

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JANUARY 10, 2011

PRESENT: Brian Smith, Beula Shattuck & Steve Gendreau

OTHER'S PRESENT: Dave Lebelle, Bob Kelley, Dick Delfavero, Joe Proferra, Lois Major and Scott Warthin

CALLED TO ORDER – 6:35 P.M.

RULES OF PROCEDURE:

Beula moved to waive with Steve seconding. Unanimous

APPROVAL OF MINUTES:

Beula moved with Steve seconding; minutes were approved unanimously.

SIGN WARRANTS:

Warrants number 1-A signed in the amount of \$12,144.72, and 1-B in the amount of \$68,118.20.

ROAD REPORT:

The new truck is in. Less than 1/3 of the sand has been used.

LIQUOR LICENSE RENEWALS:

Steve moved to go into a liquor control board hearing at 6:36 to review applications, Unanimous. Out of liquor control board at 6:37. Steve moved to sign all applications as submitted, with Beula seconding. The following license applications were signed:

- Derby Village Store
- Northeast Pizza
- Kenny Drugs
- Price Chopper
- G & T Bliss Corp.

ZONING & PLANNING

Bob Kelley will check to see if advertising is needed for reappointments to boards.

TOWN POLICIES

Were briefly discussed and will be discussed at the next meeting.

EXECUTIVE SESSION – In Executive session at 6:53 - Barrup Appeal
Out of Executive session at 7:10

Steve made a motion to hire Stizel, Page & Fletcher and Beula seconded.
Unanimously approved.

EXECUTIVE SESSION – In at 7:20 and Out at 7:40 Personnel

ADJOURNMENT

Meeting adjourned at 7:40 p.m.

NEXT MEETING:

Next meeting scheduled for Monday, January 24, 2011, at 6:30 p.m.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JANUARY 24, 2011

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

Other's Present: Dave LaBelle, Bob Kelley, Joe Profera, Sue Best, Andy and Lois Major, Fran Batchelder, Ken St. Louis, Irene Dagasse

CALLED TO ORDER –

Meeting called to order at 6:32

RULES OF PROCEDURE: Laura moved to waive with Karen seconding, approved.

APPROVAL OF MINUTES: Minutes of January 10th moved to approve by Steve with Brian seconding. Motion carried.

SIGN WARRANTS: Warrants number 2-A was signed in the amount of \$12,760.81, and #2-B in the amount of \$30,431.37.

ROAD REPORT:

Steve reported the roads are good, and the weather has been extreme but things are working well. The new truck has been delivered; Truck Number 2 is now functioning properly. Logging the town forest is on schedule and there is plenty of snow.

Another inquiry came in about the town taking over the town road but we had requested more information about the road upkeep, and want to make sure more businesses appear before we take over this road. Bob will research the process of taking over a road.

2011 BUDGET:

Approve 2011 Budget: Laura moved to approve the proposed 2011 budget as presented with the following change: reduce the Road Commissioner line item from \$10,000.00 to \$5000.00, which will reduce the total highway department budget by \$5000.00, the new number will be \$810,200.84, with Karen seconding, which will reduce the total budget by \$5000.00.

2011 WARNING:

Sign 2011 Warning; Karen moved to approve the warning with Steve seconding, and the motion passed unanimously.

LIQUOR LICENSE RENEWALS:

Sign Liquor License Renewals: Karen moved to go into a liquor control board meeting at 8:10 with Steve seconding.

The Short Stop
Brenda's Homestyle Cooking
Charbo Camp Ground
Jesco Corporation/Substation
Circle K
Thompson's Redemption
Wesco Inc/Champlain Farms
Brockton Corp/Shaw's

Steve moved to come out of liquor control hearing at 8:18 with Karen seconding. Unanimous. Steve moved to approve all liquor control and tobacco licenses as presented, with Karen seconding, unanimous.

ARBITRAGE BORROWING:

Sign Arbitrage Borrowing Document: Steve moved to sign the arbitrage agreement with Community National Bank, with Karen seconding. The motion carried.

REVIEW POLICIES:

Laura moved to adopt the Town of Derby Smoking and Tobacco Policy as presented in a draft of 11/18/2010. Karen seconded with Steve voting no. Brian voted in favor of the adoption and the motion carried.

The board is going to continue to review the leave accruals proposed. Benefits will begin on the first day.

RECYCLING:

Irene and Fran brought information to show the board that will be included in the town report, as well as a new flier. The traffic pattern will change, as will the expectations of people dropping off their recycling. Anyone who needs help due to disability, age, etc., will have attendants available to assist.

Laura moved to go into executive session at 7:07 to discuss recycling center personnel. Out of executive session at 7:37 with no action taken.

BOARD APPOINTMENTS:

Some planning commission and zoning board appointments expire at the end of March. Bob will advertise the zoning position.

EXECUTIVE SESSION

Steve made a motion that Sue Best gets equal pay as the other 2 listers, which is \$14.75 per hour, with Karen seconding. Unanimous.

Karen moved to go into executive session at 8:25 with Steve seconding. Unanimous.

Out of executive session at 8:45 with the following action: John Joli is benefited and therefore accumulates leave at the appropriate rate.

Laura moved to hire Tucker Jacobs, a youth for a 90 day probationary period, at \$6.25 not to exceed \$25.00 per week, to work under John Joli at the skating rink or other odd jobs if warranted, to allow him to prove himself. The board will make a determination based on job performance evaluation at that point if he should continue in this capacity. Karen seconded this. The motion carried.

ADJOURNMENT

Next meeting scheduled for Monday, February 7, 2011, at 6:30 p.m., at the town clerk's office.

Meeting adjourned at 8:50. P.M.

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

Minutes

JANUARY 24, 2011

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

Other's Present: Dave LaBelle, Bob Kelley, Joe Profera, Sue Best, Andy and Lois Major, Fran Batchelder, Ken St. Louis, Irene Dagasse

MEETING CALLED TO ORDER – 6:30 P.M. Meeting called to order at 6:32

ROLL CALL

Reading of Rules of Procedure, Laura moved to waive with Karen seconding, approved.

Approval of Minutes: Minutes of January 10th moved to approve by Steve with Brian seconding. Motion carried.

Sign Warrants: Warrants number 2-A was signed in the amount of \$12760.81, and #2-B in the amount of \$30431.37.

ROAD REPORT:

Steve reported the roads are good, and the weather has been extreme but things are working well. The new truck has been delivered; Truck Number 2 is now functioning properly. Logging the town forest is on schedule and there is plenty of snow.

Another inquiry came in about the town taking over the town road but we had requested more information about the road upkeep, and want to make sure more businesses appear before we take over this road. Bob will research the process of taking over a road.

NEW BUSINESS

Approve 2011 Budget: Laura moved to approve the proposed 2011 budget as presented with the following change: reduce the Road Commissioner line item from \$10,000.00 to \$5000.00, which will reduce the total highway department budget by \$5000.00, the new number will be \$810,200.84, with Karen seconding, which will reduce the total budget by \$5000.00.

Sign 2011 Warning; Karen moved to approve the warning with Steve seconding, and the motion passed unanimously.

Sign Liquor License Renewals: Karen moved to go into a liquor control board meeting at 8:10 with Steve seconding.

The Short Stop

Brenda's Homestyle Cooking

Charbo Camp Ground

Jesco Corporation/Substation

Circle K

Thompson's Redemption

Wesco Inc/Champlain Farms

Brockton Corp/Shaw's

Steve moved to come out of liquor control hearing at 8:18 with Karen seconding. Unanimous.

Steve moved to approve all liquor control and tobacco licenses as presented, with Karen seconding, unanimous.

Sign Arbitrage Borrowing Document: Steve moved to sign the arbitrage agreement with Community National Bank, with Karen seconding. The motion carried.

Review Policies:

Laura moved to adopt the Town of Derby Smoking and Tobacco Policy as presented in a draft of 11/18/2010. Karen seconded with Steve voting no. Brian voted in favor of the adoption and the motion carried. The board is going to continue to review the leave accruals proposed. Benefits will begin on the first day.

Recycling: Irene and Fran brought information to show the board that will be included in the town report, as well as a new flier. The traffic pattern will change, as will the expectations of people dropping off their recycling. Anyone who needs help due to disability, age, etc., will have attendants available to assist.

Laura moved to go into executive session at 7:07 to discuss recycling center personnel. Out of executive session at 7:37 with no action taken.

(Please put recycling on the agenda for the next meeting)

OLD BUSINESS REPORT

Board Appointments: Some planning commission and zoning board appointments expire at the end of March. Bob will advertise the zoning position.

EXECUTIVE SESSION

Steve made a motion that Sue Best gets equal pay as the other 2 listers, with Karen seconding. Unanimous.

Karen moved to go into executive session at 8:25 with Steve seconding. Unanimous.

Out of executive session at 8:45 with the following action: John Joli is benefited and therefore accumulates leave at the appropriate rate.

Laura moved to hire Tucker Jacobs, a youth for a 90 day probationary period, at \$6.25 not to exceed \$25.00 per week, to work under John Joli at the skating rink or other odd jobs if warranted, to allow him to prove himself. The board will make a determination based on job performance evaluation at that point if he should continue in this capacity. Karen seconded this. The motion carried.

OTHER

**To Transact Any Other Business
Public Comment**

ADJOURNMENT

Next meeting scheduled for Monday, February 7, 2011, at 6:30 p.m., at the town clerk's office.

Meeting adjourned at 8:50. P.m.

Please email me these for editing.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
FEBRUARY 7, 2011**

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

OTHER'S PRESENT: Dave LaBelle, Joe Profera, Carol Boucher, Bob Kelley, Gayle Phillabaum, Andy and Lois Major, Dave Yergeau, Mark Barardo, Fran Batchelder, Andy Laliberty, Edmund Mason, Irene Dagasse, Jason Brueck, Jean Wilson, Paul Tomasi, Maureen Fountain

MEETING CALLED TO ORDER – 6:30 P.M. Meeting called to order

RULES OF PROCEDURE:

Karen moved and Beula seconded to waive the reading of the rules; unanimous.

APPROVAL OF MINUTES:

Beula moved to approve the last meeting minutes, with Karen seconding. Unanimous.

SIGN WARRANTS:

Warrants number 3-A was signed in the amount of \$12,868.27, and #3B in the amount of \$325,679.84.

ROAD REPORT:

Lots of snow, lots of salt and sand. No place to put the snow. They are pushing snow back. They will look at snow on town property roofs.

Steve moved to sign the certificate of mileage for District 9 Agency of Transportation with Laura seconding; unanimous.

