherrie Gentry has taken her place. He also thanked Timothy Bronson for being a long time School Board member he will not be running this year.

Ted Von Schoppe noticed that in the town report the school was going to use \$100,000.00 of money that was saved to go to the technology fund and building fund and you rolled other savings for the budget to keep the cost down are there other funds that are not accounted for? Timothy Bronson explained the technology funds and building and bus funds and how much money we have in each fund to use in the future they also have a bus fund which has \$110,000.00 for the purchase on a future bus. The last time the school asked for a bond since 2006-2007 the Town has approved to put funds in reserve accounts and therefore have not had to ask for bonds. Timothy Bronson thanked the voters for their support. Grant Spates said Derby School is ranked 3rd in Education out of 50 States and 1st in Spending. Grant said that Elementary School spending per student is about \$7,400.00 lower than State average; Richard Nelson said that the High School is about \$4,000.00 less than State average.

- Article 5.** Allen Yale made a motion for the Town of Derby School District to authorize the Board of School Directors to borrow money in the anticipation of revenues for the purpose of paying current expenses. Bill Gardyne seconded. No further discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 6.** Bryan Davis made a motion to authorize the Board of School Directors to place **\$100,000.00** of the 2015-16 fund balance into two reserved funds which can be used over several years: technology fund **\$45,000.00** and building and grounds **\$55,000.00**. Louise Gosselin seconded. No further discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 7.** To hear and dispose of the reports of the Town of Derby Select Board. No further discussion.
- Article 8.** W. Perry Hunt made a motion for the Town of Derby to authorize and empower the Select Board to hire money from time to time for the purpose of paying the current expenses and appropriations of the town for the ensuring year. Motion was seconded by Grant Spates. No further discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 9.** Doug Spates made a motion for the Town of Derby to authorize the Select Board to purchase other land or real estate not to exceed a total purchase price of **\$20,000.00** Timothy Bronson seconded the motion. Robert Ovitt asked if the \$20,000.00 doesn’t get used does it go back to the voters or in a reserve account, Grant Spates said it goes back to the Town. **Vote on motion:** “Ayes” have it; motion passed.
- Article 10.** Grant Spates made a motion for the Town of Derby to vote to have the taxes paid to the Town Treasurer on or before **Monday, October 16, 2017 at 5:00 p.m.** Beula-Jean Shattuck seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 11.** Brian Smith made a motion for the Town of Derby to vote the sum of **\$200,000.00** for the rebuilding of roads in the Town of Derby, said monies to be raised by taxes. Scott Warthin wanted a quick rundown on what the plans were for the \$200,000.00 W. Perry Hunt explained that the State is not giving the Town a lot of grant money this year everything is getting cut back so that the other \$100,000.00 in the budget is for resurfacing and paving, also there are culverts that need to be replaced. A Culvert at Eagle Point needs to be replaced and they will be putting in a temporary bridge shortly until they can replace it this summer. **Vote on motion:** “Ayes” have it; motion passed.
- Article 12.** Allen Yale made a motion for the Town of Derby to appropriate the sum of **\$3,300.00** to the Northeast Kingdom Council on Aging for providing services to senior citizens. Timothy Bronson seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 13.** Timothy Bronson made a motion for the Town of Derby to appropriate the sum of **\$2,500.00** to Rural Community Transportation, Inc. for providing transportation to the elderly and disabled residents of the Town. Gigi Gobeil-Judd seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 14.** Lynn Batchelor made a motion for the Town of Derby to appropriate the sum of **\$8,000.00** to Haskell Free Library for providing services to the residents of the Town. Stacey Urbin seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.

- Article 15.** Scott Warthin made a motion for the Town of Derby to appropriate the sum of **\$30,000.00** to Dailey Memorial Library to provide services to residents of the Town. Stacey Urbin seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 16.** Allen Yale made a motion for the Town of Derby to appropriate the sum of **\$1,450.00** to the Orleans County Historical Society to assist in maintaining the Old Stone House Museum, and its educational programs. Brian Smith seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 17.** Gigi Gobeil-Judd made a motion for the Town of Derby to appropriate the sum of **\$2,000.00** to Orleans County Citizen Advocacy for the purpose of creating and supporting one-to-one relationships between people with disabilities and community volunteers. Beula-Jean Shattuck seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 18.** Andy Major made a motion for the Town of Derby to appropriate the sum of **\$15,000.00** to the Town of Derby/ Salem Lakes Association, for continued monitoring and protecting of the Lakes from Eurasian Milfoil and other invasive species. Joe Profera seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 19.** Doug Spates made a motion for the Town of Derby to appropriate the sum of **\$10,000.00** for the removal of Eurasian Milfoil from Lake Derby (Derby Pond). Gigi Gobeil-Judd seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 20.** Jeanne Alexander made a motion for the Town of Derby to appropriate the sum of **\$2,000.00** to the Pope Memorial Frontier Animal Shelter for its commitment to rescuing, providing care and finding homes for unwanted pets. Abigail Provost seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 21.** Timothy Bronson made a motion for the Town of Derby to appropriate the sum of **\$13,600.00** to the Orleans Essex VNA & Hospice Inc. for the services of Skilled Nursing, Physical Therapy, Speech Therapy, Occupational Therapy, Medical Social Work, Licensed Nurse Aide, Homemaker, Personal Care Attendant, Hospice, Maternal Child Health Programs, and other community health programs provided by the Agency. Louise Gosselin seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 22.** Bill Gardyne made a motion for the Town of Derby to appropriate the sum of **\$4,852.00** to Northeast Kingdom Human Services, Inc. to support the provision of 24 hour, 7 days a week emergency/crisis services to residents of the Town. Gigi Gobeil-Judd seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 23.** Abigail Provost made a motion for the Town of Derby to appropriate the sum of **\$3,100.00** to Umbrella, Inc. to support services for victims of domestic and sexual violence. Stacey Urbin seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 24.** Allen Yale made a motion for the Town of Derby to appropriate the sum of **\$3,050.00** to Cornucopia, for providing fresh, local food to area seniors and disabled adults through Meals on Wheels deliveries. Gigi Gobeil-Judd seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 25.** Bill Gardyne made a motion for the Town of Derby to authorize **\$41,560.00** for the care and upkeep of the Cemeteries in the Town of Derby, of which **\$9,063.55** shall come from Cemetery revenues and **\$32,496.45** shall be raised by taxes. Timothy Bronson seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 26.** Brian Smith made a motion for the Town of Derby to appropriate the sum of **\$1,500.00** to Northeast Kingdom Learning Services, Inc. (NEKLS) to provide services to residents of the Town. Carol Brown seconded. No discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 27.** Lynn Batchelor made a motion for the voters of the Town of Derby to provide notice of annual town report availability to residents by publishing notice in the newspaper and on the town website at least 30 days before the annual meeting along with designated pick up locations for said report in lieu of mailing. Louise Gosselin seconded. Faye Morin gave quick rundown of the places they are provided. **Vote on motion:** “Ayes”

have it; motion passed.

Article 28.

Grant Spates made a motion to approve a Town Budget of \$ 2,774,787.18 which includes \$ 332,848.45 of previously voted appropriations. Beula-Jean Shattuck seconded. Karen Jenne questioned the Legal Services on page 7 in the Town Report and the \$25,000.00 increase on Building Maintenance on page 11. Grant Spates gave an explanation of the Legal Services, that it's spent on Lawyers, By Law Amendments, Attorney fees, Grievances and anything the town has to go through that involves legality. W. Perry Hunt explained that the \$25,000.00 increase is for the Town Garage expansion needed for the three town garage bays to make room for the trucks. Doug Spates questioned the additional funds from public safety increase on page 10. Funds increase by over \$40,000.00 he wondered if it was going to be reimbursed, is it from Walmart or what the increase is for. Grant Spates said that they increased the amount just in case it is needed for 911, Sheriff's Contract if needed. Brian Smith wanted to thank Grant Spates for taking charge of the Michael Dunn project on Eagle Point culverts. Grant did a lot of work on this project and its saving the town a lot of money at least \$500,000.00 to \$1,000,000.00. He did this by getting the Federal Grants.

Reynold Sicotte questioned the 14% increase on the Budget. Grant said that a biggest increase in our budget is the Highway Department there was a 3% increase across the board (all the departments combined). The bulk of the increase is for the Highways purchase of a loader, sand & screen, a truck body and wing, the building maintenance and a large amount for the Eagle Point project the State pays 80% but the Town has to pay the other 20%. **Vote on motion:** "Ayes" have it; motion passed.

Abigail Provost provided the voters with an explanation of Act 46. The State is looking at Consolidating and moving all the boards into one board. That would take away the Board that we have here. There have been some informational meetings and the board has spoke with the teachers and other groups. They have 2 more informational meetings coming up. Any funds that are in our reserve accounts would belong to the property of the Supervisory Union. They would have to get a waiver. Richard Nelson mentioned that maybe the Junior High and the High School would be in favor of consolidating and that may benefit our local schools. Gigi Gobeil-Judd and Karen Chitambar gave information also about Act 46. There hasn't been a vote in our Supervisory union yet but we want to inform the public of Act 46. There are surveys and pamphlets on the back table with more information on Act 46. These surveys are also going to other towns so with the information gathered they should get a good idea of what the people of our area want.

