

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
October 4, 2021

Present: Grant Spates, Brian Smith, Steve Gendreau, Karen Chitambar (remotely).

Others: Joe Profera, Bob Kelley.

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

Warrants #20A in the amount of \$35,167.44 and #20B in the amount of \$124,192.67 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of September 20, 2021, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Listers – Errors and Omissions – John’s River Apartment– The result of the State hearing was a value of \$189,100. Brian moved to approve a value of \$189,100 for parcel SMSDC013G5C, seconded by Steve. Unanimous.

Sign Appropriations – NEK Human Services – NEK Human Services is requesting an appropriation of \$9,242 to go on the ballot for 2022. This is the same as requested and approved in 2021. Derby’s Appropriations Policy allows the Board to add requested appropriations to the ballot without signatures if they are requesting the same as the prior year. Brian moved to add an appropriation for NEK Human Service onto the 2022 ballot, seconded by Steve. Unanimous.

TA & ZA Update – DRB/PC: Both are not meeting next week because of Indigenous Peoples/Columbus Day. **Permits:** There have been 103 permits submitted year to date. **Storm Damage – FEMA:** The State is checking in to what the holdup is on the reimbursement on the work done by our road crew. The work done by contractors is awaiting environmental review. Dumas Rd is also awaiting environmental review and I will be sending FEMA the last of the invoices this week. **Grants:** N Derby Rd FLAP Grant – GPI went over budget and still has a little more work to do. The reason for being over budget is due to the hours that Del was on site. They are asking if the Town would consider amending their contract. The current contract reads “The total amount to be paid to the CONSULTANT for all services shall not exceed a maximum limiting amount of \$33,558.00”. GPI will be approximately \$3,800 over budget when all the work is completed. The FLAP Grant will cover 80% of the additional cost. Brian moved to amend the contract to not exceed \$37,358.00, seconded by Steve. Unanimous.

OLD BUSINESS:

Legislative Update – None.

Driveway Culvert Policy – The Board reviewed changes made to the draft policy at their last meeting. Steve moved to approve the following Driveway Culvert Policy, seconded by Brian. Unanimous.

Driveway Culvert Policy - Town of Derby

Purpose: The purpose of an accepted driveway culvert policy is to define the scope of procedures for the Highway Crew relating to residential driveway culverts within a Town Road Right of Way. New driveways require an access permit and approval from the Derby Road Commissioner.

Procedure: The property owner is responsible for purchase and proper installation of their first driveway culvert upon approval of an access permit. The new driveway must be inspected and approved by the Highway Foreman after construction. The Highway Crew will monitor individual residential driveway culverts for proper function; or upon

the request of the resident to inspect a failed driveway culvert. If deemed failed by the Road Foreman the Town will be responsible for replacement or repair of one primary residential driveway culvert per property.

If a property has two driveways with culverts, the property owner is responsible for the replacement or repair of the secondary culvert. If a secondary culvert has failed and the property owner does not replace or repair it, the Town will close the access, remove the failed culvert and reestablish the roadside ditch.

Materials: The Town will replace with the proper sized culvert to meet State and Town road standards and gravel as needed. The property owner is responsible for any paving.

Poulin Land - There is approximately 11 usable acres and the Town purchased the property for \$160,000. This comes to approximately \$15,000/usable acre that the Town paid for the land. The Board would like to offer small pieces of land to the abutting property owners along Main Street. The lots would vary between 0.09 acres and 0.22 acres. The Board decided to offer the lots to the abutters for the equivalent of \$15,000 per acre plus \$500 for attorney fees. The prices will vary from \$1,850 to \$3,800.

ROAD REPORT:

A few trees along Darling Hill Road are being cut.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

Land Sale – The Board decided Executive Session was not required. The Board has offered a 49.5' x 66' piece of land to the Kacel Family Trust, Larry Fortin Trustee, for \$1,000 plus all legal fees and associated costs. The Kacel Family Trust property abuts this land on 3 sides. The Kacel Family Trust has agreed to the offer. Brian moved to proceed with the land sale for \$1,000.00 plus all attorney fees and associated costs being paid by the buyer, seconded by Steve. Unanimous.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, October 18, 2021. Brian made a motion to adjourn the meeting at 6:30 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*