An over weight permit was signed for Gosselin Water Wells and RG, Inc. The Town forest project is expected to begin on Wednesday.

VERMONT MOTOCROSS ASSOCIATION:

Dave Yergeau – VT Motor Cross Association requested a permit for this year, same schedule as last year, same insurance; they will have one work weekend after the snow melts. No changes in anything. Things went well last year. Beula moved to accept the request as presented with Laura seconding, the motion carried unanimously.

RECYCLING:

Paul Tomasi from Waste Management; Irene Dagasse and Fran Batchelder from Derby Recycling Committee, and Andy LaLiberty and Edmund Mason from the Department of Corrections (DOC), were present to discuss proposed efficiencies in running the new Recycling Building. The new station is just about finished and it's time to plan a big community celebration. First we need to get the plan in place to have it run properly for the design. Paul presented a model for recycling that has been successful that requires people to be more independent in processing their recyclables. Because of the size of Derby, we should consider something that encourages people to sort their own materials, bring them already sorted, and bring it into the correct bin. When the stuff is clean, it sells higher. Anyone who is not able to walk or is disabled in some way that prevents them from bringing materials into the bins will have assistance by an attendant. The place needs to be kept clean, and traffic will flow slightly different. The bins will always be in the same place. Paul will also help with an experienced person to help orient people.

The DOC has not been able to be consistent with manpower due to a variety of circumstances beyond their control. Andy always arranges to have at least 10 because he knows only a few will actually show up. He charges us only \$50 per month no matter how many people. We'd like to have no more than 2 or 3 people show up, and we'll be starting Wednesday's in May. It is hard to rely on people to show up with this particular population. They need a strong supervisor. DOC can provide a supervisor and 2 guys for about \$20.00 per person. The board liked this idea and the Committee will explore further and come back with a plan for supervision. Every one realizes that no one likes changes and there will undoubtedly be a time of transition as the public gets trained on how to use the new but much more efficient recycling program.

DAILEY MEMORIAL LIBRARY:

Would like to use the Derby Green for arts and crafts fair on August 6, 2011. Laura moved to approve this request with Karen seconding. Unanimous.

Official launch for capital campaign and will have a display at town meeting, and they'd like to put a display in the town office.

CAROL BOUCHER – COUTTS MORIARTY:

Requested a coin drop for this year; they were not on the list last year. The camp is going to merge with Siskin Ecological Adventures. They are looking at revamping the buildings. They have cleared act 250; the septic is grandfathered. The front building will eventually go away and another one will replace it. They will work with the select board for a new building design. They expect the foundation and septic in place in the fall.

SIGN LIQUOR LICENSE RENEWAL:

Laura moved to go into liquor license renewal applications at 7:20, with Steve seconding.

Cow Palace and Rite Aide

Out of Liquor License hearing at 7:20; Karen moved to sign these two liquor licenses with Steve seconding. Unanimous.

SIGN FIRE TRUCK RENEWAL NOTE:

Laura moved to sign this note with Steve seconding. Unanimous. 2.33% for the sum of \$200,000.00.

SIGN LISTER FORM:

Laura moved to sign 2009 Grand List form # PVR 4155.08 with Karen seconding. Unanimous.

ADJOURNMENT

Next meeting is scheduled for Monday, February 21, 2011, at 6:30 p.m.

Meeting to adjourn at 7:33.

Unofficial until approved.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
FEBRUARY 21, 2011**

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

Other's Present: Bob Kelley, Scott Warthin, Joe Profera, Irene Dagasse

MEETING CALLED TO ORDER – 6:30 P.M.

READING OF RULES OF PROCEDURE:

Laura moved to waive the reading of the Rules, with Karen seconding, unanimous.

APPROVAL OF MINUTES: Karen moved to approve with Laura seconding.
Unanimous.

WARRANTS:

Warrant number #4-A was signed in the amount of \$12,921.23 and 4-B in the amount of \$22,141.36.

ROAD REPORT:

One of the doors in the town garage was damaged and needed to be repaired. Now all the doors have a brace in the center and this is a good investment. The new truck is working out well. Enough salt and sand is available. Only one truck needed to be repaired other than routine maintenance. The wind has caused a lot of snow drifts. The town forest thinning project is moving ahead as planned.

Steve signed an overweight permit for Clem-Dee Inc.

SIGN MOTOR CROSS RACE PERMIT:

Rider Hill Race Track Permit: Laura moved to approved as submitted with Karen seconding. Unanimous, and the license permit was signed.

RECYCLING

Irene Dagesse – the time has come to arrange for electric to be installed in the recycling building along with one electric baseboard heat source. Tom Rooney at the school is going to wait for better weather before the school finishes the building. Steve will organize and consolidate the left over materials in the interim. We need to schedule a grand opening for the building/training session for the public at the same time.

EXECUTIVE SESSION:

Karen moved to go into executive session at 6:50 with Steve seconding to discuss personnel. Out of executive session at 7:27, with no action taken.

ADJOURNMENT:

Meeting adjourned at 7:30

NEXT MEETING

Next meeting scheduled is Town Meeting, at the Derby Elementary School, Elm St., Derby Line, Vt., Monday, February 28, 2011, beginning at 7:00 p.m.

Unofficial until approved.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
MARCH 21, 2011**

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

Others Present: Phil White, Barb Whitehill & Jane Clark, Bob Kelley, John Joly, Scott Warthin, Joe Profera, Irene Dagesse, Fran Batchelder

CALLED TO ORDER – Meeting called to order at 6:30

RULES OF PROCEDURE: Beula moved with Karen seconding. Unanimous

APPROVAL OF MINUTES: February 21 minutes moved to approve by Karen, seconded by Beula, unanimous

SIGN WARRANTS: Warrant Number SB6 was signed in the amount of \$24,618.04, and #6-A was signed in the amount of \$13,846.13.

ROAD REPORT:

Steve reported that the snow banks are all pushed back and tomorrow is supposed to be another snow storm. Sand level is ok and we had to buy a little more salt. Town forest has been logged and they are working on removing the wood. Everyone is trying to get their wood lots out of the forest before the thaw.

EXCESS WEIGHT PERMITS:

Steve signed over weight permits for the following businesses:

- New England Quality Service, Inc, DBA Earth Waste Systems
- Feed Commodities International Inc.
- Curtis Lumber Company
- Real Desrochers
- Barrett Trucking Company Inc.
- Newport Sand and Gravel, Inc./Carroll Concrete Company Inc.

RE-ORGANIZE BOARD:

Laura moved to approve the following appointments: Brian as Chair, Beula as vice-chair, Laura as clerk, Steve Gendreau as Road Commissioner, George Hardy as Pound Keeper, Select board as Inspector of Lumber, Rick Geisel as fence viewer, Select board as weigher of Coal, Joe Profera as tree warden, Craig Ellam as Fire Warden, Town Service Officer is vacant, Fred Tyburski as Energy Coordinator, Brian Smith is Agent to sign deeds, Craig Ellam is Civil defense, Bob Kelley is Zoning Administrator, Planning commission members are Cynthia Adams and Dave LaBelle, and zoning board member is Joe Profera. Newspaper of record is Newport Daily Express. Beula seconded, unanimous.

LIQUOR LICENSE RENEWALS:

Beula moved to go into a liquor license meeting at 6:45. Newport Elks Lodge. Out of Liquor control meeting at 6:45. Karen moved to sign the license as presented, with Beula seconding. Unanimous.

NVDA Foreign Trade Zone Grant

NVDA submitted a letter of support to be included in the Foreign Trade Zone. Beula moved to sign the support letter, with Karen seconding. Unanimous.

IRENE DAGESSE & FRAN BATCHELDER– RECYCLING

New traffic pattern is already in place. Extended hours will begin Wednesday, May 1 through November 1, 3-6. Facility needs to be finished by the end of school. Doug's Electric needs to finish and in order to do so will coordinate with Tom Rooney. Last Saturday of April and First of May will have NEK Waste District Support to help guide people to learn the new process.

JANE CLARK & BARB WHITEHILL – DAILEY MEMORIAL LIBRARY

Update on Library Expansion project. They brought in a copy of their financial asset and expense sheet. Fiscal year starts October 1. They did get a \$30,000 planning grant from the Vt. Community Foundation. They are undertaking a massive building fund raising effort. Jesse Mitchell Estate bequeathed some cash and bank stocks. These monies will cover operating expenses once the building expansion is complete. They also have another bequeath. They have projected their operating costs as part of their grant proposal. They will rent space as well, with room for 100 seats.

PHIL WHITE – IROC – PERMIT REQUEST

State Public Assembly permits required for some of their events due to the size of the events. IROC is here to ask for formal approval to submit with permit applications. There are 3 events. 1) Dandelion Run, 2) Tour de Kingdom, and 3) Triathlon. Beula made a motion for Laura as clerk of the board to sign these letters of support, with Karen Seconding. Unanimous.

Phil asked the town of Derby for \$2,000.00 to support each of these events. Steve moved that we donate the \$2,000.00 to support these events, Laura seconded. Discussion included the request for Phil to seek funding from additional towns, as well as the fact that IROC has been a good thing for Derby, and many local people benefit, including Derby kids get to come to IROC for free, and they charge many people to join leagues. It has worked and been a long road as an asset for Derby. Beula voted no, the motion passed.

EXECUTIVE SESSION

Beula moved to go into executive session to discuss personnel at 7:30, with Karen seconding. Unanimous. Out of executive session with no action taken at 8:07.

NORTH COUNTRY UNION SCHOOL BOARD:

Jesse Tatum has resigned from the NCUHS board, please notify the school board.

TENNIS COURTS:

Lake Region has requested to use our Tennis Court's on April 8, 11, 29th and May 18th. Bob will notify them of our approval.

FAIRPOINT POLE REPLACEMENT

Fairpoint has requested to replace some telephone poles.

NEXT MEETING

Next meeting scheduled for Monday, April 4, 2011

ADJOURNMENTS:

Meeting adjourned at 8:15.

Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING MINUTES

April 4, 2011

Members present: Brian Smith, Steve Gendreau, Beula Shattuck and Karen Jenne.

Others present: Susan Best, Bob Kelley, Joe Profera, Steven Mengel, Dick DelFavero, and Sherry Aubin.

Meeting called to order at 6:30 pm. by Brian Smith.

Select Board order #7 A for \$14,914.11 was reviewed and signed.

Select Board order #7 B for \$59,359.96 was reviewed and signed.

Beula moved to waive the reading of the Rules of Procedure, Steve seconds and it was so voted.