Brian Smith gave us a little information about his State Representative position and what he does in Montpelier.

Doug Spates spoke of appreciation for Barbara Frawley's years of service with our Town and how she will be missed.

Bill Gardyne moved to adjourn the meeting. Brian Smith seconded the motion.

Meeting Adjourned at 8:12 p.m.

Dated at Derby, Vermont this March 8, 2017

BRYAN DAVIS

W. PERRY HUNT

GIGI GOBEL-JUDD

JOSHUA PROVOST

EMILY MICKNAK

BEULA-JEAN SHATTUCK

ABIGAIL PROVOST

BRIAN SMITH

TIMOTHY BRONSON
(School Directors)

GRANT SPATES
(Select Board)

Received for recording: _____, 2017 at _____

Attest: FAYE C. MORIN
Town Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
March 13, 2017

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

Others: Rod Lyon, Sue Birchard, Dee Lewis, Christopher Roy, Sam Carlson, Lester Pelky & Mike Marcotte.

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

Warrants #6A in the amount of \$15,887.60, #6B in the amount of \$37,676.75 and #5B corrected copy in the amount of \$43,030.49 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of February 27, 2017, with Perry seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Use of Town Jr. High Green-Sue Birchard-Dee Lewis: Dailey Memorial Library Fund Raiser August 5th starting at 7:30 am for setup. Pig Roast & Craft fair from 10 am to 3 pm and will be closing by 4 p.m. Beula moved to approve use of the Town Jr. High Green, with Josh seconding. Unanimous.

Green Lantern Group-Solar Group – Sam Carlson presented a proposal to the board, we will send to our Town Attorney for review. The Town of Derby will check with City of Newport to see if we can split the cost of Attorney fees on the reviewing of a 20 year agreement. If no issue from Attorney the Town will enter into agreement for 20 years.

VT Moto Cross Assoc. – Rider Hill – The schedule for 2017 was presented to the board by Leslie Pelky. Brian moved to approve the schedule with all the same conditions as past years and to submit a Certificate of Insurance to the Town. Seconded by Perry. Unanimous.

Sign Liquor License – (Derby Cow Palace & Wesco, Inc.) – At 6:34 Brian moved to go into liquor board meeting, with Beula seconding. Unanimous.
6:35 Brian moved to come out of the liquor board meeting, with Perry seconding. Unanimous.
Josh moved to approve the licenses for Derby Cow Palace & Wesco, Inc., with Beula seconding. Unanimous.

Sign Excess Weight Permits –Barrett Trucking, Co., Bourne's Inc., Demag Riggers & Crane, and Gould Well Drilling – All were approved for signature by the Road Commissioner.

Reorganize Board – Brian moved to appoint Grant Spates to Chairperson, with Beula seconding. Unanimous. Josh moved to appoint Brian Smith to Vice-Chairperson, with Beula seconding. Unanimous. Brian moved to appoint Josh Provost for Clerk, with Beula seconding. Unanimous.

Josh moved to make the following appointments:

One year appointments:

Road Commissioner –William P. Hunt

Town Administrator – Bob Kelley

Pound Keeper – Select board

Fence Viewers – Select board

Inspector of Lumber, Shingle & Wood - Select board

Weigher of Coal - Select board
Tree Warden – Joe Profera
Fire Warden – Craig Ellam
Town Service Officer – Bob Kelley
Energy Coordinator – Josh Provost
Agent to sign deeds accepting or transferring property on behalf of Town -
Select board
Civil Defense – Craig Ellam
911 Committee – Board of Listers – Contact person is Steve Cross
Newspaper of Record – Newport Daily Express
Zoning Board of Adjustment – Open

Seconded by Perry. Unanimous.

Review & Sign – Balance Sheet, Budget Status Report, General Journal Entries, & Delinquent Tax Report – All were viewed and signed by Select board

OLD/OTHER BUSINESS:

Legislative Update: Brian mentioned that he went to 3 Town Meetings and all the budgets went through smoothly. Minimum wage bill will be a big issue this week.

Delinquent - Mobil home that belongs to Paul Baker it has gone to Tax Sale many times and is still on the Town's records. It's an eye sour and needs to come out. Brian said there are VT Statues that he will read to Bob - there are procedures that need to be addressed but they can be done and the mobile home removed.

ROAD REPORT: Perry said they met with the State Officials on the Bridge on Eagle Point - About 2 weeks the can start on the project. The Town received the State Permits for the project last week. There will be two culverts on Johns River and one big culvert at Eagle Point. The temp bridge should only take about a day. Rod Lyon and Perry are working on prices of purchasing a loader they want to settle on John Deer 624 K. They are looking into financing. They will trade in the used loader it's a 2000 with approximately 6,000 hours on it with 11,000 miles on it Rod said. Trade price is \$169,660 with a sweeper too. Warrantee is for 5 years and the financing through John Deer would be a fixed rate of 3.25%. They also spoke with the CAT and CASE dealers out of Williston and Johnson. The board will review the paperwork and table purchase agreement until the next meeting. Josh made the motion to table the purchase agreement until the next meeting Perry Seconded, Motion Caries.

EXECUTIVE SESSION: Personnal – Brian made a motion to move to Executive session at 7:18 and Seconded by Beula. Unanimous. Out of Executive Session at 7:30 p.m. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, March 27, 2017.

Josh made a motion to adjourn the meeting at 7:35 Seconded by Brian. Unanimous.

Submitted by Faye Morin
Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
March 27, 2017

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

Others: Rod Lyon, Sue Best, Ed Camp, Joe Profera, Megan Cote, Kirk Martin, Vicki Hosford, Bob Kelley.

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

Warrants #7A in the amount of \$21,897.16, #7B in the amount of \$28,712.86 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of March 13, 2017, with Josh seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Organization Board – Correct and Sign - The following appointments were corrected and signed.

One year appointments:

- Select Board Chair – Grant Spates
- Select Board Vice-Chair – Brian Smith
- Select Board Clerk – Bob Kelley & Josh Provost
- Road Commissioner – William P. Hunt
- Town Administrator – Bob Kelley
- Water/Sewer Committee – Grant Spates, Brian Smith, Alternate Josh Provost
- NVDA Representatives – Grant Spates, Beula Shattuck
- Pound Keeper – Renee Falconer
- Fence Viewers – Rick Geisel
- Inspector of Lumber, Shingle & Wood - Select Board
- Weigher of Coal - Select Board
- Tree Warden – Joe Profera
- Fire Warden – Craig Ellam
- Town Service Officer – Bob Kelley
- Energy Coordinator – Josh Provost
- Agent to sign deeds accepting or transferring property on behalf of Town - Grant Spates & Brian Smith
- Civil Defense – Craig Ellam & Grant Spates
- 911 Committee – Board of Listers – Steve Cross Contact
- Newspaper of Record – Newport Daily Express

Sign Race Track Permit – The permit was signed.

Sign Pay Rates – The approved pay rates were signed.

Derby Line Ambulance – Sign Budget payment approval letter – \$105,156.50 was approved in the budget for Derby Line Ambulance. Josh move to make 10 equal monthly payment of \$10,515.65 to Derby Line Ambulance, seconded by Beula. Unanimous.

Loader Purchase – The board reviewed the 3 bids for a new loader. The Cat was thrown out because it was too high. The Case was the lowest, but they liked the John Deere best at \$179,900. Brian move to authorize Perry to negotiate for the John Deere to get 3 years free service calls, trucking and a loaner, seconded by Josh. Unanimous.

Eagle Point – Temporary Bridge – The Board was updated on the Eagle Point project. Gosselin is waiting on the silt curtain before they can begin the temporary bridge. Gosselin's estimate for the temporary bridge is higher than we anticipated, but that is due to the State requiring a silt curtain. The road will have to be closed for most of a day when they construct the temporary bridge. Residents north of the culvert will be notified. We close the road in the morning, open it for a short period around noon and hopefully be finished by evening.

Sign Excess Weight Permits – Pike Industries, Dale Percy Inc, AmeriGas Propane DBA Blue Flame Gas, and New England Quality Serviced DBA Earth Waste & Metal – All were approved for signature by the Road Commissioner.

Sign Liquor License – Derby Cow Palace (2 licenses), Bliss Rite Pizza Co – At 6:40 Beula moved to go into liquor board meeting, with Perry seconding. Unanimous.

6:42 Brian moved to come out of the liquor board meeting, with Perry seconding. Unanimous.

Brian moved to approve the licenses for Derby Cow Palace & Bliss Rite Pizza Co, with Beula seconding. Unanimous.

Sherriff's Department – Annual Contract – Sherriff Kirk Martin explained the effect Walmart has on the Town varies from week to week. \$90,000 has been budgeted, but some money may be needed for dispatching and how many extra hours will be needed because of Walmart is still unknown. There may be a need to reevaluate the contract at a later date. Brian moved to enter into a contract with the Sherriff's Department for \$50,000, seconded by Beula. Unanimous.

Megan Cote – West Street Road Complaint – Ms. Cote and Mr. Camp explained that while Ms. Cote was traveling along West Street she hit a large rock in the road which caused about \$800 damage to her car. They feel the Town has some responsibility and were asking if the Town would help pay for the damage. The Board explained that the Town is not liable and if they were to help one out everyone would be coming to the Town.

