

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

Minutes

December 10, 2012

Select Board: Brian Smith, Beula Jean Shattuck, Karen Jenne & Steve Gendreau
Member absent Laura Dolgin

Present: John Joly, Bob Kelley, Robin Smith, Dave Labelle, Joe Profera, Joe Gresser, Paul Prue and Lois Major.

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

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

Sign Warrants: Warrants number 25B was signed in the amount of \$ 784,602.16, and Payroll 25A was signed in the amount of \$ 16,659.56.

The minutes of November 26, 2012 were approved as written on a motion by Beula second by Karen and so voted.

Dec. 24th Meeting: Karen moved to cancel the December 24, 2012 meeting second by Beula. All in favor.

Budget Meeting: Annual budget meeting will be held on January 5, 2013 at 9 am. This meeting will need to be warned.

Beula moved to sign the Village Center designation renewal letter for Derby Center and Derby Line second by Karen. It was noted that we did this once before also. It passed all in favor.

Bob had capital budgeting for us to review.

Road Report: Brian stated that we are ready for winter as far as roads are concerned. There is salt in storage and more will be ordered out of the 2012 budget.

Steve moved to purchase a 2013 Mac ten wheeler truck for \$125,000.00 and change (he will get the exact amount to Faye) from the 2012 equipment budget, second by Karen.

The Plow & Body will be paid from the 2013 budget. The truck will come from Sheldon truck. The motion passed.

Brian asked that Faye print out budget status reports for all Board members to come in and pick up or have mailed to them.

West Street: The State was putting up no parking signs on West Street.

Audit: Brian read an email from Gene Besaw's office reporting on the status of the audit. Still waiting on legal letters everything was fine up until September 30, 2012 Nicole's last day of work.

Wind Towers: Dave Labelle asked the board about the Planning Commissions' recommendation about a town wide vote on wind. Beula stated that she wanted it to be by Australian ballot. Karen stated that the Planning Commission had not made the recommendation to the Select board yet, it was only in their minutes and that she and Brian knew about it from attending Planning meetings. Lois asked about the size of the "wind farm" they were referring to. Dave stated that the Planning Commission wants to know where Derby stands on wind. Discussion continued on various topics including the difficulty wording the question, on the size of the turbine, the number of turbines involved and whether or not they were for personal use. We will look at Brightons question that was asked of all taxpayers and possibly other Towns. No decision was reached. All questions for Town Meeting do need to be in sometime before the end of January.

Steve moved to go into executive session with John Joly for a personnel matter second by Beula and so voted. The board came out of executive session at 7:15 pm with no action taken.

The meeting adjourned at 7:20 pm.

Our next regularly scheduled meeting is January 7, 2013 at 6:30 pm.

Respectfully submitted,

Karen Jenne,
Acting Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
NOVEMBER 26, 2012

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

Other's Present: Scott Warthin, Lynn Bachelor, Joe Gressor, Vicki and Dan Lewis, Joe Profera, John Joly, Dave LaBelle, Bob Kelley, Maureen Fountain, Robin Smith, Tina Favreau

MEETING CALLED TO ORDER – Meeting called to order at 6:38

ROLL CALL

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

Approval of Minutes; Karen moved to approve the minutes of October 29, 2012, with Beula seconding, unanimous.

Sign Warrants: Payroll 24 A in the amount of \$15,185.48, Warrant 24 B in the amount of \$10,206.62, warrant 24 C in the amount of \$576.44, Warrant 23 D in the amount of 55.25 and 23 C in the amount of \$2002.00

ROAD REPORT:

150 tons of salt has been delivered which should be enough to start winter. All 4 truck bodies are cleaned, culverts cleaned and replaced, roads have been graded, and most of the 911 signs have been replaced to larger ones. The road crew is ready for winter.

NEW BUSINESS

Unanticipated Expenses – The public should know that the justice of the peace recount cost \$746.00, and the election is anticipated to be \$1170, in unanticipated expenses.

VEC Waiver request – Bridge St substation – Been there for 60 plus years as #45 Derby Substation. Needs to be updated and modernized, including expanding the fenced in area for equipment clearances, and the installation of a new transformer. Laura moved to approve the request as presented, with Beula seconding. Karen abstained. The motion passed.

Health Insurance renewal: Laura moved to approve the proposal as submitted which will increase the deductible but save on the premium, with Beula seconding. Unanimous.

OLD BUSINESS: Capitol Budget - handed out for review – copies available for the public. We will look at this at our next meeting, giving time for the planning commission and public to review.

EXECUTIVE SESSION: Beula moved to go into executive session at 7:10 to discuss personnel, with Laura seconding. Unanimous. Out of executive session at 7:35 p.m. No action taken.

OTHER: Peggy Day Gibson sent a thank you to the Derby Tax Payers for the \$1250 for the appropriation for the Orleans Historical Society and the Old Stone House Museum.

IROC: Annual request for \$1500.00 for the support of the Annual New Years Celebration, and which allow Derby Residents to attend for free. Laura moved to approve the request, with Karen seconding, Unanimous.

ADJOURNMENT

Meeting adjourned at 7:35

Next meeting scheduled for Monday, December 10, 2012, at 6:30

Unofficial until approved

Submitted by Laura Dolgin

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
October 29, 2012

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

Other's Present: Josee Brandstetter, John Joly, Dave LaBelle, Maryann and Willie Tetreault, Bob Kelley, Jane Clark, Deb Batista, Lois Major, Joyce Lantagne, Rick Geisel, Colleen Storrings,

Roll Call – Meeting called to order at 6:30 p.m.

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

Approval of Minutes – Beula moved to approve the minutes of 10/29/12 with the addition that the Lake Salem Association donated \$100.00 to the Beach House fund. Karen seconded. Unanimous.

Sign Warrants: Warrants number 21B was signed in the amount of \$96,025.75, and 22A was signed in the amount of \$16,486.57, and #22B in the amount of \$5,991,878.47.

Road Report – Big concern is Hurricane Sandy and the road crew is prepared for the storm. Steve made the annual motion to pay for the street lights on Canusa Ave, with Laura seconding. Unanimous.

New Business -

Dog Park – Bob Kelley: Committee requests that Patty Beckwith and Cindy Fort be appointed to the dog park committee. The committee is charged with fund raising, maintenance, and policing the park. They have conduct rules regarding things like vaccinations, leash uses, pick up waste, get along well with others, responsible for what the dog does, no smoking, spay and neuter expectations. The dog park falls under the town's liability insurance policy. Laura made the motion to appoint Patty Beckwith and Cindy Fort as committee members of the dog park, with Steve seconding. Unanimous.

Coin Drop Request:

Joyce Lantagne, Colleen Storrings, and Josee Brandstetter – Junior High. Would like permission to have a coin drop fund raiser at the School on November 10th with the proceeds going towards a community walking trail around the soccer fields. The town has a coin drop policy that allows only four a year and there may be a state deadline of October 15th due to the potential for snow interference and bad weather. We've never been asked to hold a coin drop at this time of year. Beula made a motion to allow a coin drop at the point of exit of the Junior

High on November 10th. With Karen Seconding. Unanimous. However, after learning more about the coin drop process, the applicants may decide to put this off.

Drift Dusters – Annual Request to use town roads for short interval lengths, nothing new. Steve made a motion to accept this as presented with Beula seconding. Unanimous.

Dailey Memorial Library

Request – Jane Clark – Daily Memorial Library, the town provided a letter of support for a previous grant application and Jane is present to ask for another support letter for future grants. Laura moved to approve the request and Jane will provide the letter, with Steve seconding. Unanimous.

Old Business

The Lake Salem Association donated \$100 to the Beach House Fund – Thank you.

Executive Session: n/a

Other Public Comment: n/a

Adjournment

Beula moved to adjourn at 6:58

Next meeting scheduled for Monday, November 26, 2012, at 6:30

Submitted by Laura Dolgin

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
OCTOBER 15, 2012

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

Other's Present: Dave LeBelle, Lois & Andy Major, Joe Profera, Tina & Robert Favreau, Maryann & Willy Tetreault, Lorraine Lyon, John Joly, Robert Morin, Derick Blake, Robin Smith, Lindsay Geoffrey, Tammy Simoneau, Emily Davis (Jennie), Debra Batista, Debra Joslin, Vicky & Dan Lewis, Bob Kelley, Rick Geisel, Paul Prue, Christine Ducharme, Laura Carpenter, Maureen Fountain, Ken Cartee, Scott Green, Angela & Robert Conrad

MEETING CALLED TO ORDER – 6:00 P.M.

Karen, Brian, Steve, Laura, and Roydon Lancaster met at Smugglers Road to view a water runoff problem. A report is included below.

Reading of Rules of Procedure: Brian read the rules.

Approval of Minutes: Karen moved to approve the minutes of October 1, 2, and 4, with Steve seconding. Unanimous.

Sign Warrants: 21A in the amount of \$15459.73, and 21B in the amount of \$135,436.70.

Road Report: North Derby Road (Smugglers Road) was viewed to assess an ongoing problem with water coming down the black top into a field. There are 3 catch basins on the flat that flow down into Smuggler's road. The water flows into an aquifer which has cat tails and field. Some of the water drains down the Canadian Side of the road, but the bulk of the water carries through into the American side, under the road through culverts. There are water lines and power lines that need to be considered. A ditch on the north side of the road is designed to catch the water runoff. The cat tail area gets filled in with silt and sand into the field, which is out of the town right of way. The field may also be in a low land flood plane. The cat tails cannot be disturbed. The town has tried 'rip rapping' the area in the right of way, but still a lot of water flows into the area. The catch basins could be filled with concrete but that could cause the road to be exceedingly slippery in winter. More research is required.

The road crew is ready for winter, whips installed. A minor fender bender occurred at the town garage between the town loader and an employee truck which cost about \$576.00 that was lower than our deductible, not covered by insurance.

New Business: Capital Budget –Bob Kelley and Terry Tice drafted a proposed capital budget. We now have a good frame work to build upon.

Review draft of Winter Maintenance Plan & Policy – Laura moved to approve the Road Department Winter Maintenance Plan and Policy for the town of Derby with the following modification: **Paragraph 2 will read:** 'After 12 hours on the job, Road Department personnel may be required to stop operations and take a minimum of six (6) hours of rest, with Steve seconding. The motion passed unanimously.

Listers: The lister's suggest another reappraisal in about 5 years, and we may want to begin setting funds aside to pay for the appraisal. This is a working document and will be referenced again.

IROC: IROC asked to use the town green in front of the Junior High for the Annual Halloween Hustle scheduled for October 27, 2012. Laura moved to approve the use of the town green in front of the Derby Junior High on October 27, 2012 for IROC's Halloween Hustle, with Karen seconding. Unanimous.

7:30 Set Date for Special Election – Clerk & Treasurer & School Treasurer-

Beula moved to go into a special meeting, with Karen seconding, to set this date. Unanimous.

Statute requires 6 Monday's from the deadline of petition/consent filing to the election date, plus a Tuesday. Candidates need to realize that this elected position is in affect until Town Meeting Day, when another election is required.

Question arose from the audience about calling off the election due to costs and short time frame till next election but statute requires the town move forward because a petition was filed.

Notice will go into the paper for Town Clerk, Town Treasurer and School Treasurer. Laura moved to set the petition date for October 22 with Election date November 27, Laura and Steve voted yes, Karen and Beula voted no. Brian voted yes. Motion carries. **Election is set for November 27 for the office of town clerk, and town and school treasurer.** Laura made a motion to adjourn the special meeting at 7:45, with Beula seconding.

OLD BUSINESS

Engineer is scheduled to present to the Derby Line Village Trustees tomorrow night regarding a proposal to address the size of the water pipes leading to the end of Elm St., beginning at 6:30 p.m., at the Derby Line Village Hall.

A Thank you letter was received from Lake Salem Association for allowing them a summer coin drop.

EXECUTIVE SESSION

Beula made a motion to go into executive session to review employee evaluations at 7:00 with Steve seconding. Unanimous.

Out of executive session at 7:20, No action taken.

Public Comment: n/a

ADJOURNMENT: This meeting was recessed at 7:46 in order to accommodate the meeting with the Derby Village Trustees scheduled for tomorrow night.

Next regularly scheduled select board meeting set for Monday, October 29, 2012, at 6:30, Derby Town Clerk's Office.