The minutes of March 28, 2011 were approved as written on a motion by Beula, second by Steve and so voted.

Beula moved to go into executive session at 6:34 pm to interview zoning board candidates second by Steve and so voted. The board resumed open session at 6:55 pm.

Steve moved to appoint Dick DelFavero to the Zoning Board for a four year term second by Beula and so voted. Steve moved to appoint Steven Mengel as an alternate to the Zoning Board for a three year term, Beula seconds and it was so voted. Steve moved to appoint Sherry Aubin to a four year position as an alternate to the Zoning Board, second by Beula and so voted. Steve noted that it was nice to have more interest in the positions this time.

Susan Best presented a letter (see attached letter) on behalf of the Derby Line Events Committee asking for \$2500.00 for the 10th Annual Community Day celebration. Brian looked in the recreation budget and Steve asked if this was a one time increase over last years because it was the 10th year. Susan said yes as the committee wanted to do some special things. Beula moved to donate \$2500.00 to the Derby Line Community Day event, Karen seconds and it was so voted.

Brian stated that the Town had received a \$450.00 donation to the recreation fund from the Vermont Moto Cross Association (Rider Hill).

Steve moved to go into a liquor control board hearing at 7:08 pm second by Beula and so voted. The Board came out at 7:10 pm.

Beula moved to approve the license as presented for Griff's second by Steve and so voted.

Beula moved to appoint Bob Kelley as the Town Service Officer second by Steve and so voted.

Road report. Steve and Brian met with Scott Keysar and the Town has a year to comply with State standards which we are working on. Beula moved to sign the standards form second by Steve and so voted.

High risk roads, Shattuck Hill will get new signs and a review there will be little charge to us possible ten percent. Bob is to follow up on this.

The meeting adjourned at 7:30 pm

Respectfully submitted

Karen Jenne, Acting Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
April 18, 2011

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

Others Present: Lois and Andy Major, Carol Boucher, Bob Kelley, Jane Clark, Barb Whitehill, Kirk Martin, Sharon Roy, John Stevens, Robin Smith, Bob DeRhoen, Ann Sparrow, Jean Wilson, Fran Batchelder

CALLED TO ORDER – Meeting called to order at 6:35 p.m.

RULES OF PROCEDURE: Beula moved with Laura seconding to waive the reading of the rules. Unanimous

APPROVAL OF MINUTES: April 4th minutes moved to approve by Beula, seconded by Laura, unanimous

SIGN WARRANTS: Warrant Number 8-A in the amount \$12, 632.12, and #8-B was signed in the amount of \$29,036.53, and 7-A in the amount of \$12,919.54.

ROAD REPORT:

Steve signed 6 overweight permits.
Cardinal Logistics Management Corp.
Michael L. Townsend
Calkins Sand & Gravel
Camp Precast Concrete Products, Inc.
United Natural Foods, Inc.
Kelley-View Farm, Inc.

It appears winter won't end. Steve is getting prices for black top. West St. is giving problems with erosion so the crew is studying this situation. There is one spot on the black top that needs to be addressed on Hinman Settler Road. There is a growing pot hole near Price Chopper and Quarry Road. Cars are cutting the corner too close. The bottom of Darling Hall is causing some problems, too.

Fred Oescheger and Jim Mulkin have written a letter requesting the town take over Commerce Road. They state they have built all the infrastructure required and believe the road is ready to be taken over by the town. The town is waiting for more businesses to materialize before taking over the road, and we had asked the applicants for their numbers on upkeep. We believe the road is built above standards. The only businesses on the road at this time are Tractor Supply and Auto Outfitters. The concern is that this will be costly for the town at this time.

Equipment & Sand and Gravel Bids:

Steven opened all the bids and will ask Nicole to put these on a spread sheet.

Gravel Bids received from:

Robert DelaBruere

Kingdom Gravel, with John Stevens personally present.

Equipment Rental Bids received from:

3D3JPXE Inc.

Tetreault's Maple Farm, LLC

S&J Construction

Jason Patenaude Excavating

Ronald Moulton

Patenaude Bush Hogging

Omer Choquette

JANE CLARK & BARB WHITEHILL – DAILEY MEMORIAL LIBRARY

Requests \$21,000.00 of HUD money be donated to the Library Expansion Project, as was the amount given to the Historical Society. Right now they are working with a \$30,000.00 planning grant and have chosen Mark Stewart as the project architect. This \$21,000.00 would go towards construction costs. The board asked ZA Bob Kelley to clarify with HUD to be sure that this meets their criteria, along with all reporting requirements, as he did with the Historical Society. There is \$41500.00 left in the account. Bob is on the Library committee and fully disclosed his volunteer capacity.

Coutts Moriarty – Carol Boucher

Coutts Moriarty and Sisken Ecological Adventures have completed a merger, and are looking towards rebuilding some buildings to include a dining hall and winterize another building. They are also asking for HUD money to support their building campaign. The coin drop will go towards scholarships. Bob Kelley will research this as well the library request, noted above.

Sheriff's Department

Sheriff Kirk Martin came in with the voter approved sheriff's contract. The board signed the contract.

Liquor License Renewal

Beula moved to go recess to look at liquor licenses at 6:58, with Steve seconding.

China Moon

Derby Candle Pin Lanes

Out of liquor license meeting at 6:59. Beula moved to sign the licenses as presented, with Laura seconded, unanimous.

Other Business:

Annual town meeting minutes; moved to approve by Beula with Steve Seconding.
Unanimous.

NEK Waste Management Household Hazardous Waste Event

Laura moved to approve a contract outlining the Annual Household Hazardous Waste event, with Beula seconding. The date of HHW collection is June 4, 2011, from 9 a.m. until 1:00 p.m. at the Derby Recycling Center. unanimous. A Recycling Center open house is scheduled for Saturday, April 30, 2011, to showcase the new building and new recycling expectations.

The family and friends of the late Cody Skinner want to erect a granite bench at the Smith Park in memorium. Cody was a young active fisherman, from Derby, who was sadly lost in a bad car accident this past fall. The location would be on the Smith Park down near the Clyde River. The board approves this in concept.

A green up day group would like to use the town green by the junior high to use the area for dispensing green up tools and literature. If there is coordination required, then coordination will have to take place with Bob Kelley, this mystery group, and Terry Tice at the Road Crew Foreman. Bob will follow up to confirm the group and criteria.

Janet Johnson with the USTA tennis team would like to use the tennis courts on Friday, June 3rd for a tournament. As long as this does not interfere with Lake Region's scheduled requests, then they may use it. Steve will begin the process of moving snow at the tennis courts to make room for a porta-potty.

EXECUTIVE SESSION

Laura moved to go into executive session to discuss personnel at 7:25 with Steve seconding.

Out of executive session at 7:40 p.m.

Action moved to give John Joli 154 additional hours per year. The town will end the contract with the Department of Corrections.

ADJOURNMENTS:

Meeting adjourned at 7:40 p.m.

Next meeting is scheduled for May 2, 2011, at 6:30 p.m.

Unofficial until approved.

TOWN OF DERBY, VERMONT

**SELECT BOARD MEETING
MINUTES
MAY 2, 2011**

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

OTHER'S PRESENT: Don Johnson, Joe Gressor, Bob Kelley, Joe Profera, Matt Wright, Scott Warthin, Scott Webster, and Tom Coulter

CALLED TO ORDER – 6:32 P.M.

RULES OF PROCEDURE: Beula moved with Karen seconding. Unanimous.

APPROVAL OF MINUTES: Beula moved with Karen seconding, unanimous.

SIGN WARRANTS: Warrants number #9-A was signed in the amount of \$11,811.85, and # 9-B in the amount of \$91,349.24.

ROAD REPORT & BRIDGE INSPECTION REPORTS:

Steve made a motion to sign the bridge reports on Bridge St., with Beula seconding. The steel bridge on Big Salem Lake needs some attention on the decking on Hayward Road. This is a project scheduled for the fall. They anticipate a need to close the road for the month of September, after the busy season. A temporary bridge is out of the question and so is keeping one lane open. They hope to scrape and grease the bridge rather than sandblasting. This will be a 90/10 state project. Unanimous.

The recent rain storm was hard on Derby. Some of our road signs and cones have been stolen. This is a safety hazard. We will run an ad in the paper asking for them to be returned with no questions asked so we can get them back. We still have a lot of places that were washed out and are trying to fix the areas. With the expected rain storms are going to cause some extreme road situations and the road crew is going to watch carefully. Some of the strategies include removing road grates to all the water to flow more freely.

SUNSET TERRACE -DON JOHNSON - Mr. Johnson asked that his materials be incorporated as part of the minutes. Discussion about RV parked in his neighborhood. Takes issue regarding the permit defining an RV as a detached accessory dwelling. Mr. Johnson believes the permit as issued is illegal based on the definitions of dwelling. It appears the RV is not being taxed in this capacity. The permit was issued on January 3, 2011, the appeal period is 15 days. Mr. Johnson disputes that the permit needs to be posted by the zoning administrator for posting, as per by law.

Bob states the official posting place for him is upstairs in the hallway. The applicant is responsible for posting on the property. There is more than one RV being used as dwelling unit in derby, as full living quarters. Water and sewer are out of the zoning jurisdiction. Last year the applicant was parked in the set back. He was told last year to move the rv and he did. Our by laws are currently out of date. The state statute allows an accessory dwelling which is a change since 2004 and those statutes are what we need to follow. This application meets the local setbacks, square footage, and the fact that Derby has no building codes. This application now qualifies. Can the lister's tax this under any circumstances if this has a plate and is

registered and can be moved. So taxing it is something for the lister's to tackle. The RV is enormous and should be parked at the campground.

EXECUTIVE SESSION:

Brian moved to go into executive session at 8:15 to discuss personnel.
No action taken.

RECYCLING:

The recycling open house went well and was well received. The recycling center is now open starting Wednesday evening.

FLOODING:

There is flooding everywhere, including at the Beach house.

TOWN FORREST:

We made \$14061.74 for logging the town forest. We were expecting about \$10,000.00. The funds have been deposited in the recreation line item.

HUD FUNDS:

The HUD funding looks like it can be spent on the buildings for capital improvements.

SKATE SHACK:

Matt Wright is here to ask for a modification to the building to allow 2 vents to cool off the interior of the skating shack for the Sweet Scoop shop.

COIN DROPS REQUESTS:

Fire Department would like to do a coin drop in June.

The VFW ladies Auxiliary post 798

Border Hoop

DAV

Coutts Moriarty

Daily Memorial Library

Beula moved to approve Daily, Fire Dept., DAV and Coutts Moriarty, seconded by Karen.
Withdrawn.

