

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Budget Meeting Minutes**  
**January 2, 2016**

**Present:** Grant Spates, Brian Smith, Stephen Gendreau, Perry Hunt & Beula Shattuck

**Others:** Sue Best, Faye Morin, Craig Ellam, Bob Kelley, Dave LaBelle, Rod Lyon & Joe Profera.

**MEETING CALLED TO ORDER – 9:00 A.M.**

**NEW BUSINESS:**

**Budget Meeting** – The board reviewed the draft 2016 budget and made adjustments.

**EXECUTIVE SESSION:**

Beula moved to go into executive session to discuss raises, with Grant seconding. Unanimous.

Out of executive session – The draft budget was adjusted for raises.

**ADJOURNMENT:**

12:30 - Grant moved to recess the budget meeting until their next meeting on Monday January 4, 2016 at 6:30 pm, with Perry seconding. Unanimous.

The next regular meeting is scheduled for January 4, 2015

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
January 4, 2016**

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

**Others:** Dave LaBelle, Joe Profera, Becky Miller, Brian Dubois, Maryann Tetreault, Willy Tetreault, Lawrence Burdick, Faye Morin, Evan Daigle, Paul Prue, Rod Lyon, Bob Kelley.

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

Warrants #26D in the amount of \$4,749.81 and #1A in the amount of \$13,548.55 were signed.

Brian added Derby Line Ambulance and Maryann Tetreault to the agenda. Also, Budget review was recessed to tonight from their January 2<sup>nd</sup> budget meeting.

Grant moved to approve the minutes of December 21, 2015, with Perry seconding. Unanimous.

Perry moved to approve the minutes of January 2, 2016, with Beula seconding. Unanimous.

**PUBLIC COMMENTS:**

Paul Prue asked about the Rublee appeal.

**NEW BUSINESS:**

**Liquor License** – 6:36 pm Steve moved to go into a Liquor Board meeting to review an application by the Derby Village Store, with Grant seconding. Unanimous.

6:37 pm Steve moved to come out of the Liquor Board meeting, with Grant seconding. Unanimous.

Perry moved to approve the license for Derby Village Store, with Steve seconding. Unanimous.

**Road Crew Addition** – Will be part of Road Report.

**Derby Line Ambulance** – Becky Miller and Lawrence Burdick were present to answer questions from the board. Concerns about unpaid taxes were resolved. Only the bills paid with the Towns appropriation required 2 signatures, all other bills were paid from the ambulances checking account. According to Becky there is a fine and penalties that the Fletchers are responsible for, not the ambulance. All checks and balances for the money from the town appropriation have been done. The ambulance is in much better shape than they were a year ago. They are budgeting for dispatch services and feel that Newport will provide the service at the lowest cost. There is a meeting Wednesday night concerning dispatching in Newport.

**Maryann Tetreault – Delinquent Taxes** – The Cecil Mayo Jr property on Route 105 needs to be resolved. He owes over \$14,000 in taxes and penalties and the property is not worth that much and it cannot be built on. It would cost the Town over \$3,400 to take the property over and get it off the tax roll. The town has no use for the property. The property abuts Steve's land and he is willing to bid on it at the next tax sale just to get the taxes cleaned up. The next tax sale will be sometime in April or May.

**Budget Review – Recessed from January 2, 2016** – The board reviewed the draft budget. It is down over \$34,000 from last year. Beula moved to approve a budget of \$2,431,887.28 to take to the voters, with Perry seconding. Unanimous.

**OLD/OTHER BUSINESS:**

**Town Forest Logging** – The town decided to go forward with logging a portion of the Town Forest and are looking to net about \$20,000 from it.

**Dispatching Services** – The board discussed dispatching. If the State starts charging for dispatching is it going to be expensive and there have been issues since they moved their operation to Williston. Newport City is proposing to take on the dispatching. Steve and Grant will try to go to the dispatch meeting in Newport on Wednesday at 5:00. If there is a straw poll

they will relay that the Town is on board if it is around \$20,000 total to dispatch for both Derby Line Fire and Ambulance. The board still needs more information.

**ROAD REPORT:**

Everything is going good; we are still waiting on the new truck. The Board decided to go into executive session to review the 6 or 7 applications for the road crew vacancy.

**EXECUTIVE SESSION:**

At 7:20 Grant moved to go into executive session for personnel issues, with Beula seconding. Unanimous.

Out of executive session at 7:30. Steve moved to hire Evan Daigle full time with a 90 day probationary period, with Perry seconding. Unanimous. Starting salary is \$13.90/hr and he must pass the required drug/alcohol screening.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 pm Monday, January 18<sup>th</sup>.

At 7:45 pm Beula moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
February 1, 2016**

**Present:** Grant Spates, Perry Hunt, Beula Shattuck, Stephen Gendreau.

**Others:** Dave LaBelle, Joe Profera, Bob Kelley.

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

Warrants #3A in the amount of \$15,702.31 and #3B in the amount of \$24,653.20 were signed.

Perry moved to approve the minutes of January 4, 2016, with Beula seconding. Unanimous.

**PUBLIC COMMENTS:**

It was mentioned that Derby Center is having a problem with Lead in the water.

**NEW BUSINESS:**

**Bob Kelley – Dog Park Committee Appointments** – Susan Taylor, Laura Gobeil, Sherry Aubin, Sam Greenwood, and Pam Greenwood have resigned from the committee. The committee is recommending that Amy Wan, Julie Elwell and Kylie Lamothe be appointed. Steve made a motion to appoint Amy Wan, Julie Elwell and Kylie Lamothe to the Derby Dog Park Committee, with Perry seconding. Unanimous.

**Kingdom Games – Phil White** – Mr. White was not present due to a health issue. The board felt that because Kingdom Games is a for profit company that it was not appropriate for the Town to be supporting it financially. Perry move to not financially support Kingdom Games, but to allow them use of Town facilities, such as the beach house and the green in front of NCUJHS, with Beula seconding. Unanimous.

**Liquor Licenses – Newport Elks, Tong Sheng, Look & Eat Inc, Charbo Campground, Jolley Associates, Circle K, CVS Pharmacy, Kinney Drugs, Price Chopper, Thompson's Redemption & Convenience Inc** - at 6:40 pm Steve moved to go into a Liquor Board meeting to review the applications, with Perry seconding. Unanimous.

6:43 pm Steve moved to come out of the Liquor Board meeting, with Beula seconding. Unanimous.

Steve moved to approve all the licenses, with Perry seconding. Unanimous.