Unofficial until approved
Submitted by Laura Dolgin

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
October 1, 2012

Present: Select Board Members: Brian Smith, Beula Jean Shattuck, Karen Jenne, Steve Gendreau

Absent: Laura Dolgin

Others: Vicky and Dan Lewis, Joe Profera, Cindy Willis, Ann Marie Blake, Steve Davis, Julie Jacobs, Solange Patenaude, Bertha Patenaude, Judy Roberge, Nicole Daigle, Helen Flynn, William Leavens, Albert Patenaude, Todd Wright, Hilarie Wright, Eugene Tessier, Lorraine and John Lyon, Christine Ducharme, Mary Pinard, Deann Messier, Tina & Robert Favreau, Gina Alberghini, Nancy Gosselin, Maureen Fountain, Tammy Simoneau, Cecile Olden, Scott Warthin, Lynn Batchelor, Elizabeth Bumps, John Joly, Lois & Andy Major, Maryann Tetreault, Ernest Wright, Donna Wright, Claudia Letourneau, Ronald Wright, Marlene & Ivan Maxwell, Sharon & Greg Smith, Carol Wright, Maurice Patenaude, Robin Smith (Orleans Record) and Joe Gressor (the Chronicle).

Brian called the meeting to order at 6:32 pm.

Select Board orders 20 a in the amount of \$16,762.91 was reviewed and signed and order number 20 b in the amount of \$22,066.09 was also reviewed and signed.

The minutes of the prior meeting September 20, 2012 were approved on a motion by Beula second by Steve and so voted.

Brian read the Rules of Procedure aloud and reviewed Open Meeting Law procedures as well.

Brian presented Terry's road report. Crawford road is finished. Whips have been put up and Terry request the Board visit Smugglers road. This is the road that Chris Binnette has brought to our attention with the drainage problem. AOT and Vermont Local Roads have offered possible solutions. The Board will meet at the site prior to the next meeting at 6 o'clock October 15, 2012.

The Beach House has been closed up and secured for winter.

Steve moved to accept the Lister corrections as presented and dated August 14, 2012 second by Beula and so voted.

Irene Dagesse is working to get some volunteers to work at the recycling center. She has submitted two names as replacements for two employees who have left. Steve moved to hire two part time employees Joshua Tompkins and Burton Jacobs at the same rate of pay as the prior individuals were receiving, Karen seconds the motion. Steve, Karen and Brian voted in favor with Beula abstaining as she is related.

Brian stated that Nicole's resignation was effective at midnight September 30, 2012. Steve moved to accept her resignation with regrets second by Beula and all in favor including the chair.

She was given a round of applause. Brian brought up the statutory issues of posting in three places for 10 days the vacancy and appointing a Clerk and Treasurer within 15 days and the special election requirements. Vicky Lewis submitted to the Chair a petition with over 200 names requesting a special election for the positions. Nancy Gosselin made the recommendation that Faye Morin be appointed interim Clerk and Treasurer after working with her for the last three months and training with her under Nicole.

Steve moved to appoint Faye Morin as interim Town Clerk and Treasurer and Elementary School Treasurer second by Brian. Beula and Karen abstained from voting Steve and Brian were in favor the motion fails.

Brian read a letter of support from Tom Salmon regarding Nicole Daigle.

Nicole stated that she doesn't feel there will be a lot of people running for her job as it comes up for re-election every three years. She explained the process of getting petitions and the election being held in December for the positions.

Citizens had concerns about taxes coming in and not being able to pay them and who had signing power on checks. Brian stated that the Board would recess and meet again on October 4, 2012 at 7 pm on Thursday to appoint an Interim Clerk and Treasurer as we could not act until Nicole's resignation was in effect.

Beula moved to go into executive session for road employee evaluations second by Steve and so voted. The Board came out of executive session at 7:35 pm with no action taken.

The meeting was recessed until 6:30 pm October 2, 2012.

October 2, 2012

Karen, Steve and Brian attended the Village of Derby Line Trustees meeting.

Wayne Elliot from Aldrich and Elliot Engineers explained the Elm Street water line situation.

He will apply for an emergency planning grant for approximately \$20,000.00. He is able to do computer modeling of the waterlines. The water lines vary in size from 4-6-8 inch along Elm Street which restricts the flow. New State requirement are at least 8 inches today. Buzzy stated that the land owner is receptive to having the line go through his property.

Wayne will look into phasing the project and funding sources and include the Water Supply Division of the State as well. Robin asked about a time line for Town and Village meetings. Wayne stated that he hoped to have something in 4-6 weeks. He will keep the Trustees and the Select Board informed. The Select Board left the meeting at 7:10 pm.

This meeting was recessed until 7 pm October 4, 2012.

Respectfully submitted

Karen Jenne
Acting Clerk

October 4, 2012

Meeting continued from a recessed meeting of Monday, October 1, 2012.

The October 1st meeting recessed in order to accommodate a meeting with the Derby Line Trustees on Tuesday October 2nd to discuss water pipe issues for Elm St. That meeting then recessed in order to accommodate this special meeting scheduled for Thursday, October 4th.

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

Other's Present: Dan & Vicky Lewis, Chelsea Brown, Scott Green, Skip & Bassie Hastings, John & Lorraine Lyon, John Joly, Elizabeth Bumps, Shirley Fournier, Albert Patenaude, Judy Roberge, Bill Leavens, Jason Patenaude, Cecile Olden, Yvonne & Eugene Tessier, Paul Prue, David LaBelle, Joe Profera, Bob Kelley, Andy & Lois Major, Maryann & Willey Tetreault, Laurie & Allen Sarazin, Christine Ducharme, Ivan & Marlene Maxwell, Robert Morin, Robert & Tina Favreau, Roy Wright, Susan Wright, Steve Davis, Faye Morin, Naomi Walker, Nancy Gosselin, Berthe Patenaude, Julie Jacobs, Patricia Bennett, Nicole Daigle, Rick Geisel, Ron Plante, Scott Warthin, Maureen Fountain, Earnest Wright, Donna Wright, Julia Favreau, Tammy Simoneau & Gina M. Alberghini.

Agenda: Appoint interim town clerk, interim town treasurer, and interim school treasurer.

Brian called the meeting to order at 7:00 p.m. and announced the sole purpose of tonight's meeting was to appoint the above captioned position(s).

Laura Dolgin moved to appoint Faye Morin as interim town clerk, interim town treasurer, and interim school treasurer, seconded by Steve Gendreau. Laura and Steve voted yes, with Beula and Karen voting 'abstain.' Brian voted yes. The motion passed.

Brian announced that the board is within statutory time frames to set the date for the requested town clerk/treasurer election at the regularly scheduled October 15, 2012, select board meeting.

The meeting adjourned at 7:10 p.m.

The next select board meeting is scheduled for 6:00 p.m. on October 15, 2012, at Smugglers Road, Beebe Plain, in order to view a drainage issue. The select board will then travel to the town clerk's office immediately thereafter to continue with its regular agenda.

Submitted by Laura Dolgin

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
SEPTEMBER 17, 2012

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

Other's Present: Dave LaBelle, Joe Profera, Betsy Bumps, Bob Kelley, Rick Geisel, John Joly, Vicki & Dan Lewis, Lois Major, Gloria Bruce, Maureen Fountain, Nicole Daigle, Buzzy Roy, Keith Beadle, Maryann & Willy Tetreault, Perry Hunt, Scott Warthin, Robin Smith, Joe Gresser, Laura Carpenter, Nancy Gosselin, Bobbie & Faye Morin, Greg & Sharon Smith, Allen & Laurie Sarazin, Tina & Robert Favreau, Cecile Olden, Hilarie & Todd Wright, Steve Wright, Paul Prue, Derick Blake, Donna Chesney, Gina Alberghini, Christine Ducharme, Ann-Marie Blake, Cindy Willis, Steve Davis, Lorraine Lyon, Walter & Carol Wright & Chris Blais

MEETING CALLED TO ORDER – 6:30 P.M.

Reading of Rules of Procedure: Brian read the rules of procedure out loud.

Approval of Minutes: Motion to approve minutes of August 20th by Beula, with Laura seconding, unanimous.

Sign Warrants: Warrants number 19-A was signed in the amount of \$26,962.82, and #19 B in the amount of \$64,168.09.

ROAD REPORT:

Terry will be working on employee evaluations. The crew has been focused on road maintenance and ditching, and attending professional development classes. One more FEMA project left on Shattuck hill. The road crew will soon be attending to preparing for winter.

NEW BUSINESS:

Town Clerk's Office Parking Lot Lights – need repair or replacement. Bob will call Gene's Electric and replace them with LED fixtures at a proposed cost of \$1404.00

Village of Derby Line – Water Line Issues – Perry, Keith, and Buzzy were present to discuss the water lines. It was discovered that Elm St. residents are not getting adequate volume of water when a fire recently broke out, and there was not adequate water pressure to fight the fire. The School is located at the end of the street. International Water Company has responsibility for a very short piece of pipes, the rest is Derby's. Village Trustees asked to for assistance to come up with a plan to either replace some of these lines, or come up with an alternative path for the pipes. There appears to be a 4 inch line and the standard should be 6 inches at a minimum. The trustees will consult with an engineering firm, which may be able to assist in applying for low interest loans and possible grants. Currently, nothing can be found in records about who owns the lines. The Village probably owns those lines because they derive the income. The town paid to run the lines into the school. Trustees and the town will most likely put this project on for their respective village and town warnings. The Village and Town will work together to get the best rates and plan for the residents of Derby. Trustees will get some research done and get back to us.

Listers – Corrections – N/A

NE Kingdom – By-Way Project: Gloria Bruce, Executive Director of NEK Travel and Tourism Association Destination Development, explained this is a program to foster economic development of the area through travel and tourism.. The NEK Travel and Tourism Association is proposing a Scenic Byway Corridor of NEK. There is one on the Connecticut River. The corridor would come through Derby, Derby Line, and Newport. Purpose is to have communities thrive and be healthy through tourist attractions. The idea is to market the area to get people off the Interstate and into communities to experience the culture and businesses. Nice signs and maps are generated. Grants are available, marketing tools, and \$8 mill has been generated in Vt. as marketing tools to do things such as constructing board walks and over looks, portage areas, wilderness areas, etc. The program allows us to plug into a huge regional, state, and national marketing platform. The program has no impact on zoning or act 250. The marketing materials will include side itineraries for day trips for those towns who want to participate but have breaks in the map. Laura moved to participate in the program by submitting a letter of support for Derby to be included in the NEK Byways program. Seconded by Beula; unanimous.

OLD BUSINESS:

EXECUTIVE SESSION:

OTHER:

Beach House water will soon be shut off.

Secretary Condos is scheduled to conduct a Transparency Meeting on Wednesday, September 19, 2012, at 7:00 p.m., at the Derby Elementary School, Elm St., Derby Line. All boards and committees from the area are welcome to attend.

ADJOURNMENT:

Motion to adjourn at 7:25

Next meeting scheduled for October 1, 2012.

Submitted by Laura Dolgin

Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
AUGUST 20, 2012

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

Other's Present: Dave LaBelle, Shirley Fournier, Rick Geisel, Dan and Vicki Lewis, Betsy Bumps, Joe Profera, Andy and Lois Major, John Joly, Faye and Robert Morin, Robin Smith, Brian Davis, Paul Prue, Bob Kelley, Mary Ann Tetreault, Nicole Daigle, William Leavens, Kenneth Cartee, Fred and Joyce Oescheger, Chris and Diane Binette, Ivan and Marlene Maxwell, Christine Ducharme, Nancy Lewis, Candace Patenaude, Bryan Davis, John and Lorraine Lyon, Larry and Yvette Thompson, Deann Meunier, Ann Jones, Mary Pinard, Annette Wright, Cecile and Michelle Olden, Ernest and Donna Wright, Amanda Wright, Taylor Wright, Albert & Bertha Patenaude, Scott Green, Brandy Flynn, Roy and Susan Wright, Adam and Maryann Tetreault, Robert and Tina Favreau, Amy Snider, Nathan Pickard, Eugene and Yvonne Tessier, Ronald Wright, Debra Kinney, Roger and Brooke Gosselin, Gina Alberghini, Greg Smith, Steve Davis, Robin Smith, Maureen Fountain, Claudia Letourneau, Derick and Ann Marie Blake

MEETING CALLED TO ORDER:

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

RULES OF PROCEDURE:

The reading of rules of procedure: Beula moved to waive the rules with Steve seconding. Brian reminded folks that we will have public comment at the end of the meeting. Waiving of the rules was unanimous.

MINUTES:

Approval of Minutes: Beula moved to approve, with Steve seconding. Laura pointed out that she spoke to Nicole to ask her to stay on in an effort to build a tight transition plan. Unanimous.