Lister's Department – Reappraisal Contract – The Town's attorney has reviewed the contract and a few minor changes were made. Sue Best says the listers are satisfied with the contract and recommend that the Board sign it. The contract calls for the reappraisal to be completed for the 2020 Grand List. All funds to pay for the reappraisal are coming from the dedicated reappraisal fund which is funded by the State at a rate of \$8 per parcel per year. Brian moved to sign the contract with New England Municipal Consultants for \$235,000, seconded by Perry. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update: The vote to legalize marijuana will be coming up for vote soon. Brian asked the Board how they felt. The Board was unanimous against it. If it passes, Brian expects the governor to veto it. Paid family leave was voted out of Brian's committee with democrats in favor and republicans opposed. Again if it passes Brian expects the governor to veto it.

ROAD REPORT:

Everything is going good. We have used a lot of sand so there will be extra sweeping needed this year. The new sand screen has been built and is working great.

EXECUTIVE SESSION:

Personnel – Josh made a motion to move to Executive session at 7:03, with Brian seconding. Unanimous.

Out of Executive Session at 7:16 p.m. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, April 3, 2017. Brian made a motion to adjourn the meeting at 7:17, with Perry seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
April 10, 2017

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

Others: Rod Lyon, Paul Prue, Joe Profera, Joe Gresser, Robin Smith, Maryann Tetreault, Randy Lebel, Larry McEnany, Bob Kelley.

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

Warrants #8A in the amount of \$16,518.72, #8B in the amount of \$94,305.97 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of March 27, 2017, with Perry seconding. Unanimous.

PUBLIC COMMENTS:

Joe Profera asked the Board what they thought about changing the zoning for the Special Lands on Quarry Road as is being requested by Todd Wright. The Board asked Bob to check into why it was zoned Special Lands to begin with.

Paul Prue asked if Cobb Road was a Town Road. It is a town road. At some point it turns into a Legal Trail and then becomes a Town Road again where it meets Glover Road.

NEW BUSINESS:

Equipment Bids – The bids were opened and Bob will put them into a spreadsheet for the Board.

Sand & Gravel Bids – The bids were opened and Bob will put them into a spreadsheet for the Board.

Auditors Position – Currently there is only one of the three auditors position filled. The position is not needed because the Town has a professional audit every year. The Town will look into eliminating the position at the next Town Meeting.

Grounds Keeping – The Board decided to continue to have the cemetery crew do the mowing and Brian Dubois maintain the flower beds.

Personnel Policy Amendment – Josh moved to amend the Personnel Policy to have the work week start on Monday and end on Sunday instead of starting on Sunday and ending on Saturday, seconded by Beula. Unanimous.

Review & Sign – Delinquent Tax Report, Balance Sheet, Budget Status Report, and General Journal Entries – The Board reviewed and signed the documents.

Sign Excess Weight Permits – Beacon Sales Acquisitions Inc, Calkins, Feed Commodities Inc, Harrison Redi-Mix Corp, Mathews Excavation, and Sticks & Stuff – All were approved for signature by the Road Commissioner.

Delinquent Taxes –Mayo Property – Maryann Tetreault explained the situation. The property is between Route 105 and Little Salem with frontage on both the lake and 105. Most of the lot is wet and it is doubtful if it can be developed. No taxes have been paid since 2009 and the property is not worth what is owed. The Board would like the Town's attorney to send Mr. Mayo a letter asking if he is willing to turn the property over to the Town for taxes owed.

Loader – There are 2 bids the Board is considering; \$140,800 for a Case loader and \$147,900 for a John Deere loader. Representatives from both companies explained why the Town should buy their loader. The Town thought that the price and service contract for the Case was best.

Josh moved to enter into a contract with the Beauregard Equipment to buy the Case loader for \$140,800, seconded by Perry. Unanimous.

Sign Representation Letter – Gene Besaw & Associates – Josh moved to authorize Brian to sign the letter on behalf of the Board, seconded by Perry. Unanimous.

OLD/OTHER BUSINESS:

Update on Eagle Point Project - The State has agreed to take over project delivery with stewardship and oversight which was needed for the project to move forward. Plans for the Eagle Point crossing should be complete within the next couple of weeks and plans for the Johns River crossing should be completed sometime in June. Bob will check with the Feds in regards to in kind work and engineering requirements.

Legislative Update - Brian did not have anything to report this week.

Guillette Zoning Appeal – Both parties have worked out a tentative agreement and the Court has dismissed the appeal without prejudice. Both parties have until December 15th to request the case be reopened if the tentative agreement does not work.

Tennis Courts – Gary Brainard needs to be contacted about putting the nets up. The courts should be cleaned. It was suggested that the road crew might be able to do the job or we could contact Mr. Clean Auto Detailing to get a price.

ROAD REPORT:

No report.

EXECUTIVE SESSION:

Personnel – Perry made a motion to move to Executive session at 7:23, with Josh seconding. Unanimous.

Out of Executive Session at 7:45 p.m. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, April 24, 2017.

Josh made a motion to adjourn the meeting at 7:45, with Perry seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
April 24, 2017

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

Others: Dr. Moseley, Vickie Hosford, Joe Gresser, Bob Kelley.

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

Warrants #9A in the amount of \$17,110.76, #9B in the amount of \$44,055.03 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of April 10, 2017, with Perry seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Window Trim Municipal Building – Grant will check with NCCC. If he cannot get a date from them by next week we will put it out to bid.

Mike Moseley – Dailey Memorial Library – Update Grant Support Letter – Dr. Moseley updated the Board on the Library expansion project. Construction is expected to start in June. The Board agreed to let the Trustees use the municipal building for their monthly meetings while construction is ongoing. The Board signed the letter of support.

Sign Sheriff's Contract – The Board reviewed and signed the Sheriff's Contract.

Sign Excess Weight Permits – Camp Precast Concrete, N.A. Manosh Corp, Kelley View Farm, JP Sicard Inc – All were approved for signature by the Road Commissioner.

Sign Non Arbitrage Account Papers – Brian moved to sign the Non Arbitrage Account papers with CNB, seconded by Perry. Unanimous.

Update from Peter Welch Meeting – Grant updated the Board on the meeting with Rep. Welch. Infrastructure needs were discussed. Representatives from the Town, Village of Derby Center, City of Newport, NVDA and the press were present. The Town needs to get on the Village Trustees agenda to further discuss the sewer issue.

OLD/OTHER BUSINESS:

Update on Eagle Point Project – Things are moving along slowly. John Gobeil has the silt curtain. The Town received a \$10,000 grant from VT Fish & Wildlife for the project.

Legislative Update - Brian did not have anything to report this week.

Stump Dump – The stump dump will be opened for the season this Saturday. Dave Royston will be the attendant again this year.

Tennis Courts – Due to the death of Gary Brainard's mom the nets may not be up until next week. We are waiting to hear from Jeremy Delabruere about cleaning the courts. The other option is to have the road crew do it.

DRB – The Board talk briefly about switching to a Development Review Board (DRB). They asked Bob to check with other Towns in the area that have switched and get their opinion on if they like the switch. The Board will discuss this again in 4 weeks.

Beach House – Bob was asked to contact George Horton to see if he would be willing to lock and unlock the beach house again this year.

ROAD REPORT:

Things are going good. Potholes are getting filled. Dave Royston should be back to work next week. We need to invite JP Sicard to the next meeting and discuss the gravel pile at the stump dump.

EXECUTIVE SESSION:

Zoning Issue – Beula made a motion to move to Executive session at 6:46, with Josh seconding. Unanimous.

Out of Executive Session at 7:05 p.m. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, May 8, 2017. Brian made a motion to adjourn the meeting at 7:05, with Beula seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
May 8, 2017

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

Others: Lori Before, Thomas Prevost, Gwen Bailey-Rowe, John Rowe, Adam Guyette, Todd Wright, Steve Gendreau, Jason Sicard, Paul Prue, Rod Lyon, Joe Gresser, Bob Kelley.

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

Warrants #9C in the amount of \$521.72, #10A in the amount of \$16,229.56, and #10B in the amount of \$45,078.73 were signed.

APPROVE MINUTES:

Josh moved to approve the minutes of April 24, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Lori Before – Tax Bill – Mrs. Before was upset that the acreage on the Lister's card and the acreage on the tax maps are not the same. She pointed out 3 errors on the tax map of her property. She has found many discrepancies between the acreage people are being taxed on and the acreage depicted on the tax maps. It was explained to her that the tax maps are not a survey; they were drawn by David Ray when he was a Lister. The tax maps should only be used to give you a general idea of where your property is. A professional survey is the only way to accurately know where your property lines are. If she does not like the assessment of their property she has the right to appeal her assessment. It should be in writing to the Listers and it needs to be signed by Martin Before as his is the name on the deed. Any errors in the tax maps should be brought to the attention of the Listers.

Zoning Maps – Bob explained that the Planning Commission is revising the zoning maps to get rid of a lot of spot zoning and would like to know if the Board is agreeable to this prior to putting in the time to make these changes. It will probably affect a couple hundred parcels. 2 public hearings will be required before the new maps could go into effect. The Board gave their go ahead with the project.

Review & Sign – General Journal Posting Register, Budget Status Report, Balance Sheet, & Delinquent Tax Report – All were reviewed and signed.