**Budget Correction - Signatures** – A couple of minor changes were made. The surplus was lowered after the audit was completed, Cornucopia did not submit an appropriations request and Northeast Kingdom Learning Services did submit an appropriations request. The final budget is \$2,428,787.28. Steve moved to approve the budget corrections, with Beula seconding. Unanimous.

**Excess Weight Permits** – Excess weight permits were signed for Barrett Trucking Co, Gosselin Water Wells Inc, RG Gosselin Inc, and Newport Sand & Gravel Co Inc/Carroll Concrete Co.

**Gene Besaw - Audit Engagement Letter** – Steve moved to sign the letter, with Perry seconding. Unanimous.

**OLD/OTHER BUSINESS:**

**Town Forest Logging** – Perry has received calls from local loggers upset that they were not given a chance to bid on the logging. Steve explained problems putting a logging job out to bid. The town has been very satisfied with the quality and dependability of the logger we currently use and sees no reason to change. An updated certificate of insurance needs to be submitted.

**ROAD REPORT:**

The new truck has finally been delivered and just needs lettering. The garage roof is leaking and Rod is checking into what it will take to fix it. There is a culvert near the end of 4-H Road that may need replacing, we will know more in the spring when we are able to check it out better. Perry wants to see the sidewalk plowing bill from Derby Line. Roads to be paved this summer have not been finalized yet.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 pm Monday, February 15<sup>th</sup>.

At 7:05 pm Beula moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
February 15, 2016**

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

**Others:** Rod Lyon, Phil White, Joe Gresser, Laura Carpenter, Dave LaBelle, Joe Profera, Bob Kelley.

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

This is Stephen Gendreau's last full meeting as a Selectboard member. In honor of this Steve will serve as Acting Chair for the meeting.

Warrants #4A in the amount of \$15,266.58 and #4B in the amount of \$36,742.35 were signed.

Beula moved to approve the minutes of February 1, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS:**

Joe Profera wants the new traffic lights Walmart will be installing to have sensors to allow the lights to turn green as emergency vehicles approach. It was not known if they would, but everyone thought it would be a good idea.

**NEW BUSINESS:**

**Kingdom Games – Phil White** – Mr. White would like to use the beach house in May and August. In May he would like to bring things in on Thursday May 19<sup>th</sup>, set up on the 20<sup>th</sup> and the event is on the 21<sup>st</sup>. In August it would be the same situation bring in things on the 4<sup>th</sup>, set up on the 5<sup>th</sup> and the event is on the 6<sup>th</sup>. The Board did not have a problem with this and there will not be a charge for use of the beach house. The Board declined to financially support the event because this is a for profit organization.

**Better Roads Grants** – The town will apply for a Road Inventory and Capital Budget Planning grant and also possibly grants to fix an ongoing erosion issue at the base of Libby Hill on Bushey Hill Road and culverts on North Derby Road and Quarry Road.

**Sewer Allocation** – Grant explained what needs to be done to increase the sewer capacity and where Derby may want to expand the sewer service districts. The first step is for the Board to reach out to the Derby Center Village Trustees to get the ball rolling. There will ultimately have to be an agreement between the Village, Town and Newport City.

**Dailey Memorial Library** – Susan Birchard sent a letter asking to use the Green in front of NCUJHS for their summer Crafts show. Beula moved to allow the use of the Green, with Brian seconding. Unanimous.

**Sign Highway Mileage Certificate** – Grant moved to sign the Certificate, with Beula seconding. Unanimous.

**Gray – Lease Land** – This was discussed at a prior meeting and the board thought they already signed the release, if not they will go into the office to sign it.

**Liquor Licenses – Border Lounge, G & T Bliss, NE Pizza, and Rite Aid** - At 7:15 pm Brian moved to go into a Liquor Board meeting to review the applications, with Grant seconding. Unanimous.

7:16 pm Beula moved to come out of the Liquor Board meeting, with Perry seconding. Unanimous.

Brian moved to approve all the licenses, with Grant seconding. Unanimous.

**Excess Weight Permits** – Excess weight permit was signed for Velco.

**OLD/OTHER BUSINESS:**

**Lead in Derby Center Village Water** – The Village gave the board a copy of the letter sent to all users. It is suspected that the cause of the lead in the water is from the pipes in old houses and not a problem with the village's system.

**Auditor** - Steve Mengel submitted a letter of resignation as auditor. Brian moved to accept the letter of resignation with regrets, seconded by Grant. Unanimous.

**ROAD REPORT:**

All trucks are working. A new 2017 Mack 10-wheeler dump truck will be \$126,480 and the body is \$61,716. An extended warranty is about \$1,700. We would like to sell the extra grader to help pay for the truck. It was decided to put the grader in the State auction.

The town garage roof leaks. Rod has gotten 2 quotes: \$15,200 to pull the nails, screw the metal roof back down, replace the damaged insulation; and \$30,000 pull the roof off, add plywood sheathing, screw the roof back on, replace the damaged insulation. The town would like to get quotes from other contractors.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 pm Monday, February 29<sup>th</sup> to sign the paperwork and the Annual Town Meeting starts at 7:00 pm.

At 7:35 pm Beula moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**February 29, 2016**

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

**Others:** Carol Brown.

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

Warrants #5A in the amount of \$14,347.15 and #5B in the amount of \$31,757.67 were signed.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Gray – Lease Land** – Brian signed the Quitclaim deed as Town's Duly Authorized Agent and Beula notarized it.

**OLD/OTHER BUSINESS:** None.

**ROAD REPORT:** None.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 pm Monday, March 14<sup>th</sup>.

At 6:10 pm the meeting was adjourned and the board headed to the School for the Annual Town Meeting.

Submitted by Bob Kelley

*Unofficial until approved*



**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**March 14, 2016**

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

**Others:** Paul Prue, Becky Jacobs, Mike Mosley, Scott Warthin, Bob Ovitt, Paul Simpson, Joe Profera, Bob Kelley.

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

Brian welcomed Josh Provost onto the board.

**REORGANIZE BOARD:**

Warrants #6A in the amount of \$14,346.44 and #6B in the amount of \$31,118.60 were signed.

Perry moved to approve the minutes of February 15, 2016, with Grant seconding. Unanimous.

Perry moved to approve the minutes of February 29, 2016, with Josh seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Reorganize Board** – Beula moved to appoint Grant to the Water/Sewer Committee, with Perry seconding Unanimous.

Josh moved to appoint Brian to the Water/Sewer Committee, with Perry seconding. Unanimous.

Grant moved to appoint Josh as an alternate to the Water/Sewer Committee, with Beula seconding. Unanimous.