WARRANTS:

Sign Warrants: Warrants number 17A was reviewed and signed in the amount of \$17,264.17, and #17 B in the amount of \$23,908.96. Warrant number #16 B was signed in the amount of \$344,883.34 to correct previous week.

ROAD REPORT:

Working Road Foreman Terry Tice reported that the road crew has been busy cleaning culverts, sanding, ditching, grading and putting chloride down where needed.

NEW BUSINESS:

Chris Binette: Complaint of Storm Runoff: He was here approximately 3 years ago to address this problem of storm water running into his field. He would like to have the matter corrected while the weather is dry in order to avoid the problem in the future. The unique problem is that the storm water comes from the Canadian side as a result of our Canadian neighbors redirecting their culverts. This has been problematic ever since. Steve suggested ditching the area might correct the problem. Chris said it used to be that way and it was never a problem when it was. The road crew will address this within the next 2 or 3 weeks with the hopes it will work.

HEALTH INSURANCE:

Beula, Bob, and Brian met with the VLCT to see if there are improvements that can be made to the employee health insurance benefit. The town currently reimburses employees for medical expenses up to \$4000.00 annually, which is more than most towns. VLCT suggests we leave it this way until 2014 because that is when changes are scheduled to occur due to recent legislation around universal health care. New hires can go on the town plan, and the town will pay \$4000.00 towards their health insurance premium. Beula made a motion to keep the reimbursement the way it is for current employees, the health insurance benefit for new hires from this day forth is the town will pay \$4,000 toward their premium, but only if they choose to go onto the Town's plan, with Steve seconding. Unanimous.

CLERK'S OFFICE:

Nicole Daigle: Resignation Status Update: Nicole announced her official last day as town clerk/treasurer is expected to be September 30th 2012, which will allow for the required audit to be completed. The audit is scheduled to begin on September 11, 2012, to cover the time period of January 1, 2012, to that date, and then a second audit will take place from the date of audit completion to December 31, 2012. If the audit requires more of Nicole's attention than expected beyond September 30, she will be available on a per diem hourly basis as necessary to help transition.

Many thanks were expressed to Nicole for her 19 years of excellent service. Nicole explained that it was her goal to transition a person to be trained to carry on the level of customer service and continuity of operations that Derby residents have come to expect. It could be challenging to find a person with the proper skill set and availability to hold the position of town clerk/treasurer for a short period of time and then run for election in March. Nicole recruited Faye Morin who has the skill set, availability, and willingness to serve, and was present to introduce herself to the audience.

Faye is a life long resident of Derby who has worked locally for almost 30 years - 15 years at Prouty & Miller, and 14 years at Wright's Plumbing & Heating Oil, Inc. Her experience and job duties involved bookkeeping, responding to customers, payroll including handling benefits, monthly & quarterly reports, banking including on line banking, deposits, inventory, etc., and she is proficient with the Microsoft Office Suite, including Outlook, Word, and Excel. She likes seeing different faces, serving and working with the public. She loves living in Derby which she regards as a very nice place to raise a family, and she has an interest in looking out for the interests of Derby.

Questions arose about the appointment process of a new town clerk, which is outlined in 24 V.S.A. § 963 :

“§ 963. Duties of selectpersons; special meeting

When a vacancy occurs in any town office, the selectpersons forthwith by appointment in writing shall fill such vacancy until an election is had; except that in the event of vacancies in a majority of the board of selectpersons at the same time, such vacancies shall be filled by a special town meeting called for that purpose. Such appointment shall be filed by them in the office of the town clerk and duly recorded by the town clerk in the book of town records. If there are no

selectpersons in office, the secretary of state shall call a special election to fill any vacancies and for that interim shall appoint and authorize the town clerk or another qualified person to draw orders for payment of continuing obligations and necessary expenses until the vacancies are filled.”

Questions also arose about the authority a town clerk has to hire within the town clerks office. These duties are outlined in 24 VSA 1170, as follows:

“§ 1170. Assistant clerk

After his election, a town clerk shall forthwith appoint one or more assistant clerks, for whose official acts he shall be responsible, who shall hold office during his term of office, or until such appointment is revoked by him. Such appointments and revocation shall be recorded in the office of the town clerk.”

“Vermont Select Board Handbook – page 39-40:

D. FILLING VACANCIES

When a vacancy occurs in any town office, the select board has the authority to fill the vacancy forthwith on a temporary basis until an annual or special town meeting is held at which the vacancy is filled. 24 V.S.A. §§ 962, 963. An office becomes vacant if the town officer resigns, is removed from office, dies, becomes insane, or moves out of the town in which he or she serves. 24 V.S.A. § 961.

When an office becomes vacant, the select board must alert the public of this vacancy by posting notice of the vacancy in at least two public places in the town and in and near the town clerk’s office within ten days of the vacancy. 24 V.S.A. § 961. The select board may fill the position on a temporary basis prior to such posting. The voters may petition the select board for a special election to fill the position. If the voters do not do so, or do so without the required number of signatures (5% of the electorate), the select board’s temporary appointment may remain in office until the next annual meeting or until another special town meeting is called for some other purpose. If a majority of the select board is vacant at the same time, such vacancies must be filled by a special town meeting called for that purpose by the remaining selectpersons, or by the secretary of state if there are no selectpersons in office. 24 V.S.A. § 963.”

Any petition will want to keep in mind the costs associated with a vote and that it may be difficult to find a qualified candidate for such a short term.

Nancy Gosselin asked Brian to read a letter in her absence expressing her gratitude and respect to Nicole for the many good years they have worked together. Nancy is not a Derby resident so is not able to hold the position of town clerk/treasurer. Mary Ann stated on the record she is not interested in being appointed to this position. The audience gave Nicole a round of applause.

TRANSPARANCY MEETING

Brian has invited Secretary of State Jim Condos for a transparency meeting to occur in Derby. Brian will coordinate with his office and announce the date as soon as it can be scheduled.

INTERIM TOWN CLERK

Karen requested this on the agenda and now that Nicole has announced a date certain this agenda item is moot.

OLD BUSINESS:

We have two loans with Vermont Municipal Bond Bank. There has been a significant drop in interest rates so refinanced for a savings of \$18,756.66 is wise. Laura moved to approve this with Steve seconding. Unanimous.

OTHER:

Beula mentioned Beach House has been very active and is very beautiful. We would love to see donations made to the Beach House.

Many thanks and a round of applause go out to John Joly for his hard work and pleasantries at the recycling center. He is no longer going to cover the recycling center.

ADJOURNMENT:

Adjourned at 7:24 p.m.

NEXT MEETING:

Next meeting scheduled for September 3, 2012 which may be cancelled due to the Labor Day Holiday. So the next meeting may actually be scheduled September 17, 2012.

Submitted by Laura Dolgin

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
August 6, 2012

Present: Brian Smith, Beula Jean Shattuck, Karen Jenne, Steve Gendreau, David Labelle, Joe Profera, Kenneth Corkins, Skip & Bessie Hastings, Richard Creaser, Vicki and Dan Lewis, Elizabeth Bumps, Mary Ann Tetreault, Bob and Tina Favreau, Lynn Batchelor, Becky & Tanner Jacobs, Anita Burke, Shirley Fournier, Bob Kelley, Kenneth Cartee, John & Lorraine Lyon, Andy & Lois Major, Nancy Gosselin, Nicole Daigle, William Leavens, Albert & Bertha Patenaude, Laurie Sarazin, Betsy McDonald.

MEETING CALLED TO ORDER:

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

RULES OF PROCEDURE:

Karen moved to waive reading the Rules of Procedure, Beula seconds and it was so voted all in favor.

MINUTES:

The minutes of the prior meeting July 23, 2012 were approved on a motion by Beula, seconded by Karen and so voted.

WARRANTS:

Select Board orders 16 a in the amount of \$18,800.78 was reviewed and signed and order number 16 b in the amount of \$338,821.58 was also reviewed and signed.

ROAD:

Terry submitted a road report in writing. The employees have been grading the roads, putting down gravel and chloride as needed. Our chloride use is up due to the dry weather. We do need rain but we are not over budget. Brian noted that we did purchase the grader for \$25,000.00. It is a 1993 with 230 hours on it after Steve and Richard went and looked at it and tested it. We need to keep it for eighteen months according to Vermont Surplus rules.

RECYCLING:

John Joly is no longer able to work at recycling. Ken Corkins can work three Wednesdays a month with Tucker. Joe Noble can work the other Wednesday and Saturdays. Beula moved to hire Joe Noble as an employee at recycling for \$10.00 per hour, Karen seconded the motion and all were in favor.

STUMP DUMP:

The lock has been changed at the stump dump and the appropriate individuals have the key. Beula moved to hire Dave Royston at minimum wage at the stump dump as he is already an employee of the Town, seconded by Steve and so voted. The motion carried. Bob had done research into a contract employee and overtime pay with VLCT.

CONCERNS:

Beula had asked for an item on the agenda for an interim Town Clerk and Treasurer as the Board was under the impression that Nicole Daigle was going to resign at this meeting. She was on the agenda at the Municipal office until Thursday with resignation under her name. Nicole stated that she was staying on for a few more weeks to train her staff and that some "Board" members had asked her to stay on. When Beula asked her to name those Board members she declined to. Questions regarding bonding and an audit were asked of Nicole and the Select Board. Nicole was asked if she could differentiate between her hours between Clerk and Treasurer as it is two positions that could be served by two different people in the future. She stated that would be difficult if not impossible to do.

BEACH HOUSE & JUNIOR HIGH GREEN:

New signs are going up at the beach house regarding security, dog waste and pets on leashes. Some of these signs should also go up on the green in front of the Junior high school as well.

DOG PARK:

Bob Kelley spoke about Derby winning the \$25,000.00 for the dog park. He thanked everyone for voting. There were 12,000 votes in the last week he said.

CLERK'S OFFICE:

Paul Prue spoke to thank the Board for letting Nicole do her job well for the past eighteen years and staying on. She is getting paid to run her office he stated.

Beula moved to adjourn at 6:59 seconded by Steve and so voted.

Respectfully submitted,

Karen Jenne, Acting Clerk

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

**Minutes
July 23, 2012**

Present: Brian Smith, Beula Jean Shattuck, Karen Jenne, Steve Gendreau, David Labelle, Joe Profera, Scott Warthin, Laura Carpenter, Joe Gressor, Edith Warthin, Vicki and Dan Lewis, Elizabeth Bumps, Mary Ann Tetreault, Bob and Tina Favreau, Bob Ovitt, Sue Best, Lynn Batchelor, Becky Jacobs, Sheila Driver, Nate Pickard, Roger Gosselin, Paul Snider, Phil Letrouneau, Perry Hunt, Mark Jacobs, George Weber Jr., Nate Pert, Anita Burke, Lorraine Lyon, Richard ?, Peggy Kelley, Susan Judd, Debra Kinney, Becky Rice, Kirk Martin & Bob Kelley.

MEETING CALLED TO ORDER:

Brian called the meeting to order at 6:35 pm.

MINUTES:

Steve moved to approve the July 9, 2012 minutes and seconded by Beula, Brian also in favor motion passed. Karen was not present at the last meeting so she did not vote on the minutes.

WARRANTS:

Warrants 15 A in the amount of \$16,490.30 and 15 B in the amount of \$47,757.68 were signed and approved.

RULES OF PROCEDURE:

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

VLCT HEALTH INSURANCE:

Tanya Chambers from VLCT and another guest were present to give information on the health insurance plans and options to the Board. However, due to all the items on the agenda she will meet with two board members at another time who will present the information to the entire board.

ROAD REPORT:

Steve and Brian gave the road report which Terry had left in writing. Paving is complete, sand is almost done and roadsides are being worked on.

FEMA is looking at Hayward road.

There was a request to do work on Foxwood Lane which was denied as it is a private road. It is a liability and there are private companies to do what they need as opposed to the Town doing the work.

DERBY LINE AMBULANCE:

Steve reported on the meeting he and Beula had with Derby Line Ambulance. All the Town's concerns had been addressed. The Town is getting a good service for our money he stated. It is a private entity serving the citizens of Derby charging a per capita rate just as it does to all the other Towns it serves.

A request for financial reports and audits from organizations that request money from the Town

of Derby whether budgeted or in appropriations was discussed but no decision was reached.

LISTERS CORRECTIONS:

Steve moved to accept the Grand List corrections as presented by the Listers dated July 11, 2012 second by Karen and so voted.

Beula moved to grant Sue Best, Lister remote Access to her home from September 4 to September 30, 2012 to continue her work as a Lister second by Steve and so voted.