Sign Liquor License – Rite Aid – At 6:55 Josh moved to go into a liquor board meeting, with Beula seconding. Unanimous.

At 6:56 Josh moved to come out of the liquor board meeting, with Beula seconding. Unanimous. Brian moved to sign the liquor license for Rite Aid, with Beula seconding. Unanimous.

Green Mountain Solar Contract – The Town's attorney has advised that the Town not sign the contract until the PSB has finalized their new net metering rules. The Town is very interested in participating in this project, but will hold off signing any contract until the new net metering rules are known.

OLD/OTHER BUSINESS:

Update on Eagle Point Project – Grant and Bob met with the State today and due to all the regulations in dealing with Federal money it looks like this project will not get started until next year. We have a draft MOA and the State is questioning a charge from the Feds. We need to check with Shane Morin to see if State funds are available to install the temporary bridge this year as the culvert will not last through another winter.

Legislative Update – This legislative season should be wrapping up this week. A marijuana bill was passed last week, Brian voted against it.

Update on Building Trim – Grant has not been able to get a date from NCCC for doing the work. We will need to put it out to bid.

Derby Historical Society – Elephant Slide – The Historical Society has the old elephant slide from the Derby Drive-In and would like to put it on the Derby Green. It is in excellent condition but needs to be put in the shade as it is metal and would become very hot in the sun. It was felt that underneath one of the trees near the Historical Society building would be a good location. Placement should be so that it doesn't interfere with snow removal.

Derby BBQ – August 19th has been set for a BBQ at the Beach House for all Town employees/boards.

Zoning Violation – Bob was granted permission from the Board to use attorney Bill Davies to assist in the ongoing Kevin Barrup zoning violation on Route 111.

Swim Lessons – Beach House – Sabrina Keller, NEK Swim LLC, would like to offer swimming lessons at the Town Beach. She usually does lessons 2 days a week for 5 weeks. She has \$1,000,000 liability insurance. The Board didn't have a problem but would like her to have a certified life guard.

Development Review Board – Discussion about switching to a DRB will be on the agenda for the next meeting. The Board would like to invite Joan Poutre to the meeting as she was on the DRB in Newport. Bob will have opinions from other towns in the NEK that have made the switch.

ROAD REPORT:

Steve Gendreau and Jason Sicard were present to explain the situation with the gravel stored in our stump dump on Beebe Road. It was Steve's and Jason's understanding that the gravel belongs to Jason and he would sell it to the Town for the cost to crush it. The cost to crush it is the same as we can buy it for in Island Pond. The Town would be saving on the cost of trucking. The Town may be able to use some of the gravel as is for the Eagle Point project. Jason was planning on crushing it all. There is approx. 10,000 yards which is about what we would use in about 2 years. Jason and Grant will meet at some point to survey the pile to determine how much is there and the Board wants to check with Perry to get his input.

West Street is scheduled to be paved soon. Brian has concerns with runoff and speed if it is paved. Speed bumps have been discussed and we need to check with the State to see if it is acceptable. The Rowe's also have concerns with speeders on the road. Better signage will be needed.

It is believed that all material removed from ditching operations now needs to go to an approved site.

The crosswalk at the east end of West Street needs to be repainted. It was not painted last year. It is believed to be the State's responsibility.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, May 22, 2017.

Brian made a motion to adjourn the meeting at 7:24, with Josh seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
May 22, 2017

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

Others: Adam Guyette, Chris Roy, Joe Profera, Vicki Hosford, Paul Prue, Rod Lyon, Bob Kelley.

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

Warrants #11A in the amount of \$18,441.53, and #11B in the amount of \$21,733.63 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of May 8, 2017, with Josh seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Development Review Board Discussion – A DRB takes the place of the Zoning Board of Adjustment and assumes all their responsibilities. The DRB also site plan and subdivision review previously held by the PC. Bob checked with the towns in the NEK with DRBs and all but the UTG were happy with the change. The UTG did not see any difference between a ZBA and DRB. Comments from the towns included; speeds things up, more freedom, much improved, better separation of duties, extremely effective. None have any plans to switch back. Bob thought that it would make permit review easier and quicker for those that require conditional use approval and that it frees up the Planning Commission to concentrate on the Town Plan, Zoning Bylaw and other long term planning. The roles of the Planning Commission, DRB and Zoning Administrator were discussed. VLCT recommends that you make the switch during a slow time of the year. The Board will discuss this further in the fall.

Opening & Closing Beach House – George Horton will not be able to open and close the Beach House for a while due to leg surgery. Josh will contact John & Diane Guyette to see if they can do it until Coutts opens up for the season. Bob will check with Coutts to see if they will open & close the Beach House again this year when their season starts.

Sign Certification of Compliance for Road & Bridge Standards– The certification was signed.

Sign Annual Highway Financial Plan – The Financial Plan was signed.

OLD/OTHER BUSINESS:

Eagle Point Update – Grant and Bob met with the State today and due to all the regulations in dealing with Federal money it looks like this project will not get started until next year. We have a draft MOA and the State is questioning a charge from the Feds. We need to check with Shane Morin to see if State funds are available to install the temporary bridge this year as the culvert will not last through another winter.

Legislative Update – They are waiting to see if the Governor vetoes the budget.

Sewer Allocation Update – Grant, Brian and Bob went to the Village Trustees meeting last week and had a very productive conversation. There is more allocation available than we thought; about 44,000 gpd. Therefore there is not a rush to get additional allocation. We do need to see about expanding/eliminating the sewer districts. Pine Hill is not in a district and it should be expanded north on Route 5.

Junior High Crosswalk – The school is asking if we can chip in \$600 towards the project. It was thought that they got a grant covering all the cost, but that may not be the case. If needed the town may be able to chip in.

Skate Shack Gravel – Sweet Scoops owner Matt Wright would like to gravel the area beside the skate shack as it gets very muddy and was wondering if the Town would supply the gravel. The Board left it up to Perry to check out and do as he sees fit.

ROAD REPORT:

West Street paving was discussed and it is scheduled to be paved the beginning of June. Permanent speed bumps along with appropriate signage and pavement markings will be installed, the number and location still needs to be decided. Pike will loan us signage until we can purchase our own.

EXECUTIVE SESSION:

At 7:15 Brian moved to go into executive session for a personnel issue, with Beula seconding. Unanimous.

At 7:29 the Board came out of executive session. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, June 5, 2017. Brian made a motion to adjourn the meeting at 7:30, with Josh seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
June 5, 2017

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

Others: Joe Profera, Rod Lyon, Bob Kelley.

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

Warrants #12A in the amount of \$17,241.23, and #12B in the amount of \$52,434.16 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of May 22, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Coin Drops – Derby Line Fire Department, DAV, VFW, Derby Line Ambulance, Dailey Memorial Library, and Lake Salem Association all applied for a coin drop this year. The Board decided to continue to only allow 4 per year. Perry moved to grant coin drops to Derby Line Fire Department, DAV, Derby Line Ambulance, and Lake Salem Association, with Josh seconding. Unanimous.

Sign: General Journal Entries, Delinquent Tax Report, Budget Status Report & Balance Sheet Report – All were reviewed and signed.

Municipal Building Quotes – 3 quotes were received to replace trim on the rear of the building: MD Carpentry - \$960, Arthur Stone - \$1,078, and Crockett's Construction - \$1,390. Brian moved to award the bid to MD Carpentry for \$960.00, with Josh seconding. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update – They go back on the 21st to deal with a veto on the budget. Neither side appears to be backing down. Teacher health insurance is the main issue.

Dairy Air Wind – There is an upcoming hearing in Holland. Brian will attend.

GLC Solar – They are continuing to work thru the permitting process.

Beach House – Coutts will be opening and closing the Beach House on weekdays and John & Diane Guyette will be doing it on the weekends.

Tennis Courts – We have received a bid for repairing the cracks from one company and are waiting on 2 other companies to look at it. Since the Jr High uses the courts for classes we need to send them a letter to see if they might help with the cost of the repairs.

ROAD REPORT:

West Street was scheduled to be paved this week, but because of the weather it may be pushed back another week. The cab is on the grader and we are waiting on the glass.

EXECUTIVE SESSION:

At 6:47 Brian moved to go into executive session for a personnel issue, with Perry seconding. Unanimous.

At 7:07 the Board came out of executive session. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, June 19, 2017. Beula made a motion to adjourn the meeting at 7:07, with Brian seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

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

**Minutes
June 19, 2017**

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

Others: Adam Guyette, Vicki Hosford, Karen Jenne, Dan Lewis, Vicky Lewis, Leslie Bonnell, John Bonnell IV, Steve Therrien, Becky Jacobs, Joe Profera, Rod Lyon, Bob Kelley.

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

Warrants #13A in the amount of \$19,366.68, and #13B in the amount of \$50,381.01 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of June 5, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS:

Many spoke out about the negative aspects of big wind turbines and requested that the Select Board enter an appearance opposing the Dairy Air Wind project in Holland. They cited the negative effects on health and property values among other things in their arguments.

NEW BUSINESS:

Recycling Cameras – M&B Monitoring is updating their quote from last year and Bob has asked Round Hill Fence & Security for a quote.

Holland Wind Tower – After much discussion Beula made a motion to intervene in opposition to the Dairy Air Wind project in Holland, with Perry seconding. Ayes – Beula, Perry, Josh. Nays - Brian. The motion passed.