Beula moved to make the following appointments:

One year appointments:

Selectboard Chair – Brian Smith,  
Selectboard Vice-Chair – Grant Spates,  
Selectboard Clerk – Bob Kelley,  
Road Commissioner – Perry Hunt,  
NVDA Representatives – Beula Shattuck & Grant Spates,  
Pound Keeper – Rene Falconer,  
Fence Viewer – Rick Geisel,  
Inspector of Lumber, Shingle & Wood – Selectboard,  
Weigher of Coal – Selectboard,  
Tree Warden – Joe Profera,  
Fire Warden – Craig Ellam,  
Town Service Officer – Bob Kelley,  
Energy Coordinator – Josh Provost,  
Agent to sign deeds accepting or transferring property on behalf of Town – Brian Smith,  
Civil Defense – Craig Ellam,  
Newspaper of Record – Newport Daily Express.

Four (4) year appointments:

Planning Commission – Joe Profera & Richard Del Favero.

Seconded by Perry. Unanimous.

**Daisy – Mindy Starr – Request use of meeting room** – The Daisies need a place for their meetings until they can find a permanent location. This is a group for girls that are younger than the Brownies. It was agreed to allow them temporary use of the small meeting room until they can find a permanent location. In the summer they may want to use the Beach House.

**Duncan Kilmartin – Cobb Road Rocks** – Paul Simpson's attorney, Duncan Kilmartin, has asked the town to decide if they want the rocks that have been left within the Town's Cobb Road

Right of Way as a result of the blasting or if they want Mr. Simpson to remove them. Mr. Simpson did this to run power to his property. There has been a long legal battle between Mr. Simpson and Mr. Emmons and the Town has no desire to get in the middle of the dispute. Grant moved that the Town has no desire to have the material that has been left within the Cobb Road Right of Way, with Josh seconding. Unanimous.

**Robert Ovitt – 1<sup>st</sup> Constable Position** – Mr. Ovitt explained that he would like to be appointed to the position. The Board will check into what they need to do if they choose to appoint him.

**Hazardous Waste Management Application** – This is the application needed for our annual Hazardous Waste collection day on the first Saturday in June. Grant moved to authorize Brian to sign the application, with Perry seconding. Unanimous.

**Excess Weight Permits – United Natural Foods & Desrochers Excavation Inc** – Perry signed the permits.

**E-911 Road Name Approval – Seymour Drive** – This will be the name of the road used to access Walmart. Brian was very happy to honor Gisele Seymour with this. Beula moved to approve the road name, with Grant seconding. Unanimous.

**Sign Pay Raises** – The raises were budgeted and approved at Town Meeting, the signatures are required by the Auditors.

**Appoint 2<sup>nd</sup> Auditor** – The Board will advertise for the opening in the Newport Daily Express.

**Road Sign Request – Joe Cicia** – Mr. Cicia feels that the entrance to Dairninaka Drive is unsafe and would like the speed limit on Darling Hill lowered. Site distances are fine at the entrance and the Board does not want to change the speed limit. They may consider signage warning of the intersection.

**Sign Certificate of Compliance Roads/Bridges** – This is something that is required annually by the State. Beula moved to sign the Certificate of Compliance, with Perry seconding. Unanimous.

**Liquor Licenses – Shaws** - At 7:23 pm Grant moved to go into a Liquor Board meeting to review the applications, with Perry seconding. Unanimous.

7:24 pm Beula moved to come out of the Liquor Board meeting, with Grant seconding. Unanimous.

Josh moved to approve the license, with Beula seconding. Unanimous.

#### **OLD/OTHER BUSINESS:**

**Dispatching** – The board discussed signing up with Newport City to handle the Town's dispatching. If we commit before March 25<sup>th</sup> it is \$25,000. No decision was made. Grant will be in contact with Newport City and keep the board updated.

**Route 5 Speed Limit** – The board's request to lower the speed limit between Derby Line and Derby Center was denied by the State.

**Town Forest Right of Way** – The survey has been completed. Everything is still moving forward.

**Derby Line Ambulance** – Perry moved to continue with the 2 party checks and to have the funds distributed monthly for the next 10 months, with Grant seconding. Unanimous.

**ATV's** – Large groups of ATV's have been using the Town Forest without permission, mainly on weekends. Use of the land without the Town's permission is not allowed. The sheriff's department will be asked to look into this.

**ROAD REPORT:**

We need to get contractor rates for equipment, including roadside mowing & sweeping. We also need bids for sand & gravel. We need to check to see if it is cost effective to crush all the gravel stored in the Stump Dump pit on the Beebe Road at one time or to only crush what is needed for one year. There appears to be plenty of sand left, but that can change quickly. Liquid chloride will be \$0.91/gallon this year from the Gorman Group and they will furnish the skid tank for the truck plus the pump and applicator at no cost. We are hoping for a State grant for paving class 2 roads this year, which will be a big help.

**EXECUTIVE SESSION:**

Perry moved to go into executive session for personnel, with Grant seconding. Unanimous  
No action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 pm Monday, March 28th.  
At 8:25 pm Grant moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley  
*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**March 28, 2016**

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

**Others:** Mike Moseley, Lt Walter Smith, Kirk Martin, Phil Brooks, Mike Henry, Larry Whitney, Debbie Jerkins, Mckayla Whitney, Sue Best, Dee Lewis, Pamela Frohn, Alex Russell, Joseph Gresser, Robin Smith, Danny Hale, Cory Spaulding, Joe Profera, Bob Kelley.

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

Warrants #7A in the amount of \$15,379.46 and #7B in the amount of \$42,100.46 were signed.

Perry moved to approve the minutes of March 14, 2016, with Beula seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Vermont Moto Cross Association – Rider Hill** – The schedule for 2016 was presented to the board. Beula moved to approve the schedule with the condition that the association submits a Certificate of Insurance to the Town. Seconded by Perry. Unanimous.

**Dailey Memorial Library – Dr. Moseley update on Library** – The library is continuing with their expansion project and are in the process of applying for grants. The total estimated project cost is \$900,000 and they have raise over \$350,000 to date. They would like a letter of support from the Selectboard. The board agrees that the expansion is needed and will be an asset to the Town. The board asked if the library could draft a letter for them. Dr. Moseley said they dropped one off at the Town Clerk Office earlier. The board agreed to sign the letter of support.