Beula moved to approve the Fire Dept in June, and DAV for September, seconded by Karen.
Unanimous.

Beula moved to approve the Daily Memorial Library in August, Karen seconded. Unanimous.

Steve moved to approve Border Hoop in July, Karen seconded. Unanimous.
All coin drops are expected to follow the rules.

ROBERT OVITT HORSE:

Derby has an issue with a wild horse.

STUMP DUMP:

The public has requested the stump dump be open extended hours to accommodate the flood debris clean up. Because of the expected rain, we are expecting floods. We'll place an ad in the paper and will extend the hours within capacity, paying the employee \$10.00 per hour.

ADJOURNMENT:

Meeting adjourned at 8:25.

NEXT MEETING:

Next meeting scheduled for May 16, 201 at 6:30.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
MAY 16, 2011**

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

Other's Present: Don Johnson, Jane Clark, Lois and Andy Major, Claire Roberts, Buzzy Roy, Scott Warthin, Barbara Whitehill

MEETING CALLED TO ORDER – 6:30 P.M.

RULES OF PROCEDURE:

Reading of Rules of Procedure; Karen moved to waive the rules with Beula seconding. Unanimous.

APPROVAL OF MINUTES; Beula moved to approve with Karen seconding. Approved. Sign Warrants, warrants number 10-A, in the amount of \$14499.68, and 10-B in the amount of \$42407.11, were signed.

ROAD REPORT:

FEMA came on Thursday to inspect problems. No decisions yet. Almost 1000 yards of gravel required to fix the last rain. We don't have a total of expenses as of yet. Everything is passable at this point. West St. is still problem and still analyzing that situation. More information is coming in regarding Hayward Road. Herrick Road is on deck.

WEBSTER ZONING ISSUE:

Don Johnson – Follow up on classification of a dwelling in our bylaws, and the zoning administrator's role in posting permits. Mr. Johnson will follow up with Bob directly. Mr. Webster's camper is in the right of way and he has reported to the zoning administrator that he will no longer use it as living quarters. The town will investigate if this is true.

HUD MONEY DISCUSSION –

Approximately \$40,000.00 in HUD month approximately. Received 3 requests, Haskell Opera House, Coutts-Moriarty, and Daily Memorial. Beula moved to allocate the following out of the approximately \$40,000.00: \$20,000.00 to Haskell and divide equally to the Coutts and the Daley Memorial, so approximately \$10,000.00 to each. Discussion included the fact that the Daley gets a \$26,500.00 for a town appropriation, and they get coin drops. The Haskell has taken a substantial hit on some investments of which one exceeds over two million dollars, and they have not asked for funds for a long time. Lois pointed out the Daily has no endowment. Beula withdrew her motion. Karen withdrew her second. Steve moved to give the Haskell \$20,000.00 and hold the other \$20,000.00 until we make sure we can give Coutts organizational structure meets the criteria. The motion carries unanimously. Bob is going to reach Carol Boucher to learn more about the Siskin Organization.

LISTER EXTENSION LETTER: Steve moved to approve a request by the Derby Board of Listers requesting an extension of time for filing the grand list. Beula seconded and the motion passed unanimously.

FLOOD RELATED PERMITS: There is a substantial amount of flood damage on the shores in Derby. As a result, Beula moved that if an applicant comes in to address flood damage and the repair or restructure or lift requires a permit, the town would like to waive the fee of the permit as long as the rebuilt does not go out of the original foot print and the damage is caused by flooding, but keep in place the applicant assumes the advertising fees, Karen seconded. Unanimous.

BEACH HOUSE DISCUSSION: Turning the water on and taking care of other details in preparation for the Dandelion Run this weekend. A new walking bridge is being built at Lake Salem. The old one was rotted. The raft at the Beach house has been nothing but trouble. The old raft is going to be sold and the town is not going to get another. The phone will be hooked back up now that it is summer.

EXECUTIVE SESSION
Main Street Place

RECREATION:

Beula noted a lot of activity at the public spaces and would like to purchase 3 picnic tables, 2 for Clyde River Park and one for the tennis courts, to be purchased out of the recreation funds. The option is to purchase tables made out of either pressure treated or recycled materials. Also, it is time for porta potty's to be set up.

HINMAN SETTLER RD:

Karen moved to have Brian sign a letter from the State giving over 400+ square feet to the state to take over a culvert on Hinman Settler road. Steve seconded, and unanimous.

HEALTH OFFICER:

Kathryn McGreevey has resigned as town health officer. Steve moved to accept her resignation with regrets, with Beula seconding. Unanimous. Bob will advertise this position again.

ADJOURNMENT:

Meeting adjourned at 8:10 p.m.

NEXT MEETING:

Next meeting scheduled for June 13, 2011.

Unofficial until approved.

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

JUNE 13, 2011

Present: Brian smith, Beula Shattuck, Karen Jenne, Laura Dolgin

Other's Present: Joe Gresser, Jean Wilson, Jason Brueck, Carol Boucher, Ann Sparrow, BobDeRoehn, Bob Kelley, Ann Kelley, Lois Major, Sherry Aubin, Carol C. Piper, Susan Taylor, Lillian Kelley, Pamela Greenwood, Holly Peer, Barb Whitehill, Allisson Kelley, Samantah Greenwood, R. Scott Warthin, Connie Knaggs, Andy Major, Tony O'Connor, Neely Bryant, Carrie Steele, Merrey Lague, Keirstan Lague, Dennis Kelley, Andy Major.

CALLED TO ORDER — Meeting called to order at 6:36 p.m.

RULES OF PROCEDURE: Beula moved to waive with Karen seconding, unanimous.

MINUTES: Minutes of May 16, 2011 approved by Karen, Seconded by Beula, unanimous.

WARRANTS: Warrant number #11-C was signed in the amount of \$8,852.05, 12-A was signed in the amount of \$15,408.06, and 12-B in the amount of \$50,569.35.

ROAD REPORT: Continuing problem up at the corner of Price Chopper and Quarry road. Big pot hole that is reoccurring even after attempts at repair. Drivers are cutting the corner too close and causing problems. Steve recommends we fix it once and for all at a cost of around \$750 to resolve this matter. Eagle Point is coming along. Pike is going to pave Schuler. Herrick Rd is done. Bates Hill Rd is done. Hinman Settler Rd is on deck. Town has been hauling sand and gravel. Road Crew working on culverts. Town will start road side mowing earlier this year.

Carol Boucher – Coutts – Siskin –

Request for HUD money, question of finances given their recent merger with Siskin. Jason and Annie Brueck are present to answer any questions. Coutts-Moriarty has merged with Siskin as a non-profit. They are here for a permit via zoning and planning commission. Brian suggests that we keep any allotted funds in escrow until all permits are secure.

Laura moved to approve the request for Coutts in the amount of \$10,000.00 assuming all permits are approved and the project meets HUD criteria. The funds will be held in escrow until that time. Seconded by Beula. The motion carried unanimously. Laura made the same motion as it pertains to Daily Memorial Library. Beula seconded, motion carried unanimously.

Any approval would further have to meet HUD criteria for dispersal.

FRONTIER ANIMAL SHELTER:

Connie Maggs – Frontier Animal Shelter – information to the animal control officers to provide information about the services they offer. She suggests that we shorten our dog holding time from 10 days to 5 days or 3 days. Connie will discuss with Bob Kelley so we can go through the process to modify our current ordinance. The goal is to allow dogs to go to Frontier Animal Society sooner in the process, and get medical treatment if necessary sooner in the process. Connie is available as a resource.

HAZARD MITIGATION PLAN:

All Hazards – Mitigation Plan Expired in October 2010. This pertains to NVDA – Bob will attend a training in Waterbury to qualify for FEMA, this is in regards to flood damage which caused some damage in the cemetery.

DOG PARK:

Dog Park – Bob Kelley has asked that the town of Derby to designate 2 acres on the Coutts Moriarty road. They have created facebook and website pages. Pet Safe is having a contest to give a town \$100,000.00 and they've made the first cut of the competition. Need to have a sustainable location. They need a video generated of the area that shows support, parking, sustainability, and all in 2 minutes. If they win the money, then the funds go to building the park. If they don't win the money then fund raising, and voluntary elbow grease. Steve moved to support the Derby Park Committee to let them go on and see what they can do. Seconded by Laura. Motion carried with Karen voting no.

ANIMAL CONTROL OFFICER:

Board may need to make this a paid position. Our previous animal control officer does not have the time to dedicate to this work, even with an enticement of money. Newport may have an animal control officer who would be interested. Brian will invite a Brownington person who has expressed interest to join us at our next meeting.

MONUMENT FOR WILLIE JOHNSON:

Anthony O'Connor – Monument for Willie Johnson, who is the youngest person ever to receive the Medal of Honor from the civil war. Willie was from Derby. Three boulders together up at Salem Derby.

BEACH HOUSE CONSESSION:

Artie Jenne and his wife are interested in running the snack bar at the beach house. They will purchase what they want to sell, open and close it. Drinks, candy bars, chips, etc. They will post hours. Artie will keep it clean. The raft was sold for \$680 and that money was put into recreation. The select board is going to use the funds to purchase a new fridge for the beach house. They are going to shoot to be open for next week. Artie will reach Bob Kelley to coordinate.

HASKELL OPERA HOUSE:

Haskell Library Opera house has sent the board a thank you letter for the HUD funds repair of windows.

TOUR DE KINGDOM:

Laura reported that IROC did a fantastic job on the Tour de Kingdom and the area can be proud of the work IROC did on behalf of the community.

ADJOURNMENT

Next meeting scheduled for June 27, 2011, at 6:30 at the Town Clerk's Office.

Meeting adjourned at 8:03

Unofficial until approved

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
JUNE 27, 2011**

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

Other's Present: Lynn Batchelder, Lois Major, Joe Profera, Bob Kelley, Robin Smith, Sharon and Mark Tarbox, Rene Falconer

CALLED TO ORDER

The meeting was called to order at 6:30 P.M.

RULES OF PROCEDURE:

Beula moved to waive the reading of the rules with Karen seconding. Approved.

MINUTES:

Karen moved to approve with the addition of Steve Gendreau's name added to the present list. Beula seconded, unanimous.

WARRANTS:

Sign Warrants – warrants number 13-A was signed in the amount of \$15,576.05, and warrants number 13-B in the amount of 256,293.19.