Municipal Building Trim – The rotting boards have been replaced and we need to budget next year to encase the wood trim in aluminum.

Sign Grant In-Aid Project Form – The Board reviewed and signed the Letter of Intent to Participate in the RPC/DEC Municipal Roads Grants-In-Aid Pilot Project.

Review and Approve – Local Emergency Operations Plan – Minor changes were made to last year's plan. The Board approved and signed the 2017 Local Emergency Operations Plan.

OLD/OTHER BUSINESS:

Legislative Update – They go back this week to deal with a veto on the budget and marijuana legalization.

Eagle Point/Johns River Project Update – Grant and Bob met with the State. It still looks like with all the paper work the project will not start until next year and we will need to install the temporary bridge on top of the existing culvert for the winter. Bob is waiting on an estimate from John Gobeil to apply for a State grant.

Cross Walk Update – Grant will check with the School to see what the status is.

ROAD REPORT:

West Street has been paved. The speed bumps may need a little more work. The road crew tried out a small wheeled excavator and they were very impressed with it. This piece of equipment would allow the crew to do ditching work and road side mowing. This would save the Town money by not having to contract out this work. The price is about \$200,000. This would replace our backhoe. Perry will look into it further and see if he can get a better price. Work on the Road Inventory will begin next week.

EXECUTIVE SESSION:

At 7:38 Brian moved to go into executive session for a personnel issue, with Beula seconding. Unanimous.

At 7:47 the Board came out of executive session. No action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, July 3, 2017. Beula made a motion to adjourn the meeting at 7:48, with Brian seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
July 17, 2017

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

Others: Adam Guyette, Michael Koehler, Mary Patricia Goulding, Jean Wilson, Joe Hurley, Roger Gosselin, Paul Prue, Joe Profera, Rod Lyon, Bob Kelley.

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

Warrants #15A in the amount of \$18,436.76, and #15B in the amount of \$150,287.16 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of June 19, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS:

Jean Wilson invited the Selectboard to come for dinner and a tour the new Coutts facility on July 26th from 5:30 – 6:30.

NEW BUSINESS:

Susan Taylor – Invasive Plant Removal – Susan canceled for tonight because she doesn't have all the figures she needs for the Board.

Recycling Cameras – The Board reviewed quotes from M & B Monitoring and Round Hill Fence & Security. Round Hill's quote was slightly less but M & B's quote included an extra camera and an 8 channel DVR instead of a 4 channel. Brian moved to approve the quote from M & B Monitoring for \$2,033, with Perry seconding. Unanimous.

Tennis Court Repairs – Quotes from 3 companies were reviewed. The scope of work varied from filling the cracks to a total rebuild of the courts. The Board felt that they need to begin planning for a total rebuild of the courts, but for now we need to fill the cracks to keep the courts safe to play on. Allie Loukes has asked the Board to purchase 2 Portable Pickleball Net systems @ \$170 each. Beula moved to approve the low bid of \$4,583 from Vermont Recreational Surfacing & Fencing and to purchase the 2 Pickleball nets for \$340 with the funds to come from the Recreation Reserve Fund, with Perry seconding. Unanimous.

Town Forest Proceeds – Brian moved to place \$48,388.89 from last year's logging of the Town Forest into the Recreation Reserve Fund, with Josh seconding. Unanimous.

Memphremagog Watershed Association – Grant Letter of Support – Mary Patricia Goulding explained the purpose of the grant. Beula moved to sign the support letter, with Brian seconding. Unanimous.

Sign: General Journal Posting, Balance Sheet, Budget Status Report, Delinquent Tax Report – All were reviewed and signed by the Board.

Drift Dusters – Trail Issues – Roger Gosselin explained issues they are having on the trail between Nelson Hill Road and Ann Wilson Road. Part of the trail is along a Town legal trail. He is asking for permission to do ditching and fixing a couple of culverts. He is also asking for the Town to sign off on the annual permission for the trail to cross town property and roads with no changes from previous years. Brian move to sign the Landowner Permission Form for the repairs as outlined (see attached photos) and for the trail to cross town property and roads with no changes from last year, seconded by Josh. Unanimous.

Roger also discussed an issue they have with crossing the Before property. Before is refusing to allow the trail across their property because they are upset with the Town over their property assessment. Roger was inquiring if there was anything the club could do to help with this issue.

Unfortunately the 2 issues are not related. Roger discussed their efforts to date to relocate the trail and there is no easy fix.

OLD/OTHER BUSINESS:

Legislative Update – None.

Eagle Point/Johns River Project Update – The State expects to sign the agreement with the Feds and to decide whether to allow a lump sum bid within the next month.

Green Lantern Solar Update – The new rules are now in place and Green Lantern is wondering if the Town is still interested. Bob reported that the Town's attorney said that 10% was a modest savings and that 15% is not unusual. The Board will see if they can negotiate a 15% savings. There is opposition to the proposed solar array and it was felt that with the Town's participation Green Lantern would have a better chance of getting approval for the project.

Beach House – The beach house is in need of another coat of preservative on the logs. It has been over 10 years since it was last done. Brian volunteered to find someone to get the job done.

Abandoned Mobile Home – There has been no progress in getting Rural Edge to remove the abandoned mobile home in their trailer park on Shattuck Hill Road. Bob was asked to contact Rural Edge to see what the problem was.

North Point Land Erosion – Photos were submitted of the erosion and potential environmental issues. Drums, old vehicles, and vehicle parts can be seen in the photos. The photos will be passed along to the State.

ROAD REPORT:

Mike Dumas has submitted his notice of retirement effective July 31, 2017. Beula moved to formally accept his letter of resignation, with Brian seconding. Unanimous.

Joe Hurley of JCB was present to explain their quote for a small wheeled excavator that was discussed at the Board's last meeting. Bottom line is it would cost the Town approx. \$48,000/year for the next 4 years and an additional \$5,000 for the extended warranty. Perry thought that the Town would save that much each year in hired equipment/labor that we currently pay for roadside mowing and ditching. Currently we budget \$18,000 for mowing and \$40,000 for hired labor & equipment. The Board would like more time to think about this. Brian moved to table this until their next meeting, with Beula seconding. Unanimous.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, July 31, 2017. Beula made a motion to adjourn the meeting at 7:17, with Josh seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

**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, Phylisia 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

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
August 14, 2017

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

Others: A. Gordon, Bill Gardyne, Robin Smith, Joseph Gresser, Paul Prue, Joe Profera, Bob Kelley.

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

Warrants #17A in the amount of \$19,529.06, and #17B in the amount of \$247,664.53 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of July 31, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Derby Historical Society – Elephant Slide – Bill Gardyne reported that they should be ready to install the slide in September. The Town offered to help with the excavation for the concrete pad that will be needed.

Fish & Game Road – A petition was received from residents along the road concerning repairs needed. It now appears that the residents along the road are working together to maintain the road and it does not appear that the Town will have to get involved at this point.

Equipment Purchase Figures – The original price of the excavator was \$239,093.00, after discounts it comes to \$206,058.36 and the 5 year extended warranty was added bringing the total to \$210,075.77. With the trade in of the backhoe (\$18,500) and an additional \$11,500 down payment taken from the gravel budget, the final amount to be financed comes to \$180,075.77. Perry moved to purchase the excavator with the extended warranty for \$210,075.77 and finance \$180,075.77 over 4 years, with Beula seconding. Unanimous.

Review & Sign – Delinquent Tax Report, General Journal Register Report, Balance Sheet & Budget Status Report – All reports were reviewed and signed.

Resignation Recycling – Michaela Davis has resigned to attend college. Keith Dennis was hired with a 90 day probation period. Beula moved to pay Keith \$10/hour, with Brian seconding. Unanimous.

Town Party - Beula – The BBQ is this Saturday at 3:00. Everything is all set.

OLD/OTHER BUSINESS:

Legislative Update – There is a possibility that the legislature may have to convene for a short fall session.

Town Forrest – Bill Parizo called and gave the Town the combination for the gate they have put across the new R.O.W. the Town granted thru the Town Forest.

ROAD REPORT:

Fortin Rd has some washout issues. Due to the narrowness of the road and large maple trees on either side it is not possible to put proper ditches along the road. Washouts will be an ongoing issue. We will be putting signs on either end warning that it is a narrow road.

The new truck is in and it came in about \$9,000 under budget.

EXECUTIVE SESSION:

At 6:36 Beula moved to go into executive session to fill a vacant Road Crew position, seconded by Perry. Unanimous

At 6:50 the Board came out of executive session. Perry moved to hire Robert Letourneau at an hourly rate of \$15.00, with Beula seconding. Unanimous

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, August 28, 2017.

Brian made a motion to adjourn the meeting at 6:52, with Beula seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

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

**Minutes
August 28, 2017**

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

Others: Adam Guyette, Paul Stuart, David Ingram, Robert Cowles, Darren Elwell, Tom Cyr, Maryann Tetreault, Jason Dukette, Scott Boskind, Ed Duncan, Lisa Duncan, Linn Elko, Robin Smith, Joseph Gresser, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #18A in the amount of \$18,415.20, and #18B in the amount of \$133,122.64 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of August 14, 2017, with Perry seconding. Unanimous.