**VASA – Cory Spaulding – Town Forest** – Illegal ATV use in the town forest and on town roads was discussed in great length. The town forest is getting destroyed. Representatives from VASA thought if the Town authorized VASA to set up trails in the area it would help curb irresponsible behavior. Currently ATVs are speeding down the roads so they can get off the road before they are caught and ticketed. If they are permitted on the road they would be more likely to go at a reasonable speed. The Town's current ATV policy allows the Town to permit ATV clubs to have trails in the Town. If the Town wishes to proceed with this the Town would have to determine where they want the trails to be and what roads they want to open up to ATV use. VASA would like to know as soon as possible so that they can get out there and clean up some of the mess that unauthorized riders have made before they officially open a trail. The board would like to think over their options and invited VASA to come back to them in 2 weeks for further discussion.

**State Police – Lt Walter Smith – Walmart & State Police calls** – This is to start the conversation on how Derby is going to handle the impacts of future development in the Town. He cited impacts on other communities when Walmart comes. The State Police is stretched thin as it is and Derby accounts for 1/3 of their time. They will not be responding to minor fender benders or retail theft. Derby cannot continue to rely on the State Police to be their sole police protection. The State Police serves 31 communities and Derby should not be draining all their resources. Call volume outside of Derby are increasing. The State Police would like to see Derby grow public safety as commercial activity grows. It was suggested to form a committee to look into how to deal with future growth and to get public input. Derby cannot ignore the impacts of growth and needs a plan in place. The board has heard conflicting things on the impact of having a Walmart in town. It is good to get this conversation started and the conversation needs to continue as we learn more about this impact.

**Listers E 911** – Now that Tom Cyr has retired and new E-911 coordinator needs to be appointed. Listers Sue Best and Steve Cross have received training in the 911 program. The listers as a

whole will be handling 911 issues and a special stipend for the coordinator is no longer needed, but a specific contact person still needs to be named. Perry moved to appoint Sue Best as the new E-911 coordinator, with Josh seconding. Unanimous.

**Excess Weight Permits – Amerigas, Dale Percy Co, New England Quality Services** – Perry signed the permits.

**Sign Liquor Licenses – Champlain Farms Exxon, Newport Country Club sign letter of Acknowledgement** – At 7:52 pm Beula moved to go into a Liquor Board meeting to review the applications, with Perry seconding. Unanimous.

7:54 pm Perry moved to come out of the Liquor Board meeting, with Josh seconding. Unanimous.

The letter of Acknowledgement for Newport Country Club was signed and Josh moved to approve the license for Champlain Farms Exxon, with Perry seconding. Unanimous.

**Pie Buffet – Pamela Frohn for Town Meeting** – Pamela thought that a pie buffet might be a good way to get more people to attend town meeting. She would be willing to help organize it and it would not cost the Town anything. The board was in favor of the idea and suggested that she talk to the school since the meeting is held at the school.

#### **OLD/OTHER BUSINESS:**

**Sheriff's Department** – Kirk Martin and Phil Brooks discussed with the board the possibility of increasing the number of hours they patrol for the Town from 20 to 40 per week in anticipation of the impact Walmart may have. They intended to ask the board to increase the patrol hours this year, but the request came in after the Town budget was already set. The Sheriff's Dept can handle an increase of 20 – 30 additional hours with their current manpower. As the Walmart opening gets closer the Town will see how the budget is coming along and may be able to increase hours. Dispatching was discussed and the Sheriff's Dept is still looking into providing this service and may be coming back to the Town to discuss this more in a few months.

**ROAD REPORT:** None.

#### **EXECUTIVE SESSION:**

Beula moved to go into executive session for personnel, with Josh seconding. Unanimous.

Out of executive session. The Town needs to advertise for a vacancy on the Road Crew.

Listers will get a 2% raise with an effect date of March 2<sup>nd</sup>.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for **6:00 pm** Monday, April 11<sup>th</sup>.

**\*\*\* Note: The Board changed the start time for all future meetings from 6:30 to 6:00 \*\*\***

At 9:20 pm Josh moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
April 11, 2016**

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

**Others:** Nathan Lackey, Denny Donovan, Jesse Hinton, Beth Barnes, Rod Lyon, Colin Carter, Becky Jacobs, John Gobeil, Cory Spaulding, Joe Profera, Bob Kelley.

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

Warrants #8A in the amount of \$14,407.50 and #8B in the amount of \$63,696.54 were signed.

Perry moved to approve the minutes of March 28, 2016, with Josh seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Memorial – Colin Carter** – Mr. Carter wants to spearhead a project to erect a monument to honor Derby Civil War Veteran Willy Johnson. Willy is the youngest person to ever receive the Metal of Honor. He enlisted at age 11 and received the metal at age 13. It is believed that he lived in the area of the Town Forest. The Selectboard was all in favor and suggested that our Veterans Park might be a good location.

**VASA – Cory Spaulding – Town Forest** – After thinking on it for the last 2 weeks the Selectboard took a straw poll and were in favor of allowing VASA to have an ATV trail thru the town forest and along a portion of Bushey Hill Road. The Town's ATV Ordinance requires VASA to get the property owner/resident's permission to operate a trail within 50 yards of a year round residence. VASA will have to get Nedobity's permission as their house is with the 50 yards.

**North Country Hospital – Beth Barnes** – Ms. Barnes is promoting pedestrian safety and has come up with a program to make children more aware of the need to look left, right and left before crossing a road. She has made a stencil for painting this on the sidewalk at strategic locations. There will be no cost to the Town. The Town was all in favor of this and told her to coordinate it with the road foreman. She will also need to talk to the trustees of both villages.

**Auditor Position** – Jennifer Powers has submitted a letter of interest in the position. Grant moved to appoint Jennifer Powers as Auditor for 1 year, with Perry seconding. Unanimous.

**Bids for Sand & Gravel & Equipment** – The bids were open and Bob will put them in a spreadsheet for the board to review at their next meeting.

**Excess Weight Permits – Calkins, Curtis Lumber, Gould Well Drilling Inc, Harrison Redi-Mix, Kelley View Farms Inc.** – Perry signed the permits.

**Liquor Licenses – Bliss Rite Pizza Company Inc, Derby Cow Palace Inc, Derby Line Village Inn** – At 6:52 pm Grant moved to go into a Liquor Board meeting to review the applications, with Josh seconding. Unanimous.

6:53 pm Perry moved to come out of the Liquor Board meeting, with Grant seconding. Unanimous.

Josh moved to approve the above licenses, with Grant seconding. Unanimous.