ZONING DEPARTMENT:

Bob Kelley updated the Board on the Main Street Place LLC recent decisions. The demolition was approved, the 150 foot requirement is needed and their attorney asked for an extension of time. Bob stated that the 150 foot requirement would not make a mini mart possible on that lot.

ROAD DEPARTMENT:

Bob and Steve have been in touch with the Surplus department about a possible grader from the State with 230 hours on it. We will let Richard go and look it over and make a counter offer if it is feasible.

There have been visibility issues on West Street and Main Street Derby Center. Steve moved to have Bob contact the State to have the appropriate signs on West Street regarding No Parking, second by Beula and it was so voted.

The meeting was recessed at 7 pm for a Public Hearing on the VCDP Grant

VCDP GRANT/ SENIOR HOUSING PROJECT

The VCDP grant for the Senior Housing project Sheila Driver is pursuing on Shattuck Hill is for \$30,000.00. They have their non profit status and this is for the feasibility study. The grant is due in August.

The hearing closed at 7:04 pm.

Beula moved to extend the application for Pleasant Acres Senior Housing VCDP grant second by Steve and it was so voted all in favor. The application was signed and approved.

IROC:

Phil White sent a letter for IROC in hopes to authorize them the use of the beach house on August 4, 2012 for the Kingdom Run (Triathlon). Steve made a motion to approve the use of the beach house, second by Beula and so voted.

FIRE DEPARTMENT:

Brian had three quotes from Craig Ellam on sealing the Fire Departments parking lot.

Global at \$2,450.00 Brown's at \$2,616.81 Northeast at \$5,500.00

We asked that Craig review the quotes and select the company based on his budget.

DOG PARK:

Beula has had citizens voice their concerns to her about the dog park and its name and advertising on the board outside. Bob explained that the committee chose the name and it is a

Town entity with fund raising going on. The kiosk will change after the voting is over and Derby Line Community Day will go up on the board outside next since it is an important Community event.

CONCERNS:

Vicki asked for some clarification on Bob Kelley's duties. She was told by Brian that he is the Zoning administrator and the Town Administrator's with out the title as our Charter doesn't allow it. She asked what he does for the Planning Commission and Bob responded that he does their minutes, agendas, mail and prepares for their meetings. Vicki was concerned about time sensitive material that came to the Planning Commission that was not acted upon in a timely manner. Joe Profera said that the wind turbine and time sensitive materials are areas of concern.

Vicki's concern is any time sensitive material that comes in and how it is handled. Edie Warthin then submitted four documents all dated for the Select board to review.

The meeting then recessed for a Public hearing at 7:30 on Bylaw Amendments

There was considerable discussion on the non conforming lot amendment. Information was presented to the Select Board by Bob Kelley which the Planning Commission was not aware of.

There are 58 parcels this amendment would affect, approximately 20 in Derby Line, if a commercial business wanted to go back in one for example it would not be allowed to if this passed.

Brian and others feel it is too restrictive. Amendments 303 and 401.1 need to go back to the Planning Commission for further review.

The Public hearing closed at 7:45 pm.

Karen moved and Beula seconded the motion to approve Zoning Bylaw amendments as warned for 206.1B and 408 Adult Oriented Business, added the definitions to section 1102, and also added "Adult Oriented Business" as a conditional use in the following zoning districts sections 206.1 and 206.2. The motion passed all in favor.

CLERK'S OFFICE:

Maryann Tetreault read a letter to the Board regarding her concerns about her position in the Clerk's office. She stated that she would like her hours reinstated from her current 16 back to the 40 she had.

She also stated that she has been prevented from accessing some of the programs on the computer. She does not feel this is fair to her or the tax payers she is trying to help. Numerous questions were asked of Maryann and the Select Board most of which there were no answers as the Town Clerk and Treasurer was not in attendance at the meeting.

Brian did state that Nicole would be available and that the new hire was to be paid from the salary that Nicole would have been paid.

Who was paying the new hire was asked and the answer was not known, if it was the Town or the current Clerk and Treasurer directly as an employee of hers since the salary was coming from

her.

Robin Smith and others did state that the Clerk and Treasurer hires and fires their own staff. The Select Board has budgeted the salaries only.

Perry Hunt disagreed saying the Select Board has control over the money “the buck stops here even if you are elected”.

Others were concerned about the Clerk/Treasurer not being available during the posted hours. Brian said that she would be available at other times and others said she could always change the office hours. Another concern was the hiring of the new person and if it was advertised or not. Nate Pickard said it was not, as his wife was called for an interview. The Town is an Equal Opportunity Employer it is believed and people had concerns about that and were directed to address them to Nicole.

Brian was asked if there were ever any complaints about Maryann. He and the rest of the Board responded no and those in the audience supported reinstating her hours to forty.

Another asked why there was not hiring from within such as the working road foreman and the Board did not have a response.

Beula moved for executive session at 8:20 pm for personnel second by Steve and so voted.

The Board came out at 8:30 pm with no action taken.

Beula moved to adjourn second by Steve and so voted.

Respectfully submitted

Karen Jenne
Acting Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JULY 09, 2012

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

Other's Present: Bob Kelley, Nicole Daigle, Robin Smith, Richard Creaser (the Chronicle) Elizabeth Bumps, Nathan Pickard, Roger Gosselin, Brooke Gosselin, Amy Snider, Paul Snider, David LaBelle, Cynthia Persha, Scott Webster, Tanya Webster, Keith Beadle, Diane Beadle, Edith Lindblom-Warthin, Elizabeth Fletcher, Joe Profera, Sue Buler

CALLED TO ORDER

The meeting was called to order at 6:30.

RULES OF PROCEDURE:

The reading of rules of procedure was waived.

MINUTES:

Beula moved to approve the minutes, with Steve seconding. Karen submitted a letter in her absence regarding her position about the minutes. The motion passed with Steve and Laura voting yes, and Beula voting no.

WARRANTS:

Warrants were signed as follows: #14-A in the amount of \$16,790.12 and 14-B in the amount of \$64,001.85.

ROAD REPORT

Roads and gravel is in good shape. Mowing is done. Paving is underway.

2012 PROPERTY TAX RATE:

Set 2012 Property Tax Rate –

Last year was 1.534 for residential. Non residential was 1.729 for 2011.

The tax rate for 2012 is 1.6421 for residential. Non residential is 1.7675.

Laura moved to approve the rate with Beula seconding. Motion carried.

DERBY LINE AMBULANCE:

Explanation of Truck Purchase – Brian Smith read a letter from the board of directors regarding a 2006 truck. The Ambulance Board responded to a list of questions prepared by Roger Gosselin and Nathan Pickard. The letter is incorporated into these minutes as part of the record. The board will take this matter under advisement because neither the directors, nor Brian Fletcher, have accepted our invitation to attend our meetings to talk about the inquiries. Many ideas were floated at this meeting as a way for the public to better understand the Ambulance's strategic plan around how they expend tax payer dollars, plan for coverage versus availability for transports, and mutual aid. These ideas included requesting an audit and looking at a contract similar to the contract Derby has with the Sheriff.

EXECUTIVE SESSION:

Beula made a motion for executive session at 7:15 to discuss personnel. Laura seconded. Unanimous at 7:15. Out of executive session at 7:31 with no action taken.

OTHER

Public Comment – Dave LaBelle mentioned that he recalls that an executive session was offered at the last meeting.

ADJOURNMENT –

Meeting adjourned at 7:33.

NEXT MEETING:

Next meeting scheduled for July 23, 2012, at 6:30 at the Derby Town Clerk's Office.

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JUNE 25, 2012

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

Other's present: See sign in sheet

MEETING CALLED TO ORDER – 6:38 P.M.

RULES OF PROCEDURE

Reading of Rules of Procedure: Brian read the rules of procedures.

MINUTES:

Beula moved and Karen seconded the minutes from our last meeting. Correction: The request for utility poles is on the Fish and Game Road, not the Aldrich Road. Motion passed unanimously with this correction.

WARRANTS:

Warrants number #12-C was signed in the amount of \$2,331.00, warrants number 13-A was signed in the amount of \$17,492.99, and warrant number 13-B was signed in the amount of \$27,986.99.

ROAD REPORT:

Beach house is clean and stone was set down to help delineate the parking area. Road side mowing is about half done. Roads are in good shape.

DERBY LINE COMMUNITY DAY:

Laurie Moss – Events Committee Derby Line Community Day – August 11, 2012. Beula moved to approve the request of \$1,500.00 for Derby Line Community Day, with Laura seconding. Unanimous.

HEALTH INSURANCE

Health insurance reminder: Bob will touch base with Tonya from VLCT about 2013 health insurance options for town employees.

Old Business

DERBY LINE AMBULANCE

Laura inquired again about the Derby Line Ambulance truck purchase. Karen will ask Brian Fletcher for an explanation for our next agenda.

Other Business

MUNICIPAL BUILDINGS CONCERNS:

The Village Trustees had requested an executive session with Derby Line Town Clerk/Treasurer Karen Jenne on June 12 to discuss personnel but she failed to show. As a result, Village Trustee

Perry Hunt attended this meeting as an opportunity to access Karen, and question the select board about potential misuse of the building or equipment because the Derby Line Trustees have had recent issues. Perry noted that they are aware that Karen and a personal friend of hers have used the village's computer system at the Village Hall in Derby Line during off hours. This has raised concerns because confidential files exist on the town's computer. Perry explained the Village Trustees want to give Karen an opportunity to explain the purpose of her use to be assured it was within the town's purview, but because she ignored their request, the Village Trustees accessed her at this meeting. The Derby Town Clerk's Office has security camera pictures and a video of Karen entering the building with the same friend during off hours to access information that is readily available to the public during normal working hours. Concerns raised include equal public access to public information for all, potential breach of confidential records, misuse of town property or equipment, and access to elected officials.

ADJOURNMENT

Motion to adjourn 7:10

Next meeting scheduled for July 9, 2012

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JUNE 11, 2012

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

Other's Present: Ruth Aldrich, Gail Corkins, Robert Kelley, Joe Profera, David LaBelle, Vicky Farrand-Lewis, Robert Joseph, Ruth Joseph, Scott & Lisa Shipley, Lynn Batchelor, Amy & Paul Snider, Nathan Pickard, Roger & Brooke Gosselin, Robert & Christine Fortin, Russ Petelle, Bob Aldrich, Bea & Roger Nelson, Ralph Paradis, Nathan Paradis, Lois Major, Rich Delorenzo, Jacqueline Molleur, Chris Blais, Robin Smith

MEETING CALLED TO ORDER – 6:32 P.M.

RULES OF PROCEDURE:

Reading of Rules of Procedure: Steve moved to waive the reading of the rules with Beula seconding. Unanimous.

PUBLIC COMMENT:

Public Comment to take place at the end of the meeting.

WARRANTS:

Warrants number 12B was signed in the amount of \$81,458.56, and 12A in the amount of \$16,907.80.

ROAD REPORT

Road Commissioner/Foreman – Steve moved to go into executive session to discuss personnel, with current road foreman, with Laura Seconding. Unanimous. 6:32. Out of Executive session at 7:08.

HERRICK ROAD:

Herrick Road – will pave up to approximately Aldrich Lane, 1 coat down this year. Will take some money from the Elm St., and if any money left over, will pave what can be afforded on Elm St. Will be a base coat of 2 inches and will be done this year. One of the pre-determined roads planned to be kept up with pavement had to be given up in order to accommodate Herrick Road.

SAND & GRAVEL:

Sand and Gravel hauled in, Chloride is put down, road shoulders are cut, and we weathered the most recent rain storm. The roads are in good condition.

JUNIORS WOOD GRILL:

Rich Delorenzo & Scott Shipley - Introduced Juniors Wood Grill: a new family style restaurant in the Price Chopper mall will carry local produce and meat. They will be requesting a liquor license but will not be a bar. They hope to open in August. Still have a few more permits. Good luck.

EXECUTIVE SESSION –

Steve made a motion to go into executive session to discuss personnel, with Beula seconding 7:40. Out of executive session at 7:48. Action taken: Steve made a motion to hire Charlie Carpenter for the recycling center at \$10.00 per hour. Unanimous.

UTILITY POLE – ALDRICH LANE:

A request received for permission for a telephone pole near Aldrich Road to bring power into a home. The board feels that permission will be granted once the homeowner completes her research into pole placement.

DERBY LINE AMBULANCE:

Brian read a letter from Nathan Pickard and Roger Gosselin expressing their concerns about the Derby Line Ambulance Squad. Laura mentioned her curiosity about a truck purchase and requested a response from Mr. Fletcher to explain.