ROAD REPORT:

Steve did commit to a salt purchase agreement which will allow us to have up to 1000 tons. The price is up and we are guaranteed the rate and the amount. The north ends of town paving projects are complete. Now working on the western & southern part of town and we are meeting our time goals. Shoulders on Schuyler will be completed. Steve has a bid for FCC approved radios for the trucks and we have no choice but to comply with the purchase, the last radio purchase was 23 years ago. The culvert has been replaced on Cobb Road. Road Side Mowing has begun and is in process.

ANIMAL CONTROL OFFICER:

Rene Falconer – Animal Control Officer Candidate. Rene is the animal control officer in Brownington and would like to continue the work in Derby. Rene has a small kennel in her back yard. And she does work with Frontier Animal society. Rene works 40 hours per week for the hospital at the Barton Clinic. She said she can calm a lot of situations by communication. Brownington pays \$10.00 an hour for calls, travel, work, etc., and .51 a mile. She also gets a \$5.00 fee for each dog she keeps on site per day. Bob will be Rene's contact. Rene is going to think about accepting this position after review of our ordinances and historical numbers. Rene has a colleague who could assist her with difficult situations.

LIQUOR LICENSE:

Sign Liquor License: Beula moved to recess to go into a liquor license hearing. We are in a liquor board meeting at 7:10 p.m.

Vermont Pie and Pasta Company located in the former Chicken Chalet, has requested a license for beer and wine. We are out of the liquor control meeting at 7:10. Steve made a motion to sign the liquor as presented, with Beula seconding. Unanimous.

EXECUTIVE SESSION:

Beula moved to go into executive session to discuss personnel with Karen seconding at 7:31. Out of executive session at 7:45, with no action taken.

CDL TRAINING

Karen suggested that Bob & Steve to go to a VLCT training on CDL random testing for supervisors.

Karen asked Beula to get in touch with law enforcement for patrol on Derby Day.

BEACH HOUSE

Bob reported that the beach house is open and asked if the town will stock tp and pt and the town will.

FEMA:

FEMA is in the area and providing information and phone numbers for help.

TOWN AUDITORS:

The board has received two applications for town auditor. Steve and Diane Mingle are interested in serving as auditor. Steve is an accountant and an alternate for zoning administrator. Bob will look into our policy and procedures and best practice to make sure no conflict of interest or nepotism exists if the town hires a married couple to perform the same job.

VELCO:

Mark Tarbox asked to be kept in the loop regarding a tower going up near his property by VELCO. This is to replace a tower with taller or greater towers. VELCO is willing to come and introduce the project to the select board. The Tarbox' are concerned about this for health reasons. The board will ask the planning commission to give us a recommendation about how to proceed forward.

ADJOURNMENT

Next meeting scheduled for July 11, 2011 to begin at 6:00 at the town clerk's office. The meeting will move to the Derby Line Village Hall for another meeting at 6:30 pm.

Meeting adjourned at 7:50 p.m.

Unofficial until approved.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
JULY 11, 2011**

Present: Beula Jean Shattuck, Brian Smith, Laura Dolgin, Steve Gendreau, (Karen Jenne was present at the Derby Line portion of the meeting, Beula was not)

Other's Present: Joe Profera, Scott Warthin, Irene Dagasse (Others present for the Derby Line Village Trustee Meeting – they kept their own record)

CALLED TO ORDER

Meeting called to order at 6:05 P.M.

RULES OF PROCEDURE:

Beula moved to waive the reading with Laura seconding. Unanimous.

MINUTES:

Beula moved to approve the minutes of 6/22/11, with Laura seconding.

WARRANTS:

Sign warrants number 13-C in the amount of \$153.84, 14-A in the amount of \$15,429.60, and 14-B in the amount of \$60,110.82.

ROAD REPORT:

Mowing is complete. Lots of culverts and other work going on, as well as summer vacations. FEMA is still in the works. West St. is a concern. The down pours have been severe. They are still studying a solution. One solution may be to make the street a one-way street so there is room to build a trough on each side of the road.

RECYCLING

Electronics, Vt. E-waste legislation went into effect July1, 2011. Irene Dagasse is here to recommend that we become a collector of electronics. A memorandum of understanding was presented by Irene with a company called Northeast Resource Recovery Association. We will get a rate of .05 per pound as a collector of certain items. If we do this, we need to cover the collected materials, have a proper floor, and not break anything. We would be wise to expect a huge influx of items. We may need to regulate the flow. Bob Kelley will be the Collection Location Manager. Steve moved to accept the memorandum of understanding with Northeast Resource Recovery Association, with Beula seconding. The motion passed unanimously. The recycling center can start collecting immediately.

ANIMAL CONTROL OFFICER:

Rene Falconer has accepted the position. Rene has asked to be salaried. Rene will met with Bob to confirm details. Laura moved to approve the hire of Rene Falconer, with Beula seconding. Unanimous.

2011 TAX RATE:

Set 2011 Rate: Tax rate, resident tax rate is 1.534. Non resident 1.7129. Beula moved to accept the tax rate with Steve seconding. Unanimous.

ADJOURNMENT

This meeting was recessed to join the Derby Line Village Trustees for 6:30 p.m. at the Derby Line 'community hall' for a public hearing on the proposed installation of wind turbines on 2 local farms. That portion of the meeting was facilitated and recorded by the Trustees.

Our meeting adjourned at 8:30 p.m.

Next meeting July 25, 2011 at 6:30 p.m. at the Derby Town Clerk's Office.

Unofficial until approved.

TOWN OF DERBY, VERMONT

SELECT BOARD MEETING

MINUTES

July 25, 2011

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

Other's Present: Bob Kelley, Lynn Batchelder, Joe Profera, Kane Smart, Jim Brown, Richard Creaser, Harry Porter, John Stevens, Bob Cooper, Scott Warthin, Robin Smith, Laura Carpenter, Rene Fontaine, Mark and Sharon Tarbox, Mike Gosselin

CALLED TO ORDER:

Meeting called to order at 6:30 p.m.

RULES OF PROCEDURE:

Reading of Rules of Procedure: Laura moved to waive the reading of the rules, with Steven seconding. Unanimous.

MINUTES:

Approval of Minutes – Karen moved to approve with Steve seconding. Unanimous.

WARRANTS:

Sign Warrants: Warrant number 15-A was signed in the amount of \$15549.55, and \$116, 872.00.

ROAD REPORT:

Steve reported that the shoulders are done on Hinman Settler and Schuyler Road. West St. is finally fixed; trees are cut. Fema is expected back to fill out paperwork.

JOHN STEVENS – SAND AND GRAVEL BIDS:

Kingdom Sand and Gravel wants to sell Derby sand and gravel. Steve questioned the hours of operation. John says they will open for them, just give him a call. John says he thinks he can save the town money. John confirmed the road is good. John says he will meet or beat any price. He wants to sell the product, and believes the short distance to travel will be a mileage saving, too.

VELCO COMMUNICATIONS TOWER:

Bob Cooper, lives in Holland at the end of Whittier Road and his property buffers Derby. He's concerned about health and procedural issues, jurisdictional issues and act 250 regarding the telecommunications tower revamp scheduled on the Brown property. Karen moved to delay the project until October 1, so Brian would have time to speak to his engineer contact, and that questions can be answered. No second and the motion died. Mr. Smart agreed to delay the application until August 8 so that the planning commission and select board to discuss at their next meeting. Karen moved to ask for a delay for DRM to submit their application until September 1, 2011, with Steve seconding. Steve and Karen and Brian voted yes, with Laura voting no.

DOG ORDINANCE:

Proposed changes to ordinance time frames as per section 2, and Section 4. See proposed Amendments dated July 25, 2011. Steve made a motion to approve these changes as submitted,

seconded by Laura, Unanimous. Will be posted in the paper, 44 days to comment of date of adoption, if no comment then it goes into affect 60 days from tonight.

HEALTH INSURANCE:

VLCT sent a survey to review our health insurance. Laura moved for Brian to sign the inquiry, with Karen seconding. Unanimous.

LAKE SALEM BRIDGE:

Steve signed a grant to re-deck the for the Lake Salem bridge for a 90-10 project. Will cost us around \$9000.00. Expect to start August 1 with one lane of traffic and possibly 2 lanes open at night.

DERBY LINE CEMETERY:

Harry Porter has information about getting a grant to correct erosion at the Derby Line Cemetery. Steve moved to approve the FEMA application for assistance for the Derby Line Cemetery as submitted – Karen conflicted out of voting because she is a cemetery commission. Laura seconded, unanimous.

DOG PARK:

Derby is in the finals for Derby Dog Park. Bark for your Park.com – vote!!

HERRICK ROAD:

Derby Line Village Trustees thanked us for working jointly on the paving of Herrick St.

NEXT MEETING:

August 8, 2011, at 6:30 p.m, at the Derby Town Clerk's Office

ADJOURNMENT:

Motion to adjourn at 8:50 p.m.

Unofficial until approved.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
AUGUST 8, 2011**

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

Other's Present: See, sign-in Sheet

CALLED TO ORDER:

Meeting called to order – 6:30 P.M.

RULES OF PROCEDURE:

Reading of Rules of Procedure, Laura moved to waive the rules, with Karen seconding. Unanimous.

MINUTES:

Approval of Minutes, Karen moved to approve with Steve seconding. Unanimous.

WARRANTS:

Sign Warrants, Warrants number 25-C in the amount of \$3,172.21, 16-B in the amount of \$15,190.04, and 16B in the amount of \$65,052.70, were signed.

ROAD REPORT:

Road maintenance is all up to date. A petition was received requesting chloride on Herrick Road.

ROAD TAKEOVER REQUEST:

Luke Bury – Road takeover request on Salem Drive, a private road just off the John Taplin Road. Standing water is an issue. The growing families who live there would like to bring the road up to specs in an effort to prepare for the town to take it over. Proper turn around space and deeds will need to be put in place, along with a plan for school bus access. Scott Keyser will need to be involved for planning. Steve estimates \$25,000.00 to get the road up to code. The best way to proceed is with a good plan.

PLANNING GRANT:

Sheila Driver – Proposal Planning Grant, Sheila would like to apply for a grant, along with her board, with the Vermont Community Development Fund for an independent living facility. In order to do so, she needs to partner with the town of Derby as an administrative entity. Sheila is going to do research to make sure we know what the town would be responsible for in the event this grant is awarded.

BYLAW AMENDMENT:

Set date for Bylaw amendments: No action taken.

AUDITORS:

Appoint Auditors: Tabled until Bob can research potential conflict of interest aspect.

PLANNING BOARD VACANCY:

Planning Board Vacancy - No vacancy is at this time.