**First Constable** – Matt Sheltra has submitted a letter of interest in the position. He has also submitted a letter resigning as 2<sup>nd</sup> Constable if he is appointed as 1<sup>st</sup> Constable. The board has been very happy with everything he has done as 2<sup>nd</sup> Constable. Perry moved to appoint Matt Sheltra as 1<sup>st</sup> Constable, with Josh seconding. Unanimous.

Grant move to accept Matt's resignation as 2<sup>nd</sup> Constable, with Perry seconding. Unanimous.

**Personnel – Probation Period** – Evan Daigle has completed his probation period.

**OLD/OTHER BUSINESS:** None.

**ROAD REPORT:**

Paving for this year includes; Dumas Road aprons, Holland Road, Bridge Street, Shattuck Hill Road, Ridge Hill apron, North Derby Road. Perry signed the contract with Pike.

A culvert needs to be replaced on Holland Road before it is paved.

Truck #1 is back in service.

Sale of the grader was discussed. We need to find out what it is worth before we sell it.

Newport City will be removing concrete from the roadway in front of the Walmart entrance and would like to do the work during the night. This would allow them to close the road and detour traffic to Shattuck Hill Road. The Town does not have a problem with the detour. Newport will have to coordinate the closure with the State and emergency services.

**EXECUTIVE SESSION:**

Grant moved to go into executive session for personnel, with Josh seconding. Unanimous.

Out of executive session. Perry will interview the candidates for the opening on the road crew.

In order to attract new personnel the board felt they had to bring up the starting wage to \$15.50 per hour. This increase was approved by the board and will bring the wages of 3 current road crew members up to the \$15.50/hr minimum. New job descriptions will be drafted and employees reviewed and evaluated based on the new job descriptions.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, April 25<sup>th</sup>.

At 8:02 pm Josh moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
April 25, 2016**

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

**Others:** Sue Best, Kirk Martin, Ginette Provost, Susan Birchard, Marjolaine Tremblay, Nathalie Ouellet, Paul Prue, Scott Warthin, Rod Lyon, Becky Jacobs, Cory Spaulding, Joe Gresser, Bob Kelley.

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

Warrants #9A in the amount of \$16,459.55 and #9B in the amount of \$42,907.99 and #9C in the amount of \$42.79 were signed.

Beula moved to approve the minutes of April 11, 2016, with Perry seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**PUBLIC HEARING – BYLAW AMENDMENTS:**

At 6:30 Grant moved to recess the meeting to go into a Public Hearing on proposed bylaw amendments, with Beula seconding. Unanimous.

Total rewrite of Article 1 and Article 9

Article 1: Enactment and Intent

§101 Introduction

§102 Enactment

§103 Intent

§104 Application of Bylaw

Article 9: Administration and Enforcement

§901 Administrative Officer (Zoning Administrator)

§902 Establishment of the Planning Commission

§903 Establishment of the Zoning Board of Adjustment

§904 Zoning Permits

§905 Certificates of Occupancy

§906 Exempt Agricultural and Silvicultural Structures and Uses

§907 Penalties

§908 Public Notice

The Selectboard asked a few questions, otherwise there were no public comments.

Grant moved to close the public hearing and return to their regular meeting, with Perry seconding. Unanimous.

**NEW BUSINESS:**

**Deb Jenkins – VT Motocross Association** – They are asking for 4 practice dates on the Saturdays prior to races 6/18, 7/23, 8/6 & 9/3. Grant moved to approve the 4 additional practice dates, with Perry seconding. Unanimous.

**Sheriff Department – Sign Contract** – The contract is in the amount that was budgeted and approved by the voters. The board signed the contract.

**Dailey Memorial Library** – The library is asking that the board release the HUD money for their expansion project. Grant moved to release the money to the library, with Beula seconding. Unanimous.

The library also asked if the board would waive the permit fees for a new sign and to renew their building permit. Grant moved to waive the permit fees, with Perry seconding. Unanimous.

**Coin Drops** – Beula moved to table the decision on coin drops until their next meeting because not all the organizations knew that the requests were due today, with Grant seconding. Unanimous.



**Local Emergency Operation Plan Approval** – A few minor changes were made from last year's plan. This is something that needs to be approved annually. Beula moved to approve the plan, with Perry seconding. Unanimous.

**Lister's Grand List Extension** – Sue Best is requesting that the board approve a 30 day extension on filing the Grand List. This will move the deadline from June to July. Grant moved to approve the 30 day extension, with Josh seconding. Unanimous.

**Excess Weight Permits – JP Sicard, Mathews Excavation, Tetreault's Maple Farm** – Perry signed the permits.

**Liquor Licenses – Panana's Village Pizza** – At 6:27 pm Grant moved to go into a Liquor Board meeting to review the application, with Perry seconding. Unanimous.

6:28 pm Perry moved to come out of the Liquor Board meeting, with Grant seconding. Unanimous.

Grant moved to approve the above license, with Josh seconding. Unanimous.

**Consider Proposed Bylaw Amendments** – Beula move to approve the proposed bylaw amendments to Articles 1 & 9 discussed earlier tonight during the public hearing as submitted, with Grant seconding. Unanimous.

#### **OLD/OTHER BUSINESS:**

**Review Sand & Gravel and Equipment Bids** – The bids were reviewed. Sand will be split between the 2 suppliers. The town will look into getting the gravel in the Beebe pit crushed. Equipment contractors will be used based on availability.

**Cobb Road Rocks** – The Town needs to specify what is to be done with the rocks that were left within the Cobb Road right of way. At a previous meeting the Town stated that they did not want the rocks, but did not authorize anyone to remove them. Becky Jacobs and Scott Warthin felt that the Court should decide who is to remove the rocks. The Board's only concern is that the rocks are removed from the right of way at the expense of VEC/Simpson and not the Town. Grant moved to approve the following:

**Cobb Road Rocks:** In carrying out the 19 VSA 1111(b) Permit dated Sept. 8<sup>th</sup>, 2009, granted to Vermont Electric Cooperative (VEC) for underground electric service to the property of Paul Simpson, rocks and stones have been left within the Town's Cobb Road Right of Way as a result of the blasting and excavation. The Town has no desire to use or possess these rocks and stones.

Therefore the Town of Derby authorizes and requests that VEC/Simpson remove, at their expense, the stone and rock left with the Cobb Road right of way as a result of the blasting/excavation done under the VEC/Simpson 19 VSA 1111(b) Permit dated Sept. 8<sup>th</sup>, 2009.

**This request does not pertain to any stones or rocks that may have been place outside of the Cobb Road right of way onto private property and does not in any way grant VEC/Simpson the right to trespass onto private property. The Town of Derby does not wish to get in the middle of the civil suit between Simpson/Emmons and only wishes to address the stones and rocks left within the Cobb Road right of way.**

Seconded by Beula. Unanimous.

