

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

**Minutes
March 22, 2021**

Present: Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck, Karen Chitambar.

Others: Joe Profera, Bob Kelley, Faye Morin, Sue Best, Paul Prue, Renee Falconer, Steven Davis, Mary Paradis, Bob Paradis, Anthony Moccia, Cija Moccia, Nate Hamblett, Tracy Hamblett, Brian Pepin, Gillian Staniforth, Effie Brown, remotely: Peggy Stevens, Robin Smith, Allison Howell, Ed Barber, Joseph Gresser.

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

Warrants #6A in the amount of \$25,548.39 and #6B in the amount of \$38,932.96 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of March 8, 2021, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Allison Howell explained to the Board that she is organizing a cigarette butt clean up day for the end of May. She is working with Northeast Kingdom Waste Management District. She will organize a group, explain what to do and send them out. The Board offered the use of the Municipal building as a gathering place if she needs it.

NEW BUSINESS:

Anthony Moccia – Dog Issue – Anthony Moccia, Cija Moccia, Mary Paradis, Bob Paradis, Nate Hamblett, Tracy Hamblett and Brian Pepin were before the Board concerning Steve Davis’s Doberman, Ruby. They are concerned about the viciousness of the dog and want the Board to do something about it. They are concerned for the safety of children, adults and other dogs. They gave multiple examples of when they were concerned for their safety. Some of their concerns included that the dog barks viciously, has jumped on a walkers back ripping their jacket, chased other dogs, and killed a cat. They consider the dog to be vicious and believe that it is only a matter of time before the something bad happens. One resident now carries a gun with him when he walks. They believe that Mr. Davis’ girlfriend cannot control the dog. Mr. Davis defended his dog. The Board asked Animal Control Officer Renee Falconer what their options were. The Board decided that Mr. Davis needs to install a 5 ft high wire fence and whenever the dog is outside it must be either within the enclosed fence or muzzled and leashed with a maximum 6 ft long leash.

DUMP, LLC – Gillian Staniforth, Effie Brown & Peggy Stevens explained a petition they have started asking the Secretary of the Vermont Agency of Natural Resources (ANR) to designate Lake Memphremagog a “Lake in Crisis”. One of the more alarming issues is that the state has found cancerous lesions in 25% - 40% of Brown Bullhead fish in Lake Memphremagog’s South Bay and Hospital Cove and made a direct link between fish with these cancerous lesions and environmentally contaminated water. DUMP, LLC would like the Board to send a letter supporting the petition to the Secretary of ANR. Karen moved to have the Board write a letter support for the DUMP, LLC petition, seconded by Brad. Unanimous. Grant was authorized to sign the letter on behalf of the Board.

Listers Status – The Board received a letter of resignation from Lister Steve Cross effective March 12th. Brad moved to accept the letter of resignation, seconded by Karen. Unanimous with Brian abstaining.

Seven people have submitted letters wanting to be appointed as a lister. One was not from Derby and would not be considered as you need to be a Derby Resident to be a lister. The Board will review the other six submissions in executive session at the end of the meeting.

State Covid Funding Discussion – NVDA – NVDA has informed us that we are getting \$419,949 through the \$1.9B federal stimulus bill. It was not known what restrictions would be on the money.

Community Project Funding - Welch – The Town received an email from Representative Welch’s office last week that the U.S. House Appropriations Committee has given each Member of Congress authority to nominate up to ten community projects for possible inclusion in the fiscal year 2022 appropriations bills. The Town may suggest a project to Congressman Welch and the deadline is March 31st. The Board discussed asking for funding to rebuild the tennis courts, it could include additional parking and lighting. There is not a known limit on funding so Karen suggested that we load the project up with other things we may want to do with the 16 acres behind the tennis courts, such as walking path, gazebo, playground, etc... Bob and Karen will work on getting something together for Board review and approval.

Review & Sign – Orleans County Sherriff Dept Contract – The Board reviewed and signed.

Review & Sign – Meeting of Selectpersons – The Board reviewed and signed.

Review & Sign Excess Weight Permits – Amerigas, Austin Construction Inc, Bourne’s Energy, Dale E Percy Inc, Matthew Excavating, Vaillancout Transport LLC – Steve reviewed and signed as Road Commissioner.

Review & Sign – Pay Raises – The Board reviewed and signed.

Recreation Committee Update – The Rec Committee had a meeting on Saturday and discussed what the committee will be doing, but did not assign any members. Another meeting is scheduled for April 10th. A draft survey is attached for you to review. Karen asked if the Committee could be increased to 8 members in addition to the Board. The Board approved the increase.

TA & ZA Update – DRB/PC: The DRB has 3 permits scheduled for next week. The PC is continuing review of the bylaw. **Permits:** There have been 31 permits submitted year to date. **Storm Damage – FEMA:** Ruggles will be working to get the Dumas Rd Culvert ready to go out to bid this week. **Grants:** N Derby Rd FLAP Grant – Austin Construction has submitted their slab design for approval. They may miss a time slot for getting the slabs built which could delay the start date. **Chad Worcester, 190 Main St:** The Notice of Violation has been sent. Kurt Nygren is acting on Chad Worcester’s behalf. I talked to him today and he will be getting in touch with Mr. Worcester later this week. **Wednesdays on the Waterfront:** These concerts have been cancelled again this year due to uncertainty about covid restrictions.

OLD BUSINESS:

Legislative Update – The transportation bill will be up tomorrow.

ROAD REPORT:

Steve reported that two paving bids are in and he is waiting for the third one before opening them.

OTHER BUSINESS: None

EXECUTIVE SESSION:

At 7:38 Brian moved to go into executive session for personnel, seconded by Karen. Unanimous.

At 8:08 the Board came out of executive session. They will interview candidates for lister starting at 4:45 PM before their next meeting on April 5th.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 PM Monday, April 5, 2021 and the Board will interview candidates for the open listers positions starting at 4:45 PM prior to the start of their regular meeting. Steve made a motion to adjourn the meeting at 8:11 PM, with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*