PUBLIC COMMENTS:

Robin Smith commented that it is difficult seeing when exiting Kinney Drugs. The road shoulder needs to be mowed.

NEW BUSINESS:

Cross Walk Funding – Scott Boskind – The Board had promised to help the NCUJHS in the cost of installing the cross walk in front of the school. Perry moved to give the school \$600 to help pay for the cross walk, with Josh seconding. Unanimous.

Delinquent Taxes – Tax Sale Properties – Delinquent tax collector Maryann Tetreault asked for the board's guidance on how to deal with 3 properties with delinquent taxes. No one seems willing to pay the back taxes to get the properties. The Mayo property (PIN# RT105076K7T) owes more than \$18,000 in delinquent taxes, interest and penalties. The Loukes property (PIN# ELMST015A5T06) is at \$2,375 and the Frascoia property (PIN# ELMST015A5T07) is at \$1,280. Josh moved to accept a minimum bid of \$5,000 for the Mayo property PIN# RT105076K7T at the next tax sale on September 22, 2017, with Perry seconding. Unanimous. Brian moved to not accept any bid lower than the amount owed for both the Loukes and Frascoia properties, with Perry seconding. Unanimous.

Discussion Tranquility Trail & Jambash Peak – Both Tranquility Trail and Jambash Peak are private roads and the owners along both roads have requested that the town take them over. It was explained that the roads would have to be up to town specification before the town would consider the request. A 50 ft right of way is required with an appropriate turnaround at the end, all culverts would have to be the proper size, the proper gravel base is needed, etc... Perry and Rod will look at the roads and let them know what would be needed to bring them up to Town specifications. Bob will email the people along the road a copy of the Town's Road and Bridge Standards.

Preliminary Discussion – Tennis Courts – The courts will need to be totally rebuilt in the next few years and it is expected to cost close to \$200,000. Grant had spoken with Scott Boskind to see if NCUJHS would be willing to help with the expense since they use the courts for various classes. Scott brought it up at a board meeting and it was not met with a positive response. He suggested that the Town get on the school board's agenda to discuss it in greater detail.

Update on FLAP – Eagle Point & Johns River Bridges – The agreement with the feds has still not been signed. The State will allow the projects to be lump sum bids. The 2 bridges will be bid separately one week apart with the hopes that this will get us the most competitive bids. We are still hoping to be able to install the Eagle Point bypass this fall. As a backup Bob is working

with Shane Morin for funding to put a temporary bridge over the existing culvert. Tim Ruggles is working on an updated cost on the design engineering so that we can amend our State grant.

Town Garage Renovations – Roof & Expansion – It was decided to use Roger Damon for the engineering of the garage expansion needed to accommodate the larger trucks with plows. Grant will send Bob the contact information. The roof is leaking around screws in the metal roof. Larger screws and washers need to be installed.

Sign Reimbursement Request – Schuler Road Paving – The Board reviewed and signed the request.

Sign Excess Weight Permit – James Donovan Trucking – The Excess Weight permit was reviewed and signed.

OLD/OTHER BUSINESS:

Legislative Update – There is a potential saving for the Derby and Brownington schools. Brian passed the information along to the school board.

Derby Welcome Signs – Around the signs need to be landscaped. We need to check with the boy scouts or girl scouts to see if this is something that they want to undertake.

Fish & Game Shooting Range – Grant checked with our legislature to see about funding for and indoor range. He will pass the info on to the Fish & Game Club.

Beach House Interior Lighting – The existing lights are too dull and need to be replaced. Bob will check with Efficiency Vermont to see if there are any incentives for replacing the lights.

ROAD REPORT:

Loader should be in next week. Sand is coming along good.

EXECUTIVE SESSION: None

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, September 11, 2017.

Beula made a motion to adjourn the meeting at 6:56, with Brian seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 11, 2017

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

Others: Paul Stuart, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #19A in the amount of \$17,991.62, and #19B in the amount of \$240,924.95 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of August 28, 2017, with Josh seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Listers – Errors & Omissions – The requested changes were due to appeals to the BCA. 3 parcels were lowered a combined total of \$22,400. Final parcel values are EMST015A5T06 – \$21,300, MDWLN002A6L - \$171,900, and TRD56025B4T - \$589,900. Brian moved to accept the changes, with Perry seconding. Unanimous.

Derby Line Village Center Designation – It is time to renew the Village Center Designation. The Town is the applicant and the Village does all the leg work in filling out the application. Perry moved to approve reapplying for Village Center Designation for the Village of Derby Line, with Beula seconding. Unanimous.

Equipment Notes – Excavator and Loader – The board had previously approve the purchase of the equipment and now are just approving the financing. The loans are both thru the Community National Bank at lower rates than offered by the dealers. Perry moved to approve both equipment notes, with Beula seconding. Unanimous.

Liquor License – Goobs Brew & Barbeque – At 6:08 Beula moved to go into a liquor control meeting, with Perry seconding. Unanimous.

At 6:10 Beula moved to come out of the liquor control meeting, with Brian seconding. Unanimous.

Brian moved to approve the liquor licensed for Goobs Brew & Barbeque, with Josh seconding. Unanimous.

Elevator Agreement Conveyance Inspection – Every year the elevator needs to be inspected. This is with the same company we have been using, Vermont Elevator Inspection Services. This is to extend our contract with them for another 2 years. Beula moved to sign the agreement, with Brian seconding. Unanimous.

Review & Sign – General Journal Entries, Balance Sheet, Budget Status Report, & Delinquent Tax Report – All were reviewed and signed. It was discussed splitting the property tax bills into 2 payments as other towns have done to make it easier for property owners to pay their bill.

OLD/OTHER BUSINESS:

Legislative Update – No special session will be needed in October.

FLAP – Eagle Point & John's River Grant Update – NEPA approval for Eagle Point has been approved. We need to make sure we cut any trees 3" or large before April 15th because of bat habitat. A permanent easement is needed from the Feds because the Eagle Point R.O.W. is only

33' and the footings with wings are 40'. Tom & Claire Roberts and Reg Abbott do not have any issues with the temporary easement needed for the John's River Bridge.

Town Garage – Update on Repairs/Expansion – Grant has been working with our engineer Roger Damon to get stamped drawings for the State. If we have problems getting a contractor to do the job we may have to have our road crew prep the site for the concrete work and then hire out the rest. We should be able to reuse the siding and studs. It looks like we will go with a 12" slab doweled to the existing foundation.

Beach House – We need to get the beach house closed up for the winter and send thank you notes to the John & Diane Guyette, Coutts and George Horton for their help opening and closing the beach house.

ROAD REPORT:

Sand is about ½ done. Schuler Road needs striping. We have 5 years to get all our ditch work done for the general road permit. It is mostly getting rid of berms along the roads. We received letter from Charlie Boys Inc thanking us for our last purchase from them and they included numbers for parts and service.

EXECUTIVE SESSION:

At 6:42 Brian moved to go into executive session for personnel, with Beula Seconding. Unanimous.

Out of executive session at 6:53 with no action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, September 25, 2017.

Brian made a motion to adjourn the meeting at 6:54, with Beula seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 25, 2017

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

Others: Paul Prue, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #20A in the amount of \$31,802.70, and #20B in the amount of \$54,084.88 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of September 11, 2017, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Beach House Site Enhancements - 2018 – The board discussed ways to increase the use of the Beach House. Suggestions included adding grills, a playground, and a pavilion. Upgrading the cameras would also be needed. We would have the winter to research grants that may be available. The Town bought a couple of grills a few years ago that only need to be installed.

Update Recycling Camera's – We have caught a number of people on the cameras dumping things at the recycling center during off hours. It was decided to give first time offenders a written warning if they were just putting cardboard in the cardboard dumpsters and metal in the metal dumpster, all others offenders would be issued tickets. The Ordinance Regulating the Disposal of Refuse allows the Selectboard to appoint an Issuing Municipal Officer to handle enforcement of the ordinance. Brian made a motion to appoint Constable Matt Sheltra as the Issuing Municipal Officer to enforce the Town of Derby Ordinance Regulating the Disposal of Refuse, seconded by Josh. Unanimous.

Update on Zoning Violations – Bob updated the Board on 2 ongoing violations. Barrup on Route 111 is slowly cleaning up his property and it is much better than it was. Therrien on Beebe Road is behind on the cleanup of his property. A few of the items that were supposed to be completed by Sept 1st have not been done. The Board instructed Bob to bring it back to the Courts if it is not in compliance by Oct 1st. It was reported that there are a couple of junk cars across the street from Mack's Cottages on Route 105 that Bob needs to look into.

Salt Shed Renovations – Grant Money – The Town would like to increase the height of the salt shed so that truck can back into the shed to dump the salt rather than having to dump it in front and bucketing it inside. There are 2 potential sources for funding; USDA Community Facilities Grants with 15% funding and an 85% match and Transportation Alternative Grants with 80% funding and a 20% match. Both are competitive but need to be looked into.

Sign Excess Weight Permit – Frances Pion – The excess weight permit for Frances Pion was signed.

OLD/OTHER BUSINESS:

FLAP – Eagle Point & John's River Grant Update – Still waiting on the MOA to be signed by the Feds.