VELCO:

Velco representatives were here and state they will honor the select board request to delay filing the Act 248 application until September 1.

ROAD NAME REQUEST:

Tom Cyr, 911 Coordinator, requested to name a road for easier emergency access. Tom Cyr will notify the proper authorities. Karen moved to approve, with Steve seconding. The motion died because more clarity is needed before moving forward.

ADJOURNMENT:

Meeting adjourned at 7:25. Next meeting scheduled for Monday, August 22, at 6:30

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING MINUTES

August 22, 2011

Members present: Brian Smith, Steve Gendreau, and Karen Jenne.

Others present: Larry C. Johnson, George Weber, Sheila Driver, Dave LaBelle, Lynn Batchelor, Kane Smart, Peter W. Lind, James Brown, Lois & Andy Major, Bob Cooper, Scott Warthin, Joe Profera, Mark & Sharon Tarbox, Robin Smith, Maureen Fountain, Laura Carpenter, Joe Gressor, Frank Davis.

Meeting called to order at 6:30 pm. by Brian Smith.

Select Board order #17 A for \$20,554.47 was reviewed and signed.

Select Board order #17 B for \$27,968.03 was reviewed and signed.

Steve moved to waive the reading of the Rules of Procedure, Karen seconds and it was so voted.

The minutes of August 8, 2011 were amended to include the names of those in attendance as no one received the list also the inclusion of the Act 250 notification on the James and Debra Brown property and that Mr. Cooper had asked VELCO to withdraw its application until the Act 250 situation was resolved at the August 8th meeting. Steve moved to accept with the corrections and Karen seconds, then it was so voted all in favor.

Road Report:

The Salem bridge project has turned into a much larger expense than first anticipated. It has gone from approximately \$89,000.00 to \$160,000.00 or more due to more issues than first observed. It will be a 90-10 project with the State. New expenses have been submitted. It is down to one lane and is expected to last a month.

Road signs and posts are being stolen as fast as they can be replaced. Each replacement cost the Town \$200. The Board asked the press to help in the return of the stolen signs.

There is a storm water issue on Hinman Settler road which is being addressed by the Town and the State as it is a combination problem. There is also a problem on the Beebe road that Terry is looking into where water is going into a private residence.

The West Street water issue is a continuing problem in the heavy rain events. Steve is going to talk to Poulin's to see if they can slow down or divert the water in some way.

Roads are being graded and kept up otherwise. Brian asked if Herrick was been kept up and Steve said that it was.

Sheila Driver presented more information on her non profit organization Pleasant Acres Senior Housing. They will put up an 8% match for the grant. Karen expressed her concerns over the time involved for the Town and the necessary paperwork and computer time involved and fair housing training required.

Karen moved that we support the VCDP planning grant application for Pleasant Acres Senior Housing, Inc. for \$25,000.00 Steve seconds and it was so voted. Steve asked if it was for low and moderate income individuals. Shelia explained that there were four handicapped units planned and it was all on one level. It would be similar to others in the area. It may or may not be a taxable property depending on who owns the building eventually.

Steve moved to approve the road name Town Forrest Road Extension as submitted by Tom Cyr, second by Karen and so voted.

Karen will check with Nicole on the number of auditors needed and the last appointments and when they expired before appointing an auditor(s).

Karen moved to accept Cynthia Adams resignation from the Planning Commission with regrets and thanks fro her years of service to the Town, Steve seconds and it was so voted. Brian stated that she had done a fine job for many years. Her position will be advertised until September 15 until 5 pm.

Karen moved to cancel the September 5, 2011 meeting due to the holiday, Steve seconds and it was so voted. Nicole will notify members when to come and sign warrants.

The stump dump attendant has returned to college and Brian has found a replacement for him. Steve moved to hire Elwin Brown at \$10.00 per hour to work at the stump dump, second by Karen and so voted.

The next regular meeting will be September 19, 2011 at 6:30 pm.

The zoning by law meeting will be held on October 3 or 17th depending on the public hearing time that Bob needs to properly warn it.

Steve move to adjourn at 7:10pm second by Karen and so voted.

Respectfully submitted

Karen Jenne

Acting Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING MINUTES

August 22, 2011

Members present: Brian Smith, Steve Gendreau, and Karen Jenne.

Others present: Larry C. Johnson, George Weber, Sheila Driver, Dave LaBelle, Lynn Batchelor, Kane Smart, Peter W. Lind, James Brown, Lois & Andy Major, Bob Cooper, Scott Warthin, Joe Profera, Mark & Sharon Tarbox, Robin Smith, Maureen Fountain, Laura Carpenter, Joe Gressor, Frank Davis.

Meeting called to order at 6:30 pm. by Brian Smith.

Select Board order #17 A for \$20,554.47 was reviewed and signed.

Select Board order #17 B for \$27,968.03 was reviewed and signed.

Steve moved to waive the reading of the Rules of Procedure, Karen seconds and it was so voted.

The minutes of August 8, 2011 were amended to include the names of those in attendance as no one received the list also the inclusion of the Act 250 notification on the James and Debra Brown property and that Mr. Cooper had asked VELCO to withdraw its application until the Act 250 situation was resolved at the August 8th meeting. Steve moved to accept with the corrections and Karen second, it was so voted all in favor.

Road Report:

The Salem bridge project has turned into a much large expense than first anticipated. It has gone from approximately \$89,000.00 to \$160,000.00 or more due to more issues than first observed. It will be a 90-10 project with the State. New expenses have been submitted. It is down to one lane and is expected to last a month.

Roads signs and posts are being stolen as fast as they can be replaced. Each replacement costs the Town \$200. The Board asked the press to help in the return of the stolen signs.

There is a storm water issue on Hinman Settler road which is being addressed by the Town and the State as it is a combination problem. There is also a problem on the Beebe road that Terry is looking into where water is going into a private residence.

The West Street water issue is a continuing problem in the heavy rain events. Steve is going to talk to Poulin's to see if they can slow down or divert the water in some way.

Roads are being graded and kept up otherwise. Brian asked if Herrick Rd was been kept up and Steve said that it was.

Sheila Driver presented more information on her non-profit organization Pleasant Acres Senior Housing. They will put up an 8% match for the grant. Karen expressed her concerns over the time involved for the Town and the necessary paperwork and computer time involved and fair housing training required.

Karen moved that we support the VCDP planning grant application for Pleasant Acres Senior Housing, Inc. for \$25,000.00 Steve seconds and it was so voted. Steve asked if it was for low and moderate income individuals. Shelia explained that there were four handicapped units planned and it was all on one level. It would be similar to others in the area. It may or may not be a taxable property depending on who owns the building eventually.

Steve moved to approve the road name Town Forrest Road Extension as submitted by Tom Cyr, second by Karen and so voted.

Karen will check with Nicole on the number of auditors needed and the last appointments and when they expired before appointing an auditor(s).

Karen moved to accept Cynthia Adams resignation from the Planning Commission with regrets and thanks for her years of service to the Town, Steve seconds and it was so voted. Brian stated that she had done a fine job for many years. Her position will be advertised until September 15 until 5 pm.

Karen moved to cancel the September 5, 2011 meeting due to the holiday, Steve seconds and it was so voted. Nicole will notify members when to come and sign warrants.

The stump dump attendant Matthew Campbell has moved on to college and Brian has found a replacement for him. Steve moved to hire Elwin Brown at \$10.00 per hour to work at the stump dump, second by Karen and so voted.

The next regular meeting will be September 19, 2011 at 6:30 pm.

The Zoning by law meeting will be held on October 3 or 17th depending on the public hearing time that Bob needs to properly warn it.

Steve move to adjourn at 7:10 pm second by Karen and so voted.

Respectfully submitted

Karen Jenne

Acting Clerk

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
SEPTEMBER 19, 2011**

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

Other's Present: See, sign in sheet dated September 19, 2011

MEETING CALLED TO ORDER – 6:30 P.M.

RULES OF PROCEDURE: Beula moved to waive the reading of the rules, with Karen seconding. Unanimous.

APPROVAL OF MINUTES: Karen moved to approve, with Brian seconding. Unanimous.

SIGN WARRANTS: Warrants number 18-B in the amount of \$9,575.23, 19-A in the amount of \$25,189.00, and 19-B in the amount of \$79,909.72, were signed.

ROAD REPORT- Lake Salem Bridge – the membrane was installed today and the bridge will be paved tomorrow. The bridge was closed for 5 days. The bridge needs to be dry in order to pave it. All the new radios are in the town trucks and the fire trucks. Derby, Derby Line and all emergency crews need to be on the same frequency. FEMA was here on Friday and will come back again. They are working on the Hinman Settler Road to correct a problem with a driveway. Gravel is good, chloride is good, sand is good. Rod Lyon and Royden Lancaster volunteered their time in the town of Bethel for Hurricane Irene relief for 3 days, on flat time, which was really nice of them. Everyone is proud of them for doing this. Great Job!

VACANCIES:

Planning Board Vacancy, will interview at next meeting

Auditor Vacancy, will interview at next meeting

Health Officer Vacancy, will interview at next meeting

Animal Control Salary: the budget is \$4,000.00 annually to be distributed over 26 equal payments.

ZONING APPEAL WITHDRAWAL:

Betsy Bumps – Betsy filed an appeal for a retail store, but the store withdrew its application. Betsy wants to see if she can get her money back. Laura moved to return

the \$200 appeal fee in light that no action was taken, with Beula seconding. Unanimous, with Karen abstaining due to her close relationship with Betsy.

PUBLIC HEARING - VCDP GRANT - 7 P.M. –

Steve made a motion to go into a public hearing at 8:00, for a Vermont Community Development Grant, with Karen seconding. The project is for Pleasant Acres Senior Housing Initial planning grant for senior housing project on Shattuck Hill. Up to 8% of the grant is for administrative costs that we can charge for administering the grant. We should plan on an audit at the end of the grant cycle. Questions came about regarding the timing of funding and output of funds and in-kind. Out of public hearing at 8:08 p.m. Laura moved to support the grant application for the VDCP Pleasant Acres Senior Housing project, with Karen seconding. Unanimous.

LISTERS - CORRECTION TO GRAND LIST:

Karen moved to approve the Lister's correction as submitted, with Steve seconding. The property at issue is Parcel ID TRD06014D2-T. Motion carried unanimously.