**Beach House** – Need to decide what to do with the beach house this year. Nobody wants to run it because they cannot make any money. Coutts will be asked if they can assist us in opening and closing the beach house daily. The road crew will have the beach house open prior to the Dandelion Run on May 21<sup>st</sup>. Bob will create a web page to better advertise the availability of the facility.

**VASA ATV Use of the Town Forest** – Cory Spaulding updated the board. Nedobity has signed off on the use near his property. The town was given a copy of the permission form.

**ROAD REPORT:**

The Pine Hill culvert is waiting on the State to approve a start date. Sand usage over the winter was low. A lot of culverts need to be replaced again this year. It will be a busy summer. The Board signed the Annual Financial Plan for Town Highways required by the state.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, May 9<sup>th</sup>.

At 7:34 pm Beula moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
May 9, 2016**

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

**Others:** Andy Major, Chris Hamblett, Joe Profera, Fran Batchelder, Barb Russell, Robin Smith, Rod Lyon.

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

Warrants #10A in the amount of \$15,558.07 and #10B in the amount of \$57,416.74 were signed.

Perry moved to approve the minutes of April 25, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS:**

Chris Hamblett had concerns with the class 4 portion of Quarry Road and wedding barns. The Planning Commission approved an amendment that will come before the Selectboard on June 6<sup>th</sup> that requires this type of venue to be accessed from a State highway or a Town class 1, 2, or 3 road. Additional public input will be available at that time.

**NEW BUSINESS:**

**Coin Drops** – Derby Line Fire, Derby Line Ambulance, Halo, Lake Salem Association, Dailey Memorial Library, Disabled American Veterans, and VFW Auxiliary have applied for a coin drop. The town only allows 4 a year. The Fire Department and Disabled American Veterans get one every year. Andy Major withdrew Lake Salem's request because they had one last year. After discussing the issue Beula moved to approve to grant the Coin Drops to Derby Line Fire (June), Dailey Memorial Library (July or August), Disabled American Veterans (September), and Derby Line Ambulance (October), with Josh seconding. Unanimous.

**Health Officer – Barb Russell – Nelson Hill Road** – Barb actually had 3 issues to discuss with the board. #1 – Nelson Hill Road: Barb has sent the owner, Diane LaPalme, a certified letter at the recommendation of the State. She has received a reply from the owner who is in Florida. The property has been vacant for some time and the owner has started to shuffle things around, but not clean it up. Barb will demand the property be cleaned up by June. #2 – Beebe Plain: This property is across from the Customs and beside the Post Office. It has been foreclosed on but one apartment is still occupied by a lady and her 10 year old daughter. There is all kinds of trash that is blowing around. Barb will contact the State about this property. #3 – Beach Street: Barb has had issues with this property in the past. Last year they had a dumpster in the front yard that was full of trash. The owner doesn't answer the door. Barb will send a registered letter. Barb will report back to the board at their next meeting.

**Excess Weight Permit – St. Onge Trucking** – Perry signed the permit.

**OLD/OTHER BUSINESS:**

The Town needs to move forward with the Water/Sewer Committee meeting. The Town needs to evaluate Bob Kelley's job duties, description, and title considering all the non zoning duties he performs.

**ROAD REPORT:**

The new Mac is on the assembly line and should be completed in a timely manner this year. The Holland Road has a shim coat and still needs the top coat. Water resources will have to be involved in replacing the culvert on 4-H Road. The cost to crush the gravel at the stump dump is the same as purchasing the material.

**EXECUTIVE SESSION:**

6:45 Beula move to go into executive session for a personnel issue, with Josh seconding. Unanimous.

7:00 Out of executive session. Beula moved to increase Joe Noble's pay to \$13.00/hr effective immediately, with Grant seconding. Unanimous.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, May 23<sup>rd</sup>.

At 7:02 pm Beula moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
May 23, 2016**

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

**Others:** Joe Gresser, Robin Smith, Joe Profera, Rod Lyon, Bob Kelley.

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

Warrants #11A in the amount of \$18,504.74 and #11B in the amount of \$152,309.58 were signed.

Beula moved to approve the minutes of May 9, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS:**

Joe Profera asked about the ATV use of the Town Forest.

**NEW BUSINESS:**

**Barb Russell – Health Issues** – Barb could not attend tonight's meeting but left a note saying things were proceeding slowly on the problem properties discussed at the last meeting.

**Ground Keeping Applications** – Bids were received by Brian Dubois - North Country Lawn Care, Brandon Phillips – Kingdom Lawn Care, Joy Lawn & Yard Service, and Northeast Lawn Care. The format of the bids varied making it difficult to compare the bids. Bob will format the bids so that they are easier to compare. The board would also like to ask the Cemetery crew if they would like to continue mowing the properties on a full time basis. The Board authorized Bob to hire someone to get the flower beds done and suggested that maybe a different company do each property to see what kind of work they do.

**Road Dept – Municipal Building Parking Lot** – In the rear there is a large depression. Rod checked with the Village and there are no water or sewer services in the vicinity. The road crew will be able to repair it.

**Grader Bids** – The Town receive 3 bids. Gervais Construction Inc - \$22,500, Keith Grieves - \$2,000, and C V Elms - \$5,650. Brian called the highest bidder and counter offered \$25,000. Gervais refused the counter offer. Perry moved to accept the Gervais Construction bid of \$22,500, with Grant seconding. Unanimous.

After further discussion the Board reconsidered their previous motion. The Town has \$25,000 into the grader and would like to get their money back. Perry moved to rescind their previous motion to accept the Gervais bid, with Grant seconding. Unanimous.

The Board will wait to see if Gervais reconsiders the counter offer of \$25,000 then decide how to proceed.

**Employee Review** – The Board would like to change Bob's job title to Town and Zoning Administrator to reflect all that he does for the Town in addition to his zoning duties. Bob gave them draft job descriptions for both Town Administrator and Zoning Administrator. They will review the job descriptions for their next meeting.

**OLD/OTHER BUSINESS:**

**Beach House** – Bob has talked with Annie Brueck (Coutts/Siskin) about opening and closing the beach house for the town since they are right next door. She has offered to do it. Until the end of June when their summer camp starts they will be closing it between 3:00 and 5:00 depending when they leave the camp. After their summer camp starts they will be able to close it around 8:00. Bob will get them the keys they need. The Board is very grateful for their assistance.