Town Garage – Update on Repairs/Expansion – The engineer should have the stamped drawings completed this week. Grant has estimated it will cost about \$28,000 for the addition plus \$4,000 for electric and \$6,000 for plumbing.

ROAD REPORT:

Pepin's can now do truck inspections which will make things much easier. Everything is in pretty good shape. We may want to consider getting a couple of storage trailers and put a roof over them for storage for the excavator. There is a grant possibility for a hydro seeder and if we can get 2 other towns to share they would fund most of it. If we applied by ourselves it would only be a 50/50 split. We have a meeting tomorrow morning to discuss it with Brownington and Holland.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, October 9, 2017.

Brian made a motion to adjourn the meeting at 6:35, with Perry seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
October 9, 2017

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

Others: Craig Ellam, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #21A in the amount of \$16,484.91, and #21B in the amount of \$59,352.51 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of September 25, 2017, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Review Truck Bids – Five bids were received varying from \$1,989.69 to \$10,275.00. Brian moved to accept the highest bid of \$10,275 from Excavation Stanley Mierzwinski Ltee, with Perry seconding. Unanimous.

Fire Department – Trust Information – Craig Ellam informed the Board that the fire department is the recipient of a trust from Lawrence Renihan in the amount of \$92,782 to purchase equipment and there may be a second trust for a similar amount in the future. Mr. Renihan was on the fire department back in the 40's and went on to become one of the first 100 employees at Hewlett-Packard. The Town will set up a dedicated Derby Line Fire Department Equipment Fund to keep track of this money.

Green-Up Day Donation – The Town donated \$300 last year and that is what the Green Up Vermont is asking for again this year. Brian moved to donate \$300 for Green-Up Day, with Josh seconding. Unanimous.

Review & Sign – General Journal Entries, Balance Sheet, Budget Status & Delinquent Reports – The Board reviewed and signed the above reports. The Board would like the reports sent to them ahead of time so that they can review them prior to the meeting. The staining of the beach house has put us over budget for “beach house care & upkeep”, any overage will be taken out of the Recreation Fund.

OLD/OTHER BUSINESS:

Legislative Update – Talk is that marijuana will be legalized next year. Brian would like to see all income from taxes be put in the Education fund to lower the education tax.

Tax Bills – In order to split the Tax Bills into 2 payments voter approval is needed. The Board would like the Town Clerk to give them the pros and cons of switching to 2 payments.

Tennis Courts – Because it is getting late in the season, the crack sealing will be done in the spring.

Stump Dump Gravel – The Board asked Bob to contact Optimum to calculate the volume of the pile of gravel at the stump dump.

ROAD REPORT:

We are having problems getting glass for the grader cab because it is a special flat tempered glass. Portland Glass is trying to locate some for us.

The Career Center is willing to host a grader training class. The instructor is a certified grader trainer.

Better Roads Grants are due the middle of November. We need to decide if we have Erosion/Stormwater or Culvert projects for next year that we would like to apply for. One

possibility is the culvert at the end of 4-H Road which needs to be extended. We will need to ask the State for a hydraulics report for this location.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, October 23, 2017.

Brian made a motion to adjourn the meeting at 6:54, with Perry seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

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

**Minutes
October 23, 2017**

Present: Grant Spates, Perry Hunt, Beula Shattuck.

Others: Tim Sevall, Joe Cicia, George Brown, Chris Shaffer, Chris Roy, Steve Cross, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #22A in the amount of \$19,031.96, and #22B in the amount of \$6,757,160.25 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of October 9, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Salem Lake Milfoil – Roger Cartee, Andy Major – Mr. Cartee and Mr. Major were not present, but it is the Board's understanding that a small patch of milfoil was found in Salem Lake and will be taken care of this fall.

Errors & Omissions – Listers – Sue Best – Steve Cross was present representing the listers. The property of Lawrence E Jr & Shauna Lewis PID #TRD41028I2T was lowered \$44,600 for the 2016 and 2017 Grand Lists due to an appeal to the State. Due to a property transfer error parcel TRD42001I2T was incorrectly listed to George & Nancy Walker instead of Kingdomgo Corp and parcel TRD41035J2T was incorrectly listed to Kingdomgo Corp instead of George & Nancy Walker. The acreage on TRD41035J2T was corrected resulting in a decrease in assessed value of \$13,200 for the 2017 Grand List. Perry moved to approve the above changes, with Beula seconding. Unanimous

911 Issue Dairninaka Drive – Road Discussion – Listers – Steve Cross – 4 residences on Dairninaka Drive and a 5th one being built. Steve measured from the closest resident to give the new house a 911 number. State would not confirm the number because it was off by a significant amount. This revealed all the houses on Dairninaka Drive were numbered incorrectly. Either all the houses need to be renumbered or the Select Board needs to certify the numbers as they are. The neighbors do not want to be renumbered because of all the headaches involved with having a new address. The Board and listers agree with the residents. The residents are willing to sign a waiver of liability to keep their existing addresses. The Town will put a list of house #s at the beginning of the road. The Town will also put a sign on Darling Hill Road stating "Hidden Drive". Perry moved to keep the road numbers as is on Dairninaka Drive, with Beula seconding. Unanimous

OLD/OTHER BUSINESS:

Legislative Update – None.

FEMA Meeting – FEMA is holding a meeting at the Goodrich Library on November 7th to discuss flood plain mapping. Bob and Perry plan on attending.

Update on Eagle Point Bridge – The bypass is under construction and should be completed this week or next. The State and Feds had a conference call last Friday and should have a revised MOA within the next couple of weeks.

ROAD REPORT:

One truck is at Clarks for electrical repairs. We are working on the Road Inventory.

EXECUTIVE SESSION:

At 6:54 Beula moved to go into executive session for contract and employee issues, with Perry seconding.

Out of executive session at 7:03 – no action taken.

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

Perry made a motion to adjourn the meeting at 7:04, with Beula seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
November 6, 2017

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

Others: Sarah Damsell, Jaret Judd, Jessica Judd, Roger Ashman, David Jacobs, Ernest Judd, Martha Judd, Roger Stoddard, Joe Profera, Bob Kelley.

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

Warrants #23A in the amount of \$18,068.58, and #23B in the amount of \$132,542.07 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of October 23, 2017, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Road Inventory Update – Sarah Damsell – The State has been slow in fine tuning the way the field work needs to be done and what the final product needs to be, therefore the field work didn't begin until September. The field work is 85% done and the project will not be completed by the end of the year when the current contract ends. She asked for an extension in the contract until March 30th of next year. Beula move to extend the contract with OCNRD until March 30, 2018, with Brian seconding. Unanimous.

Update on Bypass Bridge – Eagle Point – The bypass is completed, signage is installed and traffic is now using it.

Errors & Omissions – Listers – Parcel ID #NDRT5026G3T3 owned by the City of Newport for a future water tower was incorrectly listed as tax exempt and it is not. This change will make the property taxable and add \$197,000 to the Grand list. The Board reviewed and approved the Errors & Omissions as submitted by the listers.

Review & Sign – General Journal Entries, Balance Sheet, Budget Status & Delinquent Reports – The Board reviewed and signed the above reports.

Development Review Board (DRB) – The Board discussed the merits of switching to a DRB and decided to proceed with a public hearing to get public input. A public hearing will be scheduled 4 weeks from tonight on December 4th.

Fish & Game Shooting Hours – Ernest and Martha Judd were in complaining about the amount of shooting that goes on at the range. The Fish & Game Club has installed cameras to make sure people are following their rules. As soon as money is available they will be installing a gate with a swipe card so that they can better control who is using the range. Suggestions of an indoor range were discussed, but it doesn't appear to be financially feasible.

OLD/OTHER BUSINESS:

Legislative Update – Brian will be going to a meeting on Nov 30th to discuss upcoming legislation for next year.

Dog Bites – There were 2 dog bites reported. No action is required.

ROAD REPORT:

Truck #3 required \$4,000 in repairs this week. We received a grant for a hydroseeder to be shared with the towns of Morgan and Brownington. Some extra grader training would be nice as Richard is out of service for a while. It was suggested to contact Del Green. In the past he has said he could help out with the grading if needed.

EXECUTIVE SESSION:

At 7:14 Beula moved to go into executive session for contract and employee issues, with Perry seconding.

Out of executive session at 7:29 – no action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, November 20, 2017.

Brian made a motion to adjourn the meeting at 7:30, with Perry seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
November 20, 2017

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

Others: Chris Roy, Paul Prue, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #24A in the amount of \$17,905.65, and #24B in the amount of \$99,102.01 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of November 6, 2017, with Perry seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Derby Line Ambulance – No one from the Derby Line Ambulance showed up for the meeting. There are questions the Board would like answered before the Town gives the Ambulance any more money. Perry moved to suspend all payments to the Derby Line Ambulance until they come before the Board to explain things to them, seconded by Josh. Unanimous.

Derby Beach House- Dandelion Run – This is the 10th Annual Dandelion Run. Brian moved to allow them to use the Beach House on Saturday, May 19, 2018 and to set up on Thursday and Friday, seconded by Josh Provost. Unanimous.

Federal Land Access Program (FLAP) – Grant Money Update – Work is progressing on the Memorandum of Agreement between the Feds, State and Town.

Highway Hire – This will be handled under Executive session.