ADJOURNMENT

Meeting adjourned at 7:50 p.m.

NEXT MEETING:

Next meeting scheduled for June 25, 2012.

Unofficial until approved.

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

**Minutes
MAY 29, 2012**

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

Other's present: Dave LaBelle, Bob Kelley, Mr. and Mrs. Lewis, Glenda Nye, Lois Major, Joe Gressor

MEETING CALLED TO ORDER – 6:30 P.M.

RULES OF PROCEDURE:

Reading of Rules of Procedure

ROAD COMMISSIONER RECRUITMENT

Road commissioner – recruitment – Steve outlined the nuances of the road commissioner. He is worried about emergency calls in the evening. Steve believes we have enough people, but we can restructure the road crew duties to spread the emergency calls out, if we pay a stipend to those on call. On call would be covered by a schedule spread out across the staff. We may need to consider a two person on call schedule so that no one is alone on emergency calls in the middle of the night. The design could be that one person is primary on call to go out and scout the scene, and the other is secondary.

The board prefers the draft of priorities of the job for a working road foreman, which appear to be:

- On call
- Supervision
- Customer service
- Budget/fiscal responsibilities
- Daily operations/planning.

Sequence looks like this:

Currently 5 positions exist within the road dept.

- We need to determine if the existing staff is willing to take on call for a stipend.
- We need to design a stipend – Bob will research models for stipends
- Discuss with Terry restructuring options for the staff and divisions
- Refine recruitment notice for advertising, if we decide to go this far.

Terry will be invited to join us for our next meeting, June 11, 2012 to discuss personnel in executive session. .

DUMP TRUCK BIDS

All new trucks are taking new fluid called 'def' or diesel emission fluid, and you have to add this to each tank full of gas. International trucks do not require this. Steve recommends we

order the truck itself from Clark's. Steve made a motion to order a 10 wheel International truck from Clarks, with Laura seconding, unanimous.

FAIRPOINT

Fairpoint has a routine request to lay cable up on Citizens Road, and Steve made a motion to sign it but to check with Terry to make sure the depths and coordination are all set, Laura seconded, motion carried.

EXECUTIVE SESSION:

Motion for executive session at 7:45 to discuss personnel. Out of executive session at 7:53, with no action taken.

ADJOURNMENT

Meeting adjourned at 7:55 p.m.

NEXT MEETING

Next meeting scheduled Monday, June 11, 2012, at 6:30.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
MAY 14, 2012

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

OTHER'S PRESENT: Please see sign in sheet.

MEETING CALLED TO ORDER – 6:30 P.M.

RULES OF PROCEDURE:

Reading of Rules of Procedure – Brian announced we will be adhering to the rules of procedure with 15 minutes allowed at the end of the meeting. Beula moved to accept this with Laura seconding. Unanimous.

MINUTES:

Approval of April 30th minutes, with more names attached, Beula moved to approve with Karen seconding. Unanimous.

ROAD REPORT:

Steve is working on asphalt bids now and still working on the truck bids.

A water 'boey' is going out between Sunset and Twin Island, US coast guard approval, to mark off rocks. Memphremagog Yacht Club will be responsible for this. Steve made a motion to allow the Yacht Club to put these markers in and take responsibility for removing them. Beula seconding. The motion passed.

SIGN WARRANTS:

Warrants number 10-A in the amount of \$17,380.96, and 10-B in the amount of \$47,378.85, were signed.

PUBLIC HEARING

7:00 p.m.

BY-LAW AMENDMENT

Laura moved to recess the meeting for a public meeting at 7:09, with Steve seconding. Unanimous. See, Notice of Public Hearing dated April 24, 2012. Beula moved to go out of the public hearing at 7:12, with Steve seconding. Laura moved to approve the Zoning Bylaw Amendments as proposed in the April 24, 2012, Notice of Public Hearing, with Beula seconding. Unanimous. The bylaw amendments passed.

WIND TURBINES:

Wind Turbines –. Richard Saudek, the town's attorney joined the board for a discussion about this project, and explained that he has cut off contact with Encore due to the board's May 2 decision to cease having discussions with Encore. The schedule has not been laid out and things are up in the air. Richard laid out several scenarios and risks for the board's consideration.

Karen made the following motion, shall the town of Derby vote to approve the Derby Line Wind Project, docket number 7832, With Beula seconding. Laura voted in favor of the project, Karen and Beula voted no. Steve is looking for a town vote, so he abstained. The motion failed.

Steve made a motion to call for a special vote in the town of Derby to address this matter. No second on the motion.

GREEN MOUNTAIN POWER:

David Coriell & Charlie Pughe – Green Mountain Power – Present to inform the board and create a point of contact regarding the transportation of items pertaining to the project in Lowell, re: transport of turbine pieces. They will be off loading from Island Pond onto Interstate 91. They have received all approvals, including DMV, and now they are establishing a point of contact and are working towards mitigating any problems. Craig Ellam has a few questions and wants to be kept informed. Contact information was exchanged. Transport can only happen during certain times and the weather has to meet criteria, starting with transport of July 16; approximately 126 trucks coming through for about a 6 week period, 4-6 trucks per day. They will coordinate the timing with schools and other town events. Longest trailer is 176 feet. They will not transport on weekends or state holidays.

COIN DROPS:

Requests have come in from Daily Memorial Library, DAV, Lake Salem Association, and Fire Dept. DAV requests September 1, Approved; Fire Dept for June 23rd with rain date the 30th, approved; Lake Salem Association in July, approved, Daily Memorial has requested in August, approved. Steve made a motion to approve these as submitted, Laura seconded. Motion carried.

ROAD COMMISSIONER

Recruitment – foreman versus commissioner has not been decided. The board would like to put some time into recruiting and will meet next Monday night, 5/21, to discuss just this topic on the agenda.

DUMP TRUCK BIDS

Open Dump Truck Bids – not ready.

DERBY LINE AMBULANCE SERVICE:

Ambulance – Nathan Pickard – Brian has a letter from Derby Line Ambulance Service. Nathan Pickard read a letter he generated.

EXECUTIVE SESSION

Nicole Daigle – Personnel

Steve made a motion to go into executive session at 6:55 to discuss personnel, with Beula seconding. Unanimous. Out of executive session at 7:09. No action taken.

ADJOURNMENT

Meeting adjourned at 9:37

NEXT MEETING:

Next meeting scheduled for Monday, May 21, for the purpose of reviewing road commissioner/road foreman recruitments.

The next regularly scheduled meeting will be June 11, 2012.

Unofficial until app

TOWN OF DERBY, VERMONT
SELECT BOARD SPECIAL MEETING
Minutes
MAY 2, 2012

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

Other's Present: See Sign up Sheet. Approximately 50 people.

MEETING CALLED TO ORDER – 6:20 P.M.

ROLL CALL

Reading of Rules of Procedure – Brian read the Rules of Procedure.

OLD BUSINESS:

Wind Turbine Discussion –Laura made the motion for Attorney Richard Saudek to go ahead with discussions with the developer to see what they will offer and bring this back to the select board. It would be premature for the select board to take a position on this matter at this point. Steve seconded, and discussion ensued. Laura voted in favor of the motion, with Beula, Steve, and Karen voting no. The motion failed.

The ad hoc committee submitted their recommendation that the town oppose the project.

Public Comment:

Public Commented for 15 minutes.

Meeting adjourned at 6:58.

Next regular meeting scheduled for Monday, May 14, 2012, at 6:30 at the town clerk's office.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
APRIL 30, 2012

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

Other's Present: Sue Best, David LaBelle, Nicole Daigle, Robyn Smith, Jim Mulkin, Dennis Percy, Roger and Brooke Gosselin, Nathan Pickard, Brian Davis, Paul Snyder, Bob Kelley, Phil Letourneau, Joe Gressor, Local TV station, Vicki Lewis, Glenda Nye, Betty and Dick Fletcher, Laura Carpenter, Phil White, John Gobeil from Kingdom Gravel, Standstead Residents Linda Hartley, and others, concerned about property values. Paul Stewart from Stanstead Councilor.

CALLED TO ORDER – 6:30 P.M.

RULES OF PROCEDURE:

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

MINUTES:

Approval of Minutes – Beula moved to approve the April 16 minutes, with Steve seconding. Unanimous.

WARRANTS:

Sign Warrants, Warrants Number #9-A in the amount of \$14,633.09, and #9-B in the amount of \$19,982.42, were signed.

SAND & GRAVEL BIDS:

Sand & Gravel bids received from the following: JBL Hauling, Double D Landscapers, RG Gosselin, Kingdom Sand and Gravel. Bob will put the bids in an excel spread sheet for our review.

RENTED EQUIPMENT BIDS:

Rental & Operator equipment bids received from the following: Tetreaults Maple Farm, JP Sicard, Jason LaFave, JBL Hauling, Patenaude Bushhoggin Inc, Desrochers Excavating, NEK Excavating, Omer Choquette, Mario Paul, Peters Excavating, Kingdom Trucking, Jason Patenaude Excavating, Ducharme Exavating, Bolman Excavating. The bides will go to Bob Kelley for an excel spread sheet for us to look at more closely next meeting.

PORT-A POTTY:

Porta Potty Bids: Taplin's at \$50.00 per unit and Juddy's is \$90.00 for both unites. Both are local. Brian mentioned that Taplin's has donated porta potty's for years until vandalism got in the way. Bob will contact both venders.

ROAD REPORT:

Salem Derby Road is being worked on by cutting the shoulders which is going well so the water runs smoothly. Roads are going well. No word on pavement prices yet.

DUMP TRUCK

Open truck bids – choose financing option. To be discussed at the next meeting's Agenda.

CLYDE POND DUMPING:

Penny Thomas – Clyde Pond dumping – Interested in Green Up for the Clyde Pond access. She is planting seeds for future care of this area. The problem is that this is private property, owned by Great Bay Hydro.

IROC:

Phil White – Dandelion Run May 19th – Support – asked for the same level of support for the Summer Games as he has for the past 3 years. Phil asked for approval for use of the Beach House for the Run and the Triathlon, and to block off half the section of road for a short period to accommodate the Run as well as the Tour. Lots of youth are participating from area schools. They also have a 10 K run as a new offering this year. Laura moved to approve the \$2,000.00 request at the same rate as the last 3 years, with Karen seconding. The motion passed with Beula voting no. Phil will get together with Bob Kelley about the beach house access and alarm. Brian signed the road permits.

DERBY LINE AMBULANCE:

Ambulance – Brian Fletcher no show

COMMERCE WAY:

Commerce Way- James Mulkin and Dennis Percy – had a survey completed by Blais Surveying addressing the storm water runoff. Jim plans to take over the storm water while the town will maintain the snow plow. Rite Aid will move the fence and a small part of the existing parking lots to meet the 50 foot right away. Road is all done to beyond state specs. Laura made a motion to approve the Town of Derby takeover of Commerce Way Road to include snow plowing, while Jim Mulkin keeps responsibility of the road for storm water runoff, with Beula seconding. The motion carried with Karen abstaining.

CREDIT/DEBIT CARD PAYMENTS – SYSTEMS EAST INC.

Nicole Daigle – Credit cards/ Debit payments – Nicky has been researching ways to use debit/credit cards to allow people to make payments to the town. She has found a company, called Systems East, which caters to municipalities. Fees are attributed to the user, 2.85% plus .60 per transaction. This would allow people an option to pay on line or at the desk for services, licenses, records. They get frequent requests for debit/credit card transactions. The town will need to assume a \$25.00 per month fee for processing. Laura made a motion to approve this proposal as submitted, using System East and attributing all appropriate fees to the consumer, with the town assuming the \$25.00 monthly fee, with Beula seconding. Unanimous.

WIND TURBINE COMMITTEE:

Susan Best, Chair of the Derby Wind Turbine Committee. Three meetings have been held by this ad hoc committee. Susan has a request from our attorney, Richard Saudek, that the board made a decision to support a negotiated agreement if it is favorable to the town. Laura made a motion to approve Chair Susan Bests request with the town's attorney who has requested the board make a decision if it is favorable to the town, with emphasis on 'favorable to the town.'

Beula seconded the motion. Susan Best then resigned as chair because she believes the committee is biased. No vote was taken. Laura moved to have a special meeting on Wednesday, May 2, 2012, at 6:00, to address the following vote per the request of the town's attorney: "Are you in support of the Derby Line Wind Project if the negotiated agreement is favorable to the Town?" with Beula seconding and the motion passed. The Town of Stanstead also hired Richard Saudek.