VELCO TOWER:

Karen moved to table the matter for 4 reasons, health issues, planning didn't come up with a decision, appeal of act 250 jurisdiction of the site, and we the Select Board have not had any public meetings on the matter. Beula seconded. Karen and Beula voted in favor of the motion. Brian, Steve and Laura voted no. Downs Rachlin and Martin confirmed they filed their application with the Public Service Board and filed an appeal with act 250 on 9/16/11. Laura made a motion to write a letter to the Public Service Board that includes the following: we recommend approval of the project by the Vermont Public Service Board, but have a concern with the total Electromagnetic exposure due to all existing towers in the general vicinity. Prior to issuing a certificate of public good, we would like the applicant to hire an independent firm to conduct a long term power density study to document that the proposed project combined with the existing electromagnetic exposure will be within limits. Steve seconded. The motion carried with Karen voting no. Karen will submit a dissenting vote.

SIGN GRANT:

A grant has come in for safety equipment and signage in the amount of \$1,393.30. Good Job!

BEACH HOUSE:

The beach house will be closed up for the winter.

FEMA:

Steve moved to have the chair sign the FEMA award letter, with Laura seconding. Unanimous.

LIONS CLUB:

Derby Lions Club thanks the fire department volunteers and will hang signs stating so.

ADJOURNMENT:

Meeting adjourned at 8:15 p.m.

NEXT MEETING:

October 3, 2011, for next meeting to start at 6:00 p.m.

Unofficial until approved.
SPECIAL MEETING
Select Board Meeting

September 26, 2011

Present: Brian Smith, Beula Jean Shattuck, Karen Jenne, Steve Gendreau and candidates for Planning, Health Officer and Auditor.

Member absent Laura Dolgin.

Brian called the meeting to order at 6:05 pm.

Steve moved to go into executive session at 6:06 to interview candidates for the Planning Commission, Health Officer and Auditor, Karen seconds and it was so voted.

All candidates were interviewed and the Select Board had a difficult choice to make. All candidates were urged to attend and participate in Planning and Select Board meetings.

Beula left at 7:15 for family reasons. She stated her choices for the positions before she left the meeting.

Brian moved to appoint Jennifer Sheets as health officer, second by Steve and so voted unanimously.

Steve moved to appoint John Sanville and Steve Mengel as Auditors second by Karen and so voted unanimously. It was noted that they would serve only until Town Meeting. They will have to take out petitions for office and run in January.

Karen moved to appoint Brian Fisher to fill the remaining term on the Planning Commission second by Steve and it was so voted.

He meeting adjourned at 7:45 pm

Respectfully submitted

Karen Jenne
Acting Clerk

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
OCTOBER 3, 2011**

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

Other's Present: Dave LaBelle, Sue Best, Scott Warthin, Lois Major, Joe Profera, Phil White, Fran Batchelder, Bob Kelley, Rick Joyal, Catie Murray, from IROC. Bob Cooper, Irene Dagasse, Lynn Batchelor, Robyn Smith, Lora Carpenter, Mark Tarbox

MEETING CALLED TO ORDER – 6:30 P.M.

PUBLIC HEARING – BY-LAW ADMENMENTS – 6:30 P.M.

Karen moved to go into a public hearing at 6:34, with Steve seconding. The purpose of to discuss proposed by law amendments. Hearing no discussion on the proposed by laws, the public hearing was adjourned at 6:38.

Laura moved to approve the by-law amendments as submitted, with Karen seconding. Unanimous.

RULES OF PROCEDURE:

Laura moved to waive the reading of the rules, Karen seconded. Unanimous.

MINUTES – Steve moved to approve the 9/19/11 minutes, with Karen seconding. Unanimous. Motion made to approve the minutes of 9/26/11 – Karen moved to approve with Steve seconding. Unanimous.

SIGN WARRANTS;

Warrants number 20-A was signed in the amount of \$15286.73 and 20-B in the amount of \$117,210.05.

ROAD REPORT

Little Salem Bridge is completed. West St. problem is repaired so that the water will flow properly. Turned out there were three caved in culverts. It was working perfectly well during the hard rain storm yesterday. May need to finish the last details of the clean up when the earth dries out a bit. Long term solution may be to pave the road. Did quite a bit of cutting on the Salem Beach Road. They plan to do Darling Hill from Surprenant's down through. Opening up the canopy will alleviate terrible icing during the winter. The third area is Spates Construction which needs to be open as well. Steve estimates that we have about 12 miles of canopy affecting the roads out of our 86 miles. We have to cut them back in order to maintain safe roads all year round, but mostly in the winter.

Sand is up and we are ready for winter. Signs keep disappearing. We got a lot of rain yesterday, over 2 inches of rain, and the ground is saturated.

RECYCLING /SKATING RINK SUBSTITUTE FOR JOHN

John Joly will need to take some time away so will need a substitute. Jeremiah Barker is someone John recommends, and is familiar with the job duties. Irene requested to keep the Wednesday recycling center hours (3-6 p.m.) open later than November 1 because they are having a good turnout at the time. We will go with this for the interim, until the weather gets really bad. Karen moved to hire Jeremiah Barker for the above duties, at \$10.00 per hour, with Steve seconding. Unanimous.

HEALTH OFFICER'S PAY:

Current budget is \$300.00 per year. Brian anticipates that the needs of the health officer will increase, based on his personal experience. Brian would like this discussed at the budget meeting. Steve moved to set a rate of \$10.00 per hour plus mileage, with Karen seconding. Unanimous.

AUDITOR'S PAY:

\$10.18 per hour is the current rate. Karen moved to set the rate at \$10.18 for pay, with Laura seconding. Unanimous.

LIBRARY, IROC & HALLOWEEN HUSTLE

Green at JR. High - Catie Murray and Fran Batcheldor, would like to use the town green for October 29th, from 7-1:00 for these festivities. Laura moved to approved with Karen seconding. Unanimous.

WIND TURBINES

Karen asked to have the planning commission look at this issue for zoning, road, and taxation, and hold some hearings. Encore is looking to have municipal authority response. Laura commented that the last scenario regarding the communications tower did no one a service. Laura suggests that Karen connect with Encore directly and ask her questions on behalf of her constituents. It is not fair of the planning commission members to research this matter and expect them to be experts.

VELCO TOWERS:

Karen wants the town to sign a letter requesting a public hearing on the VELCO communications towers. Karen says too many inconsistencies. Laura refuses to sign any letter regarding this matter because we've already debated this matter, and have moved on. Brian suggests that Karen write a letter herself. Laura suggests that the abutters request a hearing. Brian suggests we owe it to Mr. and Mrs. Tarbox only because no one else seems to be concerned about the project except them. Karen re-reads her motion and retracts her motion, and re-reads it now that the motion. Laura stated she would support the motion because the new motion no longer obligates the town, but rather open the meeting up to public comment. The motion passed unanimously.

NEW YEARS EVE BASH:

Karen moved to approve the annual IROC request for \$1500.00 to sponsor IROC's 5th Annual New Year's bash, with Steve Seconding. Unanimous.

ADJOURNMENT

Motion to adjourn at 7:44. Next meeting scheduled for October 24, 2011.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
OCTOBER 17, 2011**

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

Other's Present: See hand out sheet, approximately 85 people here.

MEETING CALLED TO ORDER – 6:30 P.M.

RULES OF PROCEDURES:

Brian read the rules of procedure

MINUTES:

Approval of Minutes; Karen moved to approve the minutes of October 3, with Steve Seconding.

WARRANTS:

Sign Warrants: Warrants number 21-A \$15645.02 and #21-B \$61,863.62, was signed.

ROAD REPORT:

FEMA status. West St. is going to be stabilized through Fema. Karen made a motion to hire Dave Laws as a site engineer on West St., with Beula seconding. Unanimous – motion carries. We don't know the price of this and it could be very high so we are glad to have FEMA provide a percentage of this process. We may end up contributing 10-12.5 percent. Steve needs an executive session on land acquisition. Beach house will be closed up on Friday.

DOG PARK:

Dog Park: Bob Kelly, wants to confirm location of dog park. We have approved the concept of location and Bob is here to ask for approval for specifics and to appoint a specific dog park committee. The committee would be responsible for designing and seeing the project through. Bob will come back at the next meeting with his committee members. 150 feet wide and 450 long. No town funds will go to this project, it will be donations and fund raising, and no run off will hit any creeks or waterways. The insurance coverage the town currently has will provide coverage to the dog park under the current umbrella.

HERRICK ROAD:

Herrick Road Residents: Ruth Joseph, representing some Herrick Road residents, is requesting a half mile of Herrick Road be paved, and they have filed a petition requesting this section of road be paved. The board will look at this during the budget season and will address the guardrails this season.

BYLAW REVISIONS:

Rick Dubois; This was first on the agenda. Lots of people here to present a by law amendment. Rick Dubois read the by-law proposal. Bob Kelly reviewed the process of the change of use in the permit. The decision has been appealed by Reverend Richard O'Hara. This may go to the Environmental Board. Our definition of retail stores does not define what can be sold.

The VTLCT's has suggested that we contact our town attorney for legal assistance, and it could cost the town a fortune. We need to make sure the by laws get amended properly otherwise this could cost a fortune.

ENCORE WIND TURBINE RECOMMENDATION

Karen has submitted questions has yet to receive response from Encore, and the public service board. Chad Farrell is here to correct the process and that makes Karen's point moot. Harvey McDonald speaks in favor of the windmills to embrace renewable energy aspect. Other opinions were expressed.

EXECUTIVE SESSION

Beula moved to go into executive session at 8:17, with Laura seconding. Unanimous. Out of executive session at 8:30 p.m. Karen moved to approve giving Steve authority to negotiate a price for a property to preserve West St., with Laura seconding. This will allow better receptivity with FEMA. Unanimous.

VCDF GRANT:

Sheila Driver has a resolution for a VCDF grant, for signatures. The motion to apply for this grant has already been approved.

DRIFT DUSTERS:

VAST drift dusters has submitted their annual land owner request form. Beula moved to approve this request, Laura second, unanimous.

ADJOURNMENT

Next meeting scheduled for October 31, 2011, at 6:30 p.m.

Meeting adjourned at 8:35.

Unofficial until approved.

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
MINUTES
OCTOBER 31, 2011**

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

Other's Present: Pauline Gage, Lois and Andy Major, Betsy Bumps, Bob Kelley, Dave Labelle, Rick Dubois, Joe Gressor

MEETING CALLED TO ORDER – 6:30 P.M.

RULES OF PROCEDURE:

Reading of Rules of Procedure: Karen moved to waive the reading, with Beula seconding, unanimous.

APPROVAL OF MINUTES:

Karen moved to approve with Beula seconding, unanimous.