The Town needs to have someone clean out the bathrooms once a week. Bob will contact the Municipal building cleaners to see if they would be able to do it on Mondays.

**ROAD REPORT:**

The new Mack truck is scheduled to get the body on starting in early June and we should have it delivered around the end of July. The replacement of the Pine Hill culvert should begin the middle of June and the road will be closed for 2 weeks. The culvert on 4-H Road needs to be larger and probably a box culvert. Funds will not be available to do it this year and we have a similar problem with a culvert on Hayward Road. Everything else is going smoothly.

**EXECUTIVE SESSION:**

Beula move to go into executive session for a Cobb Road legal issue, with Grant seconding. Unanimous.

Out of executive session. Bob will run responses by the Town's Attorney.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, June 6th.

At 6:55 pm Grant moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**June 6, 2016**

**Present:** Grant Spates, Josh Provost, Beula Shattuck.

**Others:** Fred LaBarron, Rose LaBarron, Allen Yale, Todd Wright, Chris Hamblett, Karen Hamblett, Bruce Jones, Cory Jones, Joe Profera, Rod Lyon, Bob Kelley.

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

Warrants #12A in the amount of \$17,421.5 and #12B in the amount of \$43,795.52 were signed.

Beula moved to approve the minutes of May 23, 2016, with Josh seconding. Unanimous.

**PUBLIC COMMENTS:**

The LaBarron's son is being promoted to Major and they would like to have the promotion ceremony at Veteran's Memorial Park. The Selectboard thought it was a great idea and suggested that they contact either the Cow Palace or the Border Motel to use their parking lots because parking is very limited at the Park. The ceremony is about an hour long and will be held in the morning.

**7:00 P.M. Recess for Public Hearing on Bylaw Amendment:**

Beula move to recess their meeting to hold a public hearing on proposed bylaw amendment, with Josh seconding. Unanimous

The Public Hearing is for public comments on the following proposed zoning bylaw amendments:

Add the following definition to Article 11:

**Function Hall: A barn, tent or other similar structure (existing or new) used for hosting a party, banquet, wedding reception, or other social event.**

Add the following regulations to Article 4:

**Function Halls must comply with the following:**

- 1. Road access must be via a state highway or a class 1, 2, or 3 Town road.**
- 2. The structure or any portion of the lot used in connection with the business shall be set back at least 50 ft from side and rear property lines.**
- 3. No residential dwellings are closer than 500 ft to the structure, other than those owned by the applicant or the applicant's immediate family.**
- 4. All other relevant provisions of the Zoning Bylaw are complied with – e.g., site plan review standards.**
- 5. Bands and/or music must end by 11:00 p.m.**

Add the following to §402.7(D) Parking Space Counts per Use

<b>Use</b>	<b>Stalls Required</b>	<b>Comments</b>
<b>Function Hall</b>	<b>0</b>	<b>Not allowed within a Public R.O.W.</b>

Add Function Hall as a Permitted Use in the following districts in Article 2:

**COM, R-1, R-2, RR, SD, SL**

Delete: **"Private School" as a conditional use in the COM/IND district.**

Public Comments:

Todd Wright didn't think that the restriction that Function Halls need to be accessed from Class 1, 2, or 3 Town roads needs to be included. In order to keep large lots from being split up you need to be able to generate some form of income from the property.

Chris & Karen Hamblett didn't think that Function halls were appropriate in the Special Lands zoning district. These areas should be kept open and undeveloped for the solitude and not have commercial uses. Also the Class 4 road portion of Upper Quarry Road and his private shared right of way are not safe for the amount of traffic that would be generated from a Function Hall.

The Planning Commission added the restriction about being accessed by a Class 1, 2, or 3 roads after their public hearing. Any new construction for a function hall would have to be reviewed by Act 250.

After all public comments Beula moved to close the Public Hearing and return to their regular meeting, seconded by Josh. Unanimous.

#### **NEW BUSINESS:**

**Allen Yale – Historical Society** – The Historical Society would like to bury the power line to their building and need the Selectboard's approval. They have already contacted NCUJHS and they do not have a problem with it. They will also have to get permission from the Village of Derby Center since it will be going under their side walk and it will require permits from the electric company. They would like to do it sometime after the 4<sup>th</sup> of July. Mr. Yale also asked if it was possible to have the Town help with the trenching. The Selectboard didn't have any issues with the proposal and told Mr. Yale that Bob could sign the permit on the Town's behalf. Beula moved to give permission to the Historical Society to bury the electrical line to their building and to have the Road Department trench the line for them, with Josh seconding. Unanimous.

**Town Forest – Right of Way** – The survey has been completed and the Town needs to post a notice to proceed with the right of way swap. Josh made a motion to authorize the Selectboard Chair to sign, post and publish a Notice of Sale of Municipal Real Estate pursuant to 24 V.S.A. § 1061 to convey 1,310-foot, more or less, long, fifty-foot wide access easement and right-of-way to Jeffrey M. Parah and William H. Parizo over the Town Forest property and to appoint the Selectboard Chair to execute all deeds, tax returns and other related documents to convey the access easement and right-of-way to Messrs. Parah and Parizo if no petition objecting to the conveyance is submitted in response to the Notice of Sale of Municipal Real Estate. With Beula seconding. Unanimous.

**Employee Review and Job Description** – Beula moved to table this until their next meeting because they do not have a full board tonight, with Josh seconding. Unanimous.

**Excess Weight Permit – Sticks & Stuff** – Josh moved to sign the excess weight permit for Sticks & Stuff, with Beula seconding. Unanimous.

**Consider Bylaw Amendment** – Josh moved to table consideration of the proposed bylaw amendment until their next meeting, with Beula seconding. Unanimous.

#### **OLD/OTHER BUSINESS:**

**Beach House** – Coutts/Siskin are opening and closing the beach house. The same contractor cleaning the municipal building, Williams Jan-Flooring, is cleaning the beach house also.

**Historical Society Parking Area** – Someone from the apartment next door has been using the parking area to repair their vehicle in. Bob will send the owner a letter telling them to stop.

#### **ROAD REPORT:**

We are waiting to hear when the contractor will be starting the Pine Hill culvert replacement. The Eagle Point culvert is getting worse. There is a leak in the water line (plastic pipe) going to the town garage, attempts are being made to locate where the leak is. Street signs are needed for Provost Acres and Provost Acres Ext. Walmart is requesting open cuts on Quarry Road and Shattuck Hill Road to install their water line.