EXECUTIVE SESSION

Nicole Daigle – Personnel Laura moved at 8:05 for executive session to discuss personnel, with Steve seconding. Out of executive session at 8:25 with the following action: Steve made a motion that Dave Royston becomes full time in the road department. He has been a flex employee since September, with Laura seconding. Motion carried.

ROAD COMMISSIONER:

Road commissioner/or road foreman job recruitment will be on the next agenda

STUMP DUMP:

Jack Hoadly is willing to mad the stump dump for \$10.00 per hour. Steve made a motion to hire Jack Hoadley at \$10.00 per an hour to open the stump dump within our time frames.

ADJOURNMENT:

Meeting adjourned at 8:35 p.m.

NEXT MEETING:

Next meeting scheduled for Wednesday, May 2, 2012, at 6:00 p.m.

Next regularly scheduled May 14, 2012, at 6:30pm

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD SPECIAL MEETING
Minutes
Wind Turbine Committee

April 17, 2012

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

Wind Committee: Sue Best Chair, Vicky Farrand Lewis, Dan Ducharme, Keith Gray

Others Included: Andy & Lois Major, Dan Lewis, Dennis & Becky Jacobs, Bob Kelley, Ralph & Nathan Paradis, Rick Joyal, Edie Warthin, Dick & Betty Fletcher, Doug Gray and Glenda Nye.

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

Brian turned the meeting over to Sue Best who stated that the committee had met and that part of this meeting would be in open session to allow for new public input and then the committee would go into executive session with the Select Board to discuss contractual matters.

Sue stated that she had been in touch with the Towns attorney and that the deadline for the PSB was May 14th for an agreement to be signed with the Town and Encore redevelopment. She has also talked with Chad Farrell to get some answers to questions the committee had.

The five main issues the committee is addressing are noise, health issues, blasting, animal issues and property values. Decommissioning is also a concern.

The State of Vermont will deal with the taxation issue.

Brian has spoken with Chad about the blasting plan also as it relates to International Water. Chad told him they will get the required insurance coverage at the appropriate time.

Dan asked about the upgrades to the power lines and poles and was told that was an area of further research.

Brian asked how many of the issues would be addressed by ANR and the PSB. Keith felt that the structure and research needed to be done by the Town. We would have higher standards than the PSB. The committee was going in the right direction and should take some time he stated. He feels the concerns are valid as everyone lives and works here.

Dick Fletcher spoke of the Falmouth, Massachusetts turbine problems. The town is facing many concerns and suggested looking at their website as well as the Mars Hill, Maine problems. Lois Major asked if other concerns could be addressed. Dennis Jacobs asked about liability. Would the town have any or would it all be the Davis and Chase family's or the developer's? What about five years down the road?

Beula moved to go into executive session for contractual matters second by Steve and so voted. Those attending were the Select board, wind committee and Bob Kelley.

The Board came out of executive session at 7:55 pm with the following action. Steve moved to ask the attorney for a thirty day extension of time for the committee to work on the contract beyond the May 14, 2012 deadline, second by Beula and it was unanimously voted. Note the committee will try to work towards the May 14, 2012 deadline anyway.

Steve moved to adjourn at 8:05 pm second by Beula and it was so voted.

Respectfully submitted
Karen Jenne, Acting Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
APRIL 16, 2012

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

Other's Present: Dave LaBelle, Nicole Sheenberger, Nicole Daigle, Vicki Lewis, Roger Gosselin, Lois Major, Becky Jacobs, John Joly, Paul Snider, Nate Pickard, John Gobeil, Bob Kelley, Joe Gressor, Brian Judd, Robin Smith, Sharon Tarbox, Mark Tarbox, Brian Davis, Mark Nadeau, Albert Stringer, Kirk Martin,

CALLED TO ORDER:

The meeting was 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, with Karen seconding. Karen Jenne was present at the April 2, 2012, meeting. Unanimous.

WARRANTS:

Sign Warrants; Warrants number 8-A in the amount of \$38,057.95, and 8-B in the amount of \$15,584.11.

ROAD REPORT-

Steve reviewed the truck lease offer from Clark's but is not ready to sign this. He does believe the 10 wheel truck is a good way to go but needs to finish his research. The town must consider a truck, a body, and a blade. Nicole will research local financing rates for 2 years for \$170,000.00 at local institutions. We have already budgeted \$140,000.00 for a new truck this year. Steve is interested in bidding a 10 wheeler and will contact 3 vendors for opening at our next meeting, with a 2 year note.

The roads are out of the spring mud stage, streets are swept. Our next meeting will open sand and gravel bids.

PUBLIC HEARING 7:00 – BY-LAW AMENDMENT

By-law amendment – for the purpose of adding petroleum/propane bulk storage as a Conditional use in the commercial/industrial zoning district. Motion to adjourn the public hearing at 7:08 p.m. Beula moved to approve the amendment with Karen seconding. Motion carried.

GREEN UP DAY:

Nicole Sheenberger – Green-Up Day, May 5. Nicole obtained permission to set up a table on the town green by the Junior High for some refreshments. Citizens can pick up Green-Up Bags from the town clerks office and then leave the bags on the side of the road for the road crew to collect.

SHERIFF’S DEPARTMENT CONTRACT:

Sheriff’s Department Contract: due to the price of gas, there is an unanticipated increase, although the bottom line is the same. Kirk might need to come back to re-visit us if gas prices continue to increase. Karen moved to approve the 2012 contract as presented, in the amount of \$43,218.50. Motion carried.

PORT-A-POTTY’S

Brian Judd – Port-A-Potty’s – Brian has been in business for ten years and is a tax payer in Derby. He’d like an opportunity to get his foot in the door for the town. He already has a porta potty by Sweet Scoops, which is heavily used at July 4th, and he donates materials for it’s upkeep during this weekend. He’d like a shot at a fair price to see if we can do some business in the future. The town has 1 by the tennis courts and one at the beach house. Brian Judd will submit a bid and Brian Smith will contact Taplin’s and invite them to bid as well. We will review the sealed bids at our next meeting.

STUMP DUMP

Set Pay Rate for Stump Dump Employees – no one is available on the schedule required. We will run an ad for \$10.00 per hour, 9:00 until noon on Saturday’s. John Joly will check with a person who may be interested and let us know prior to us running the ad.

ROAD COMMISSIONER:

Road Commissioner Discussion- discussion of elected versus appointed. Elected has a question of whether or not the road staff are employees that go with the road commissioner. One huge responsibility is for on-call 24/7 availability. A job description is required regardless, whether or not it is set by statute. Bob Kelley will produce job descriptions along with any statutory requirements for both road foreman and road commissioner.

LIQUOR LICENSE RENEWAL:

Derby Candlepin Lanes, Steve moved to go into executive session at 6:58, with Beula seconding. Out of executive session at 6:58. Karen moved to approve the license with Beula seconding. Unanimous.

EMMONS APPEAL:

Stipulation has been offered agreeing to the property value at \$328,300.00. Karen moved we approve this since Mark has already signed it, Beula seconding. Motion carried.

GILMAN HOUSING:

Gilman Housing Assignment of Mortgage – Gilman Housing was present 2 weeks ago and presented the Revolving Loan Fund Program, and we agreed to assign full responsibility of this fund to Gilman Housing. This assignment of mortgage is a formality. Karen moved to have Brian sign the revolving loan fund mortgage assignment, with Steve seconding. Motion carried.

POLICIES:

Nicole Daigle – Policies – high efficiency to the town. Laura moved to approve the following policies effective tonight, seconded by Beula. Motion carried unanimously.

Accounting, Auditing and Financial Reporting Policy

Balanced Budget Policy

Cash Receipts, petty cash and Returned Check policy

Deposit policy

Employee Conduct policy

Fraud Prevention policy

Investment policy

Lunch policy

Payment authorization policy

Public Records Request Policy

Trustees of Public Funds investment policy

BEACH HOUSE:

Summer is coming and it is time to open the Beach house.

AMBULANCE:

Roger Gosselin is here to alert the select board about a county wide practice where ambulances are engaging in a pattern that allows them to seek revenue by transporting patients for a fee which makes them unavailable for local emergencies.

EXECUTIVE SESSION:

Beula moved to go into executive session at 8:22, with Steve seconding, to discuss personnel. Out of executive session at 8:37. No action taken.

ADJOURNMENT:

Meeting adjourned at 8:40 p.m

NEXT MEETING:

Next meeting scheduled for April 30, 2012, at the town clerk's office

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
APRIL 2, 2012

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

Other's Present: Dave LaBelle, Merten Bangemann-Johnson from Gilman Housing, Lois and Andy Major, Vicki Lewis, Dick and Betty Fletcher, Edie Warthin, Phil Letourneau, Daria Mondesire, Randy Clark, Bob Kelley, Glenda Nye, Rick Joyal, Susan Taylor, Robin Smith, Maryann Tetreault, Laura Carpenter, Bryan Davis, Chad Farrell, and others. Please see sign in sheet.

CALLED TO ORDER:

Meeting was called to order at 6:33 P.M.

RULES OF PROCEDURE:

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

MINUTES:

Beula moved to approve the minutes of March 26, 2012, with Karen seconding. Unanimous.

SIGN WARRANTS:

Warrants Number #7-A was signed in the amount of \$15, 686.72, and #7B in the amount of \$53,546.73.

ROAD REPORT:

Sand and Gravel bids are due April 18 according to one newspaper so we will open the bids at our next scheduled meeting after 4/18. The contractor bids are due April 2. We will open all bids at the same meeting.

EXCESSS WEIGHT PERMITS:

Steve has 12 overweight permits which have been signed. The permit holders show proof of insurance and the permit is good for one year. The following permits were signed:

Barrett Trucking Co., Inc.	Calkins
Camp Precast Concrete Products	Cardinal Logistics Mgm Corp.
Curtis Lumber Co.	Demag Riggers & Crane
Engineers Construction Inc.	Harrison Redi-Mix
Kelley-View Farm, Inc.	Real Desrochers
United Natural Foods	
NE Quality Service d/b/a Earth Waste Systems	

The roads are in good shape for spring roads.

ROAD EMPLOYEES:

Richard St. Marie has worked for the town as a per-diem without benefits for many years. Steve asked that he be paid 3 holidays for the summer months. Karen made a motion to approve this request without setting precedent, with seconded by Beula. Unanimous.

Steve was appointed Road Commissioner and effective June 1, 2012, he will resign. Steve has graciously given the board plenty of time to find a replacement. Thank for your many years of good service. The board acknowledged and appreciated that Steve has done this for many years at no charge to the town.

PUBLIC HEARING 7:00

Motion made by Beula, to recess to go into a public hearing at 7:05 seconded by Karen. Unanimous. The public hearing is to address a proposed by-law amendment for 2 parcels from Village Residential One/Derby Line to Village Residential two/Derby Line. Planning commission endorsed the set back change in order to match the existing neighborhood set backs. The neighborhood will look contiguous if any new homes. Karen moved to come out of the public hearing at 7:07, with Beula seconding. Unanimous. Beula moved to approve the by law amendment with Karen seconding. Unanimous.

GILMAN HOUSING TRUST:

Merten Bangemann-Johnson from Gilman Housing Trust – Gilman Housing has been approached to administer the revolving loan fund from the Vermont Community Development Program. Gilman is well known and has a lot of experiences with the revolving loan fund. Residential lending has tightened up significantly over the past 2 years when the economy burst. They are heavily regulated as a result of the ‘safe act.’ They make loans to particular populations that meets certain criteria and will provide annual reports of their activity. Gilman advertises the availability of these loans. There is no administrative fee for the town to use this service. Merten has an MOU that puts this together. Laura made a motion to approve the MOU as presented that will transfer administrative responsibility from the Town of Derby to Gilman Housing for the revolving loan fund at no cost to the town. Karen seconded. Unanimous.

CLARK’S TRUCK CENTER

Randy Clark – Truck purchase/lease options – Clark’s Trucks.
Road Foreman Terry Tice suggested Randy come and talk to us about truck and financing options available to the municipalities. When comparing single tandem versus tandem axels, it appears that a tandem has some advantages worth exploring in capacity and costs. It takes 3 – 4 months to procure a vehicle like this. The board is interested in comparing local financing options as well as Randy can offer.

DELINQUENT TAX COLLECTOR:

Maryann Tetreault – Delinquent Tax Budget – Maryann believes that the amount she will need for the delinquent tax budget will be \$1500.00. Beula moved to approve that \$1500.00 come out of the supplies line item to support her work as delinquent tax collector. Laura seconded. Unanimous.