SIGN WARRANTS:

Warrants number 22-A was signed in the amount of \$15,877.44, and 22-B \$5,697,216.08.

ROAD REPORT:

100 ton of salt was recently purchased, and almost all the road whips are installed around town. Grader has one little issue that will be repaired; the trucks and plows are all set for the winter. Sunday morning was the first plow of the season due to the first small snow fall.

All town and village entities need to be on the same radio frequency in order to communicate with each other. School buses, fire, emergency ambulance, town vehicles and this is to be complete by 2012.

PINE HILL ROAD:

Pauline Gage – Pine Hill Rd: Mrs. Gage came in to request Pine Hill Rd be paved in the next budget season. Steve explained that certain roads have 2 for 1 grants. The town has to pay attention to state aide projects, roads 1 through 2, which are main corridors. Any other roads are considered town roads. Steve procured a grant a few years ago from the legislature for \$100,000.00. Pine Hill comes out of this \$100,000.00 grant. Pine Hill is a class 3 road. Building proper roads has been a focus for the town, most recently on Shattuck Hill. The maximum paving allowed in town is 20-25%. We have to be strategic in how paving occurs and we go for the 2 for 1 program first. Any money we get in the 2 for 1 program has to focus on the class 2 roads first. We have to have the money upfront before we receive any funding from the state. The better suggestion for Pine Hill might be to put more gravel and ditching in place.

LAKE REGION USE OF TENNIS COURTS:

Lake Region – Tennis Court – Laura made a motion to approve Lake Region's request to use the town's courts as their home court, as submitted and we will put the schedule on our town calendar, with Beula seconding. Unanimous. Bob Kelley mentioned that Lake Region's Building trades would like to build benches for these tennis courts.

EXECUTIVE SESSION

Laura made a motion to go into executive session to discuss personnel at 7:00, with Beula seconding. Unanimous. Out of executive session at 7:19 with no action taken.

ADJOURNMENT

Next meeting scheduled for Monday, November 28, 2011 at 6:30.

Motion to adjourn at 7:20 p.m.

Unofficial until approved.

TOWN OF DERBY

Select Board Meeting

November 28, 2011

Present: Brian Smith, Beula Jean Shattuck, Karen Jenne, Steve Gendreau, Lynn Batchelor, David Lawes, Sheila Driver, George Webber Jr., Bob Kelley, Dave Labelle, Phil Letourneau, Scott Warthin, Andy & Lois Major, Betsy Bumps, Brandy Slicer from NEK TV, Joe Gressor from the Chronicle, Laura Carpenter from the Newport Daily Express, Jim & Nicole Johnson, Paul Prue, Dick Del Favero, Norm Gaboriault.

Member absent: Laura Dolgin.

Brian called the meeting to order at 6:33 pm.

Beula moved to waive the reading of the rules of procedure seconded by Steve and so voted.

The minutes of October 31, 2011 were approved as written a motion made by Beula and seconded by Steve so voted.

The warrants were reviewed and signed # 24A in the amount of \$ 12,599.62 for payroll and #24B in the amount of \$118,274.58 for the bills.

FEMA PROJECT: David Lawes a civil engineer from Barton was present to explain the West Street FEMA project to the board. There is a recurring slide issue there that was repaired in 2000 and is happening again. He met with FEMA and AOT representatives at the site and has spoken to Omer Choquette who fixed it the first time. FEMA has two questions that need to be addressed. The first question is; Is the fix or repair complete and if so is it a permanent solution? What is the solution and what will the cost be? Dave has visited the site a number of times from top to bottom. There are drainage and soil issues. He will prepare a report for our next Select Board meeting. If the repair is not the permanent solution then the second question is more difficult. There are drainage problems and it is creating erosion at the bottom. There are a series of mini slides occurring again where the 2000 repair took place. The latest slide is more complex. Tree roots are holding material in place. Developments above are not responsible for much of the water flow if any. He has investigated the entire area. What do we do? What is the solution and how long will it last? Trying to fix it could make it worse. The soils could be the issue. Dave recommends a second opinion as he hasn't ever seen anything quite like this before. My recommendation would be to have a GEO technical engineer or soil specialist to do soil borings would be the place to start. He hopes to have someone look at it before spring.

Steve moved to have Dave Lawes contact a GEO technical engineer for the West Street project seconded by Karen and so voted. Betsy asked if the road should be closed on each end. Steve said that had been discussed, but he and Dave said the road was safe for now. Steve said the estimate on repairs is \$750,000.00 with FEMA covering most of it, we hope.

WIND TURBINES: The wind turbine issue will be discussed at the December 12, 2011 meeting due to a scheduling conflict with Homeland Security.

DOG PARK COMMITTEE: Nine individuals have agreed to serve on the Dog park committee. The use of \$150 of their funds will be approved to have community service workers help clear the park. Beula moved to sign the contract for the workers Steve seconds, Karen abstained and everyone else voted yes motion carries.

ROAD REPORT: Steve gave his road report. The first winter storm went well with only minor break downs. Ken Corkins is no longer working for the road crew and the seasonal hire is David Royston for the winter. Steve moved to pay him \$12.00 per hour, Karen seconds and it was so voted.

ZONING: Jim Johnson who owns property on Lake Salem was present to question a \$75 charge for a zoning permit request he received from the zoning administrator for raising one camp four inches and one eight inches due to the spring flooding. He just got the notice when the work was done in the spring and he wonders why. He has spoken to Mr. Kelley and to the zoning board chair who suggested he come to the Select Board. Jim stated that his cottages are non-conforming and that he has read the entire Town of Derby by laws and doesn't feel he needs a permit for raising the camps. They are non-conforming and predate zoning issues are grandfathered he feels. He has not changed the footprint on the camp. He referred to 306.5c as his reference. He has talked to Bob and they disagree. Bob came back from his meeting and Brian asked him about fees that had been waived. Bob said the fee (\$75) was for advertising only as it is required for a conditional use hearing. Jim restated he doesn't feel that it needs a conditional use hearing as it has always been non-conforming and predates Derby zoning regulations. Bob said there have been about six others in the same situation and six others that did not require fees as they met the by-law set backs. There are another six or so to come in for permits Bob said. Bob said the planning commission is working on a by law to give him administrative approval for height adjustments to non-conforming structures. It should be ready for the Select Board in three months. Nicole Johnson asked Bob when he came to their camp and discovered it was raised. He said this fall it was obvious when he went around the lake. She wanted to know why it wasn't discovered in the spring when the work was being done. Nicole stated that they did the work to protect their property. The Johnson's were told that while the Town works on the by-law amendment their property would not be found in violation.

SENIOR HOUSING PROJECT: Sheila Driver and George Webber Jr. were in to request another public hearing on the senior housing project they will need a Consultant grant. The first date she suggested for the meeting was December 26th. Karen did not feel that was a good date for the meeting, the board members are undecided whether there will be a meeting or not the day after Christmas. That will be decided on December 12th. It was agreed to do the meeting on January 9, 2012. Sheila will take care of the advertising.

CIGNA: Bob explained that CIGNA would no longer be insuring towns with less than fifty employees so we were seeking a new health insurance carrier. He stated that the fees from private carriers would be the same as from VLCT. The VLCT plan with Blue Cross carries a \$2,000 deductible for a single person

and \$4,000 for a family. Karen moved to have the Town go with the Blue Cross health insurance coverage for 2012, seconded by Beula and it was so voted.

An RFP for other insurances will be asked for the next meeting if possible. Bob will call other local insurance companies (Newport & Derby areas) to get quotes.

Beula asked Bob to follow up on some zoning issues.

Phil Letourneau asked Karen some questions about prior blasting at the reservoir site and on Herrick Road. She responded that she did not know of any effect, but that was a question for International Water. She also thought the blasting for the turbines would be much deeper and that was a question to ask Mr. Farrell the developer of the turbines. Karen stated that International Water Company had addressed Mr. Farrell in writing with their concerns and to her knowledge had not heard back. Brian had asked if Karen had heard back from Mr. Farrell about her question and she told him that just messages on the phones was the extent of it.

Respectfully submitted

Karen Jenne, Acting Clerk

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
AGENDA
DECEMBER 12, 2011**

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

Other's Present: Dave LaBelle, Scott Warthin, Andy and Lois Major, Paul Prue, Don Nolte, Robin Smith, Bob Kelley, Ryan Jacobs from Poulos Insurance.

CALLED TO ORDER:

Meeting called to order at – 6:30 P.M. •

RULES OF PROCEDURE:

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

MINUTES:

Approval of Minutes: Beula moved to approve the November 28th minutes with Steve seconding. Unanimous. Paul Prue mentioned a discrepancy in a ruling made at the last meeting for Mr. Johnson, inquiring why he should be exempt from paying the same fees as every one else who was impacted by floods in the Salem Lake area. Once the discrepancy was sorted out, it was decided that Brian and/or Bob will contact Mr. Johnson and explain the error and corrective action to be sure every one is treated the same.

WARRANTS:

Sign Warrants, warrants number 25-A in the amount of \$12,678.44, and #25-B in the amount of \$969,545.88 were signed.

ROAD REPORT:

Everything is going well. It's been a relatively quiet couple of weeks. The crew is keeping up with plowing.

WIND TURBINES:

Wind Turbines – Homeland Security – no show.

DECEMBER 26, 2011 MEETING:

The December 26, 2011 Meeting is cancelled.

BUDGET MEETING:

The annual Budget Meeting is scheduled for Saturday, January 7, 2012, at 9:30 a.m., at the Town Clerk's Office.

ARBITRAGE BORROWING:

Annual signing of the Arbitrage Borrowing with Community National Bank, for the amount of \$746,000.00 at a rate of 2.4%. Steve made a motion to sign this note, with Laura seconding. Unanimous.

PROPERTY & CASUALTY INSURANCE:

Property & Casualty Insurance; reviewed a quote from VLCT, and one from Poulos Insurance.

EXECUTIVE SESSION

Steve made a Motion to go into executive session at 7:29, with Beula seconding. Out of executive session at 7:45. Laura made a motion to pay John Sanville \$10.00 an hour with Steve seconding. Unanimous.

Other Business:

Don Nolte reported he had an accident at his driveway and because his vehicle has never been a problem, he assumes it was the conditions of the road and has requested the town to cover his deductible. The board has taken this under advisement.

ADJOURNMENT

Budget meeting scheduled for Saturday, January 7, 2012, at the Town Clerk's office beginning at 9:30.

Next Select Board meeting scheduled for Monday, January 9, 2012, at 6:30.

Unofficial until approved.