Approve Liquor License - Walgreens – At 6:03 Beula moved to go into a liquor control board meeting, with Perry seconding. Unanimous.

Walgreens is taking over Rite Aid. At 6:05 Perry moved to come out of the liquor control board meeting, with Brian seconding. Unanimous.

Brian moved to approve the liquor license for Walgreen, with Beula seconding. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update – Brian will be going to a meeting on Nov 30th to discuss upcoming legislation for next year.

Fire Department – The Fire Department has received \$92,782.53 from the Renihan Family Trust to be used for purchasing equipment.

ROAD REPORT:

All trucks are running. We have applied for 3 Better Roads grants to replace a culvert on Fontaine Rd, ditch work in the Fontaine Rd area, and ditch work on Bushey Hill Rd.

EXECUTIVE SESSION:

At 6:25 Brian moved to go into executive session to discuss the 7 applications for the open Road Crew position, with Perry seconding.

Out of executive session at 6:40 – no action taken. Perry and Rod will interview the top candidates and bring a recommendation back to the Board at their next meeting.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, December 4, 2017.

Beula made a motion to adjourn the meeting at 6:41, with Josh seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

**Minutes
December 4, 2017**

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

Others: Jim Bumps, Lawrence Burdick, Dave LaBelle, Dan Batsie, Sue Best, Karen Jenne, Robin Smith, Roger Cartee, Andy Major, Becky Miller, Albert Stringer, Kimberly Bingham, Faye Morin, Judy Nommik, Chris Roy, Paul Prue, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #25A in the amount of \$16,718.44, and #25B in the amount of \$67,006.84 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of November 20, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

PUBLIC HEARING:

For public input on proposal to create a Development Review Board (DRB) - Beula move to recess the meeting to go into the public hearing, seconded by Brian. Unanimous.

Grant read a description of a DRB. The DRB needs 5-9 members and can have alternates. DRB is responsible for all development review functions. The Zoning Board of Adjustment (ZBA) would be abolished. The Planning Commission (PC) would just do planning. Joe Profera likes it the way it is going and doesn't see the need for a change. Jim Bumps (PC) likes the separation of duties and he would rather be on DRB. Dave LaBelle (PC) thinks a DRB more efficient, frees up PC to concentrate on bylaws & plans, makes permitting more streamlined, would recommend 5 members, alternates should attend all meetings. Paul Prue (ZBA) questioned if it does speed up permitting. Bob Kelley (Zoning Administrator) thinks biggest advantage is PC would have more time to focus on bylaws and town plan; also it would speed up permitting process. Grant felt that coordination and communication between PC & DRB would be necessary. Multiple towns in NEK have switched to DRB. The Town would have to select a date for the switch. The Selectboard appoints the members the same as it is now. Karen Jenne likes the current model and thinks that boards should have representatives from villages. The Selectboard picks a timeline for making the switch.

After all comments from the public Josh moved to close the public hearing, with Perry seconding. Unanimous.

Brian moved to proceed with the switch to a DRB over the next month or so, with Beula seconding. Unanimous.

NEW BUSINESS:

Listers (CAI Contract) – Budget Date – The contract with CAI is for the web hosting of our tax maps. The contract is for \$2,400, same as last year. Perry moved to approve the contract, seconded by Brian. Unanimous.

Salem Milfoil – Andy Major/Roger Cartee – Eurasian milfoil was discovered in Lake Salem in August. Divers removed 8 bushels a few weeks ago. We will find out next year if they were successful. It was found between the boat access and Clyde River which usually indicates that it was transported by a boat, but we do not know for sure if it can be transported by fish, birds or any animal. The State is helping with the removal. Mats are to be installed where the milfoil was growing, but with the ice on the lake it may not be until spring.

Derby Line Ambulance (DLA) – Becky Miller and Lawrence Burdick were present to answer any questions the Board has. Becky handed out information to the Board; IRS Tax Issues, Profit & Loss Sheet, Newport-Derby Line comparison, and Selectboard meeting questions. They are in better shape now than they were a couple of years ago. It is tough with volunteers and they are

not able to pay their people as much as they would like which exasperates the problem of keep qualified people on board. Dan Batsie, VT Dept of Health, explained that with all volunteer services there is always some lapse in service. If you want coverage 100% of the time you need to expect a large increase in the cost of the service. They explained how DLA is run and they have hired an accountant to do their books. Brian moved to restore the funding to the DLA, seconded by Perry. Unanimous.

Set Budget Date – A budget meeting was set for Saturday January 6, 2018 at 9:00 AM. The listers will not be able to attend, so they will meet with the Board at the Board's next meeting.

OLD/OTHER BUSINESS:

Stump Dump Gravel – Jason Sicard has started crushing the gravel in the stump dump without permission from the town. The Board will ask him to attend their next meeting.

FLAP Update – The Feds are waiting on the State to comment on the draft MOA. Both projects will need signoffs on Endangered Species, Lakes & Ponds, River & Streams, Wetlands, Flood Plain, Army Corp, and R.O.W. Ruggles Engineering will get us an update estimate for our budget meeting.

ROAD REPORT:

All equipment is up and running.

EXECUTIVE SESSION:

At 7:53 Perry moved to go into executive session to discuss the applications for the open Road Crew position, with Josh seconding.

Out of executive session at 8:00 - Perry moved to offer the road crew position to applicant B at \$15.00/hr while on probation and \$15.50/hr after probation, seconded by Josh. Unanimous.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, December 18, 2017.

Beula made a motion to adjourn the meeting at 8:03, with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

**Minutes
December 18, 2017**

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

Others: Jaret Judd, Jessica Judd, Faye Morin, Jason Sicard, Sue Best, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #26A in the amount of \$20,261.72, and #26B in the amount of \$728,202.90 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of December 4, 2017, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Listers – Budget – Sue Best presented the Board with a 2018 budget of \$95,532.50. This is level funded from last year. Some line items were increased and some were decreased. Salaries have been calculated with a 3% cost of living increase.

Derby Fish & Game Club Exemption Renewal – The Club's property tax exemption expires this year and voter approval is needed to extend their exempt status at Town Meeting. They are requesting that the Board add the warning to the Town Meeting ballot. Brian moved to place a warning on the Town Meeting ballot to ask the voters to exempt the Derby Fish & Game Club from property taxes, seconded by Perry. Unanimous.

JP Sicard Status on Material Hauled – Beebe Road Pit – Jason Sicard was present. There is about 9,000 yds of material stored at the stump dump from when JP Sicard did a project for the Derby Line Cemetery. Sicard will crush it for \$6.75/yd which the same price the Town can buy it for from another source. Sicard has a need for about 3,000 yds for the Derby Line interstate bridge project. It was finally agreed that Sicard would crush the remaining 6,000 yds for \$5.75/yd. Perry moved to buy the remaining 6,000 yds of crushed gravel for \$5.75/yd, seconded by Brian. Unanimous.

Derby Line Ambulance (DLA) Update – Grant has asked DLA for their 2017 profit and loss sheet, he has not gotten a response yet. Because of past issues the Board will require an independent audit as a condition of DLA receiving funding from the Town in 2018. It was thought that if Becky Miller wasn't bonded, she should be. All ambulance services are having financial difficulties and something needs to be done. The Board does not want to be throwing good money after bad.

FLAP - Update – It is hoped the MOA will finally be signed this week. Bob is working with the State on the easements needed.

FEMA Mapping Project – FEMA is updating flood maps for Orleans and Franklin Counties over the next 4-5 years. If the Town has any areas that we feel needs additional study, we should let them know. It was thought that Lake Salem, Derby Pond, Brownington Pond, and Clyde River need more detailed study.

Review & Sign: Balance Sheet, Budget Status Report, Delinquent Tax Report – All reports were reviewed and signed.

Liquor License – Derby Village Store – At 7:04 Brian moved to go into a liquor control board meeting, seconded by Perry. Unanimous.

At 7:05 Brian moved to come out of the liquor control board meeting, seconded by Josh. Unanimous.

Brian moved to approve the liquor license for Derby Village Store, seconded by Perry. Unanimous.

Sign Eagle Point Grant Reimbursement – The Board reviewed and signed the grant reimbursement form.

OLD/OTHER BUSINESS:

Derby Line Bridge over Interstate – Jason Sicard has the contract to replace the bridge over the interstate and is considering closing the bridge during construction rather than having one lane open and was wondering if the Board supported this idea. Traffic would be routed down the interstate access ramps and across the interstate with traffic lights. Josh moved to write a letter of support for closing the bridge during construction, with Beula seconding. Unanimous.

Zoning Violations – The Therrien violation will be going back to court as the Therriens have not complied with the court order. Barrups property on Route 111 needs to be looked into.

ROAD REPORT:

Jason Nye was hired onto the road crew and will start work on Friday. Pike is increasing their pavement price 4% for next year. The Town needs to look into minimum requirements for road crew and see what other towns may have.

EXECUTIVE SESSION:

At 7:19 Brian moved to go into executive session for a personnel issue.

Out of executive session at 7:23 – No action taken.

ADJOURNMENT: There will be no meeting on New Year's Day, January 1, 2018. The next regular meeting is scheduled for 6:00 p.m. Monday, January 15, 2018. There will be a budget meeting at 9:00 AM, Saturday, January 6, 2018.

Beula made a motion to adjourn the meeting at 7:24, with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*