WIND TURBINE:

Wind Turbine – Brian announced that the town’s attorney, Richard Saudek, and Encore are working on a contract and that Richard Saudek is ok with Bob Kelley being the town’s contact.

Laura moved to appoint Bob Kelley as contact person in his capacity as zoning administrator to work Richard Saudek, with Steve seconding. Steve and Laura voted affirmatively, with Beula and Karen voting no. Brian voted yes and the motion passed.

Karen made a motion to appoint a committee to make recommendations to the town's attorney regarding areas of interest in the contract, with Steve seconding. A suggestion came forward to be sure the committee is comprised of unbiased people. The committee is only a fact finding committee who will make recommendations and then disband after the town's attorney is finished generating the contract. This committee has no authority other than to make recommendations. The committee is comprised of Vicki Lewis, Keith Gray, Dan Ducharme, Karen Jenne as a resident and not a select board member, and a yet to be named town Lister. The committee will work through Bob Kelley. The motion passed.

STUMP DUMP:

We need to keep Irene Dagasse informed so she can do her part to open the stump dump. We want to open the stump dump this Saturday, April 7, 2012. Bob will check out the options and put a plan in place.

TOWN SERVICE OFFICER:

Bob Kelley is appointed as town service officer.

POLICIES:

Nicki has drafted 15 policies for the board's review. The board will look at this again at our next meeting.

EXECUTIVE SESSION

Motion made by Beula for executive session at 8:33 to include Bob Kelley, seconded by Laura. Unanimous. Out of executive session at 8:50. No action taken.

ADJOURNMENT

Meeting adjourned at 8:50 p.m.

Next meeting scheduled for April 16, 2012, at 6:30 p.m., at the Town Clerk's Office.

Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
MARCH 19, 2012

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

Other's Present: Dave LaBelle, Joe Profera, Dan and Vicki Lewis, Scott Warthin, Lois Major, Bob Kelley, Paul and Amy Snyder, Rick Joyal, Glenda Nye, Jennifer Cleveland, Chris Blais, MaryAnn Tetreault, Barbara Mallroy, Doug Gray, Richard Jones

CALLED TO ORDER –

Meeting was called to order at 6:30 P.M.

RULES OF PROCEDURE:

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

APPROVAL OF MINUTES:

Beula moved to approve the minutes of March 5, 2012, Karen seconded, unanimous. Karen moved to approve the March 2, minute with Beula seconding.

Laura asked how much an attorney would cost and no one knows. We are sharing the costs of this attorney with 2 other towns. Tangents will be paid for by the respective town. Laura is concerned that a potential conflict of interest exists having Saudek represent the town due to the adversarial relationship of his firm, Chris Smart in particular, representing the Derby Center Village Trustees on the water sewer project. Saudek naturally feels there is no conflict and the past representation is 'water under the bridge. Beula and Karen and Brian voted to approve the minutes. Laura abstained.

WARRANTS:

Warrants No. 6B was signed in the amount of \$98,362.41, and 6-A in the amount of \$15,981.81.

ROAD REPORT

Steve is out on a family matter.

WEST STREET:

Paul Snyder – West St – Reckless driving in front of his driveway and he is worried that someone is going to get seriously hurt. Family owns a day care. Board will ask Kirk for more patrol's in the area.

DELINQUENT TAX COLLECTOR:

Maryann Tetreault – Delinquent Tax Budget; Maryann is looking for a budget for the delinquent taxes. 114 letters per month. Mary Ann will present a proposal at the next meeting.

RE-ORGANIZE BOARD:

Laura made a motion that all board positions remain as is, with Karen seconding. Unanimous. Brian is Chair, Beula is Vice Chair, Laura is Clerk, and Steve is Road Commissioner. Laura made a motion for approve the town appointments as presented, Karen seconding. Unanimous.

DENNIS SHELTRA:

Dennis Sheltra passed away – he will be sadly missed and remembered as a very nice man. Our condolences to his family. We will need to advertise his position as town constable.

ANNUAL MEETING MINUTES:

Official town meeting minutes from March 5, 2012; Beula moved to sign with Karen seconding. Unanimous.

STUMP DUMP –

Schedule opening date- We'd like to open the stump dump, weather permitting, Saturday's 9-12 and Wednesday 3-6. Karen will talk to John Sanville and possibly another interested person and hope to get it open as soon as it can be manned.

WIND TURBINE – DAN & VICKY LEWIS –

Dan & Vicky Lewis expressed appreciation to the board to act as intervener. They advocate for a contract with the developer based on Steve's comments from the March 2nds special meeting. Richard Joyal is concerned about property values.

TOWN GRAVEL PIT:

Richard Jones - Town Gravel Pit – Right of Way – wants to use a right of way by the stump dump to get into his property so he can subdivide. We will set up a time to walk the property with Steve.

EXECUTIVE SESSION –

Beula moved to go into executive session at 7:40 p.m. to discuss personnel, with Karen seconding. Out of executive session at 7:49. No action taken.

WEST STREET HAZARD MITIGATION:

Report on West St: Hazard Mitigation was turned down by FEMA.

BY-LAW AMENDMENT:

By-law Amendment public hearing will be 4/16/12. Next meeting will have public hearing on a zoning district on 2 properties in Derby Line.

ADJOURNMENT:

Motion to adjourn at 7:50

Next meeting scheduled for Monday, April 2, at 6:30 p.m. at the Town Clerk's Office

Unofficial until approved

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
MARCH 05, 2012

CALLED TO ORDER:

The meeting was called to order at 6:05P.M. By Chairman, Brian Smith

RULES OF PROCEDURE:

The reading of the rules of procedure were waived.

WARRANTS:

Payroll # 5-A in the amount of \$14,532.75, Warrants 5-B \$981.16 & Warrant 5-B \$34,860.67

ROAD REPORT:

The Road Report was tabled

NEW BUSINESS

There was no new business.

EXECUTIVE SESSION:

Brian Smith made a motion to go into executive session. Motion was seconded by Karen Jenne. The board entered executive session at 6:10 P.M. The Board came out of executive session at 6:13. No decision was made in executive session.

ADJOURN:

Meeting was adjourned at 6:15P.M.

NEXT MEETING:

The next meeting will be on March 19, 2012 at 6:30 P.M. at the Derby Municipal Office

Unofficial until approves

TOWN OF DERBY, VERMONT
SELECT BOARD SPECIAL MEETING

Minutes
March 2, 2012

Present: Beula Jean Shattuck, Karen Jenne, Steve Gendreau, Joe Profera, Vicki Farrand Lewis and Daniel Lewis by speaker phone, Dick Del Favero, Dave LaBelle, Phil Letourneau, Lois Major, Adam Guyette, Lori Christopher, Daria and Faith Mondesaire, Susan Taylor

Members absent: Laura Dolgin and Brian Smith.

In the Chairmans absence due to illness Beula called the meeting to order at 6:35 pm.

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

Beula read the Planning Commissions decision to have the Select Board intervene on the Derby Line Wind turbine project and opened the floor for discussion. The Board looked at the Lowell project contract with GMP to give us some information and guidance. Steve asked if Encore had spelled out any specifics for the Town. Karen responded that there was nothing specific as the legislature had not decided on wind projects of this size. Residents present had questions on the 248 process and intervening. There was no one present from Encore to answer any of their questions and they were told to attend the public hearings once they were rescheduled. Daria asked about intervening and was given the PSB's web site. Vicki asked if the Town was going to have an employee or an attorney represent them and was told that the PSB would likely require an attorney although someone from the Town could do it.

The attorney under consideration is working with the Village of Derby Center and may be working with the Town of Holland on this project as well. Holland will be meeting on Monday night to consider intervening. Derby Center has already voted to do so. Derby Line is trying to do it without an attorney.

Susan asked Joe to explain the Planning Commissions decision which he did. They were concerned with future development in the area, the view shed and the source protection area etc. He wanted the Town and its residents to be able to have the ability to continue to ask questions and have them answered by the developer and the PSB.

Numerous questions about interveners status and party status were asked and reference to the Citizen's Guide to 248 were given and the PSB's website for additional guidance.

Beula read the Planning Commission's recommendation again (Dave LaBelle made a motion to recommend to the Select board that they intervene as an interested party because it doesn't meet the criteria of §402.5 of the bylaws) to the Board. Steve then moved that the Town of Derby intervene in Docket number 7832 the Derby Line Wind Project, Karen seconds and it was so voted unanimously

(note that Brian Smith was also in favor of intervening as he had telephoned all members of the Board prior to the meeting to state his intentions). Steve noted that he would like a contract with the developers before any construction takes place similar to what Lowell has. He felt the contract was very easy to understand.

Beula moved to go into executive session for legal contractual matters second by Karen and so voted at 7:00 pm.

The Board came out of executive session at 7:10 pm. Steve moved to hire the firm of Cheney, Brock and Saudek, principally Richard Saudek to represent the Town of Derby in the Derby Line Wind Project Docket 7832 second by Karen and so voted unanimously. Dick asked what the firms qualifications were and was given Mr. Saudeks background.

The Select Board will try to keep citizens aware of what is going on by the Towns website and news articles as well as the local public access TV station. It is not known at this time whom the Town contact person will be with the attorney.

Steve moved to adjourn at 7:15

Respectfully submitted

Karen Jenne
Acting Clerk

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

Minutes

February 20, 2012

Present: Brian Smith, Beula Jean Shattuck, Karen Jenne, Bob Kelley, Joe Profera, Robin Smith, Laura Carpenter, Vicki Farrand Lewis and Daniel Lewis.

Members absent: Laura Dolgin and Steve Gendreau.

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

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

The minutes of February 6, 2012 were not approved. Karen asked that the sentence under the heading Public Service Board Pre Hearing Conference beginning with Laura objected to Karen representing the Select Board be removed as she has no personal agenda or anything to gain or lose by attending the prehearing conference. There was considerable discussion on the subject. Karen and Beula voted in favor of removal, Brian voted no, motion fails. There was no motion made to approve the minutes of February 6, 2012.

WARRANTS: #4A for \$17,641.33 and 4B for \$122,915.50 were reviewed and signed.

DERBY LINE WIND PROJECT

Daniel and Vicki Farrand Lewis presented their concerns on the proposed Derby Line Wind Project after attending the prehearing conference in Montpelier last week. They have various concerns and questions and asked the Select Board to become interveners and or obtain party status in the procedures (see their attached written comments). They feel this would allow the Town to ask questions and become better informed about the project before making any decisions about it. Karen then read a section of the by-laws under Section 402.5 which requires the Planning Commission to submit a recommendation to the Select Board on the issue of intervention. Bob and Joe asked to see it also. Bob said he would get in touch with Encore and try and schedule the hearing for next Monday night in front of the Planning Commission.

The Lewis's questioned if it was a conflict for Bob and Bryan Davis to have shared a ride to Montpelier together. Bob stated that he went only to gather information and was not voting on anything. Vicki stated that a resident may gain from the project.

Beula moved that the Town intervene in the Derby Line Wind project, Karen seconds the motion. Karen and Beula vote in favor Brian votes no motion fails.

Brian prefers to wait until after the March 1, 2012 public hearing for the board to decide whether or not to intervene once he has heard the comments. The Board will hold a special meeting on the 2nd at 6:30 to decide the issue, hopefully with a full board. He has been in touch with individuals in Falmouth one who has problems due to wind turbines and one who has no issues with them.

COMMERCE WAY

Commerce Way was tabled as the individual who wanted to discuss it did not appear before us.

PUBLIC HEARING

We recessed at 8:10 for a Public Hearing on By-law amendments regarding non conformities. Applicants will still have to go through the hearing process but it cleans up the language of the by-laws. It takes care of the issue of raising the camps around Lake Salem for instance and enclosing ramps. The Planning Commission recommended the changes. The Public Hearing was closed after the explanation from Bob and Joe at 8:20 pm.

Beula moved to accept the by-law changes as submitted second by Karen and it was so voted all in favor.

Bob said there would be another amendment coming regarding R-1 and R-2 parcels in Derby Line which the Commission had passed. That hearing will be in four weeks.

There are also 2 positions on the Planning Commission that will be advertised as usual. The current members have stated they are interested in staying on.

Ken Corkins was thanked for a DAV donation of \$500.00 for use at the skating shack or the beach house. This was from a coin drop they held in Derby.

Special Meeting will be held on March 2, 2012 at 6:30pm.

Next Select Board Meeting on **March 6, 2012 at 6:00 pm.**

Town Meeting at 7:00 pm at the Elementary School

The meeting adjourned at 8:35 pm.

Respectfully submitted

Karen Jenne,
Acting Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
FEBRUARY 06, 2012

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

Others Present: Matt LaBerge, Judy LaBerge, Robin Smith, Joe Profera, David LaBelle, Eric Grimms, Lois Major, Bob Kelley, Luke Fontaine, Doug Lewis, Vicky Farrand Lewis

MEETING CALLED TO ORDER - 6:30 P.M.

Called to order at 6:38 p.m.

READING OF RULES OF PROCEDURE:

Beula moved to waive the Reading of the Rules with Laura seconding, unanimous.

APPROVAL OF MINUTES:

Beula moved to approve the minutes of January 23, 2012, seconded by Karen, unanimous.

SIGN WARRANTS: Warrants # 3-A in the amount of \$14,287.52, and Warrants #3-B in the amount of \$97,715.84, were signed.

ROAD REPORT:

The sand pile is going down because the dirt roads need to be sanded every day in this weather. Steve has a line on more sand and will make this purchase. Steve has been researching how to preserve West St. and it is a work in process at this time. Commerce Way still has permits to acquire and the board is expecting a history of costs to review provided by the current owners before we move forward taking over this road. We will need to be mindful of storm water run-off from Commerce Way.

MATT LABERGE – RIDER HILL RACE TRACK – presented us with a calendar of races and a copy of his certificate of liability insurance. Numbers were down last year but may be a sign of the economy. Laura moved to approve the 2012 race track permit as presented with Beula seconding, unanimous.

SIGN LIQUOR LICENSE RENEWALS:

Laura moved to go into a liquor & tobacco license control meeting at 7:18, with Karen seconding. Unanimous.

Hellbilly Hideaway
Brenda's Homestyle Cooking
Northeast Pizza Enterprises
G.T. Bliss, Vermont Pie & Pasta

Back out of the license meeting at 7:19. Karen moved to sign them as presented with Steve seconding; unanimous.

BOND ALLOCATION AGREEMENT- NEKHS – Eric Grimms from NEKHS, and Luke Fontaine from the Vt. Development Authority. Towns are allocated ten million dollars by

VEDA, for a bond authorization. 502c3 non profits are allowed to participate if the towns aren't participating. Eric is here to ask for approval of this bond in the amount of \$3.9 Million. The process has gone smoothly. No expense on the town's part, nor financial commitment or record keeping is required. This is standard part of the process for NEKHS to build and relocate to Derby. Laura moved to approve the request as submitted with Beula seconding, and the motion carried.

PUBLIC SERVICE BOARD PRE HEARING CONFERENCE:

Derby Line Wind Project, will have a pre-hearing conference at the Public Service Board on Monday, February 13, at 1:00 on the 3rd Floor of the People's United Bank Building, 112 State St., Montpelier. Karen requested to go to the Public Service Board representing the select board. Laura objected to Karen representing the select board because she has a personal agenda and has not remained objective around this project. Karen will attend the meeting as a private citizen. Bob Kelley will attend representing the board as part of his job responsibilities. Chad Farrell would like to host a breakfast meeting up here and it appears that an evening or weekend would be a better schedule. Brian will coordinate a time with Chad and report back.

APPROVE 2012 BUDGET:

Brian read the figures as follows: 2011 was \$2,185,543.02 – actual spending was \$2,468,924.92, and the proposed budget for 2012 is \$2,329,266.14. Laura moved to approve the budget as presented, with Beula seconding. Unanimous.

RESERVE FUNDS:

Nicole sent a memo requesting to set the following funds in reserve accounts for year ending 12/31/11 - \$1,352.75 for Dog Park Funds (all from donations) and \$14,061.74 for Recreation Funds (from logging the town forest). Beula moved to sign with Karen seconding. Unanimous.

RECYCLING RE-CERTIFICATION:

NEK Waste Management District requested signatures on the re-certification for the Derby Recycling Center. Beula moved to sign the recertification with Karen seconding, unanimous. Brian signed as authorized.

ADJOURNMENT

Motion to adjourn at 7:20 p.m.

Next meeting scheduled for February 20, 2012, at 6:30, at the town clerk's office

Unofficial until approved.

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING

Minutes

January 23, 2012

Present: Brian Smith, Beula Jean Shattuck, Karen Jenne, Steve Gendreau, Eric Grims, Luke Fontaine, Bob Kelley, Robin Smith, Nicole Daigle, Vicki Farrand Lewis and Daniel Lewis

Member absent Laura Dolgin: Laura participated in the executive session via telephone.

Meeting Called to Order: Brian called the meeting to order at 6:38 pm.

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

Warrants Signed: Warrant's 2B in the amount of \$38,614.41 and Payroll 2A in the amount of \$13,984.32 approved and signed.

Approval of Minutes: The minutes of January 9, 2012 were approved as written on a motion by Beula second by Steve and so voted.

Road Report: Steve had a follow up letter from D. Nolte on the accident on Ridge Hill. Board members reviewed it and it was suggested that it be passed on to our insurance carrier for review. We do not want to set a precedent and be paying insurance deductibles it was determined.

Steve stated that we are using a considerable amount of salt and sand due to weather conditions. The spare town truck is back. Karen thanked the Town on behalf of the Village for letting them use the truck while the Village waited for their new one to arrive.

There was considerable discussion on the Town taking over Commerce Way. See the attached memo created by Bob Kelley which address' most of the concerns. Additional concerns are painting a line in the road and getting the legal right of way for the storm drainage system if repairs are ever needed on it. The qualifications of the inspection of the storm water system were also a concern. Bob thought the Road commissioner could do it. Karen asked if it had to be an engineer or someone with more qualifications than what the Town has available and the future cost of maintaining the storm water permit. Beula would like to table the issue until we have more answers. We do not want to have a water drainage issue on the road or have to go on private property to take care of the drainage system. Steve would prefer to look at the system in the spring for storm water issues. He also has concerns about the "S" curve in the road. Bob will try and get some of the answers to our questions for the next meeting. It may be possible to take the road over without the storm water permit. He will look into that as well.

Steve had a grant from the State which involved federal and state money to improve various aspects of Shattuck Hill Road due to the number of accidents on it in the past. There will be little or no expense to the Town. It is a High Risk Roads program which involves signs, pavement, guardrails and other things to improve safety. Steve move to sign the document, Karen seconds and it was so voted. The work will take place in 2012.

The highway certificate of mileage statement was signed as there have been no changes from last year.

Eric Grims and Luke Fontaine came to ask about financing for Northeast Kingdom Human Services (NKHS) through VEDA (Vermont Economic Development Association). Towns can apparently qualify for money (up to ten million dollars) which the banks can then lend to other organizations such as NKHS at low interest rates. This is very attractive to everyone involved as it saves money. Eric wanted a contact person and authorization from the Town to proceed with the process. We approved the concept and asked him to work with Bob Kelley. (See attached documents)

Brian moved to go into executive session to discuss insurance second by Beula and so voted. Bob and Nicole attended part of this and Laura participated via telephone at 7:30 pm. Out at 8:05. Action taken: There will be no changes this year, the insurance option will take effect January 1, 2013 after VLCT has spoken with all employees, spouses and elected officials who qualify for the insurance.

Liquor and tobacco control: Board hearing 8:06 pm to review applications on a motion by Beula second by Steve and so voted. The board came out of the hearing at 8:10 pm. Karen move to approve the applications as submitted by Rite Aid, Short Stop (Jolley), Shaw's, Champlain Farms, the Elks, Kinney Drugs, Charbo campground, the Cow Palace and Circle K, second by Steve and so voted.

Audit Letter: Beula moved to sign the confirmation of service letter from Gene Besaw's auditing firm, Karen seconds and it was so voted. Brian reviewed and signed it as chair.

Warrants were reviewed and signed. The local auditors have suggested a new form for us to sign when money is moved from one checking account to another which Nicole explained to us before signing. This will be part of the warrants now.

The meeting adjourned at 8:15

Respectfully submitted

Karen Jenne,
Acting Clerk

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
JANUARY 9, 2012

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

Other's Present: Paul Prue, George Weber Jr., Sheila Driver, Scott Warthin, Bob Kelley, Joe Profera, Richard Creaser, Susan Taylor, Andy Major, Lois Major, Elizabeth Bumps, Mike Judd, Laura Carpenter, Robert Joseph, Russell Petelle, Rebecca Hardy, Bea Nelson, Betty Aldrich, Roger Nelson, Brandie Slicer, Jeff Wright, Vicky Farrand Lewis, Daniel Lewis, Bryan Davis, Chas Farrell, Robin Smith, Mitch Wonson, Cheryl Girard, Keith Beadle and Diane Beadle

MEETING CALLED TO ORDER – 6:36 P.M.

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

APPROVAL OF MINUTES:

Beula moved to approve the December 12, 2011, minutes, with Karen seconding. Unanimous.

SIGN WARRANTS: Warrants number 26C in the amount of \$16,398.02, 1A in the amount of \$14,786.48, and 1B in the amount of \$69,250.55, were signed.

ROAD REPORT:

Roads are good although they have been icy. Motorists should use caution. The road department worked on budgeting and a road plan today.

HERRICK RD:

Regarding paving Herrick Road, residents will want to determine the location of power lines because once the road is paved, the owner will need to pay for any access to and repair of power lines if any are ever needed in the future. Once the road is paved, if there is a power problem, the owner will have to either bore through the pavement to access the power and replace the pavement, or plan to place power line on poles, at the owners expense. No prices have yet been available for black top, so we do not know how much the road will cost to be paved. The process is to approve the budget and then get the black top prices.

WEST STREET:

West St. is an accident waiting to happen. It is expected to eventually slide into the river. Water is flowing from above the road down into the river. The road crew is going to try and save the road through re-directing the water and readjusting the banks. This is not expected to be a long-lasting solution. The expected cost for this temporary solution is about \$25,000.00, as opposed to \$700,000.00 for a complete rebuild. Fema grants will have their limitations. The road will eventually fail and at that time, the road should be given up and traffic re-directed.

LIQUOR LICENSES – Karen moved to go into a liquor control board meeting at 6:36. Karen moved we come out of liquor control board meeting and sign these renewals with Beula seconding. Unanimous at 6:36.

Derby Chinese Restraunt
Derby Corner Mini Mart
Derby Village Store
Golub Corporation (Price Chopper)
Thompsons Redemption Center

COMMERCE WAY – ROAD DISCUSSION.

This is the road by Rite Aid and Auto Outfitters. The road is privately owned and we have been asked to take over this road for plowing and upkeep. The road is up to state standards. The town has already put up stop signs and culverts have been installed. We had asked the owners to supply historical costs for upkeep and plowing. Bob Kelley will contact Jim Mulkin directly to pursue information before the board makes a decision. Steve suggests that Scott Keyser join us for a select board meeting to educate the public about black top.

Motion made to go into public hearing by Beula at 7:00, seconded by Karen, unanimous.

PUBLIC MEETINGS:

VCDP - SHEILA DRIVER CONSULTING GRANT 7:00

Sheila presented her application to VCDP for a consulting grant to research feasibility to build a senior housing project. No comments from the public. Karen moved to support the Pleasant Acres Senior Housing to apply for the Senior Housing consulting grant in the amount of \$30,000.00, as submitted, with Beula seconding. Unanimous.

DERBY LINE WIND TURBINES -CHAD FARRELL 7:30

Update the community. Meeting not required but explaining process and expectations. Section 248 pre file filed on December 8, 2011. No docket number assigned as of yet, and once the docket number assigned then a hearing schedule will be established. There will be a mandated public hearing that will take place in Derby. Additional information will be distributed.

The project is Interested in engaging with the community. There are a lot of misinformation and conjecture out there. The PSB is a process that will unfold and will require patience.

Jeff Wright, from VELCO, expressed support for this project for interconnection as a benefit to the Coop. The electrical system in Derby Line is old and it benefits everyone to partner with this project and extend power into Derby Line. Coop is not a partner in this project but is supportive to this project. All filings are on the company's website. And we may post a link on the Town's website for access, along with contact information.

EXECUTIVE SESSION –

Laura moved to go into executive session at 7:08 to discuss salaries for town employees. Out of executive session at 7:30. No action taken. Back into executive session at 8:15. Out of executive session at 8:45.

ADJOURNMENT

Meeting adjourned at 8:45 p.m.

Meet with T. Chambers on Monday, January 16, at 10:30, at the town clerk's office. Steve will confirm.

Next regular meeting scheduled for Monday, January 23, 2012, at 6:30 p.m. at the town clerk's office.

Unofficial until approved