**EXECUTIVE SESSION:** None.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, June 20<sup>th</sup>.  
At 7:15 pm Beula moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley  
*Unofficial until approved*



**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**June 20, 2016**

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

**Others:** Chris Hamblett, Karen Hamblett, Joe Profera, Bob Kelley.

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

Warrants #13A in the amount of \$20,829.76 and #13B in the amount of \$110,716.38 were signed.

Grant moved to approve the minutes of June 6, 2016, with Beula seconding. Unanimous.

Brian added Executive Session for the Rublee Appeal to the agenda.

**PUBLIC COMMENTS:**

Mr. & Mrs. Hamblett voiced their concerns about the proposed bylaw amendments regarding Function Halls.

**NEW BUSINESS:**

**Excess Weight Permit – Beacon Sales Acquisitions Inc & Amadon Construction Inc** – Perry signed the permits.

**Consider Bylaw Amendment** – Discussion included what districts Function Halls should be allowed in and what class of road is required for access. Grant moved to approve the following bylaw amendments as submitted, with Beula seconding.

Add the following definition to Article 11:

**Function Hall: A barn, tent or other similar structure (existing or new) used for hosting a party, banquet, wedding reception, or other social event.**

Add the following regulations to Article 4:

**Function Halls must comply with the following:**

- 1. Road access must be via a state highway or a class 1, 2, or 3 Town road.**
- 2. The structure or any portion of the lot used in connection with the business shall be set back at least 50 ft from side and rear property lines.**
- 3. No residential dwellings are closer than 500 ft to the structure, other than those owned by the applicant or the applicant's immediate family.**
- 4. All other relevant provisions of the Zoning Bylaw are complied with – e.g., site plan review standards.**
- 5. Bands and/or music must end by 11:00 p.m.**

Add the following to §402.7(D) Parking Space Counts per Use

<b>Use</b>	<b>Stalls Required</b>	<b>Comments</b>
<b>Function Hall</b>	<b>0</b>	<b>Not allowed within a Public R.O.W.</b>

Add Function Hall as a Permitted Use in the following districts in Article 2:

**COM, R-1, R-2, RR, SD, SL**

Delete: **“Private School” as a conditional use in the COM/IND district.**

Ayes – Grant & Beula, Nays – Perry, Josh & Brian. The motion was denied.

Josh moved to approve the above bylaw amendments with the change that Function Halls not be permitted in the SL zoning district and only permitted in the COM, R-1, R-2, RR, and SD zoning districts, with Perry seconding. Unanimous

**Gene Besaw – Sign representation Letter** – Brian signed the letter.

**OLD/OTHER BUSINESS:**

**Grounds Keeping** – Grant moved to reject all mowing bids and have the Cemetery crew continue mowing the municipal properties and to hire North Country Lawn Care for the

maintenance of the flower beds and spring/fall cleanup at \$30/hr, with Perry seconding. Unanimous.

**ROAD REPORT:**

The work on the Pine Hill Culvert is scheduled to begin July 11<sup>th</sup> and the road will be closed for 2 weeks. There are a few people interested in the Grader. We are having problems with the 2 International trucks. The Town should consider budgeting to buy a truck at the State auction as an emergency backup. Road side mowing will start after July 4<sup>th</sup>. We have received a Better Roads Grant to inventory our roads, a State grant for paving and a State grant to engineer the Eagle Point culvert. Grant contacted Fish & Wildlife about getting financial help from the Feds and State to fix the Eagle Point culvert as this is the only access to the wildlife refuge.

**EXECUTIVE SESSION:**

6:52 pm – Grant moved to go into executive session to discuss a legal matter regarding the Rublee zoning appeal, with Beula seconding.

7:07 pm – Out of executive session. No action taken.

**ADJOURNMENT:**

There will be no meeting in 2 weeks on July 4<sup>th</sup>. The next regular meeting is scheduled for 6:00 p.m. Monday, July 18<sup>th</sup>.

At 7:08 pm Grant moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
July 18, 2016**

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

**Others:** Nathalie Ouellet, Marjolaine Tremblay, Paul Prue, Louis Barber, Rod Lyon, Maryann Tetreault, Laurie Moss, Joe Profera, Bob Kelley.

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

Because there was no meeting on the 4<sup>th</sup> of July, the Selectboard stopped in the office 2 weeks ago and Warrants 14A in the amount of \$18,743.51 and #14B in the amount of \$92,968.28 were signed.

Warrants #15A in the amount of \$21,903.68 and #15B in the amount of \$167,789.70 were signed.

Beula moved to approve the minutes of June 20, 2016, with Grant seconding. Unanimous.

Brian added Mobile Home Tax Sale to the agenda.

**PUBLIC COMMENTS:**

Louis Barber would like the sheriff's dept to run radar on Elm St again and thinks the speed limit should be lowered to 25 mph. People are constantly speeding along the road. The Board agreed to get the sheriff over there again.

Paul Prue was upset and questioned the board about the way the Rublee appeal was handled. The Board explained why they acted the way they did.

**NEW BUSINESS:**

**Mobile Home Tax Sale** – Delinquent Tax Collector Maryann Tetreault explained that one of the properties up for tax sale owned by Nazaire & Andre Marc-Aurele (PID #0000TTPK08-4A06) is a mobile home that has been demolished and removed from town. The address for the former owner of the mobile home is in care of an out of state son. Maryann does not see how we can possibly collect the back taxes. There was speculation that the owner is now deceased. The Board agreed that collection may be impossible. The Town needs to check to see if this can be brought to small claims court. Grant moved to remove parcel 0000TTPK08-4A06 from the grand list, with Beula seconding. Unanimous. Grant moved to remove parcel 0000TTPK08-4A06 from the delinquent tax list, with Perry seconding. Unanimous.

**Sign Kingdom Games Permit Process** – Brian signed the letter.

**Sign State of Vermont Grant Agreement** – This is the engineering grant for the Eagle Point culvert. Grant explained that he has been working on the State and the Feds to get funding for this project. Everyone thought that a bridge would be the best option for replacing the culvert. Brian signed the Grant Agreement.

**Laurie Moss – Derby Line Community Day** – Laurie asked if the Board would be supporting Community Day again this year. Last year the Town gave them \$1,300. Community Day has been a big success and keeps growing every year. Beula moved to give \$1,400 to Derby Line Community Day this year, with Grant seconding. Unanimous.

**Sign Grant Application Note** – This loan is to pay for the various projects we have until we get reimbursed from the State. Beula moved to sign the note, with Perry seconding. Unanimous.

**Tennis Courts** – Bob reported that it is time to fix the cracks on the tennis courts again. He has a quote from one company for \$3,469 and is waiting for a second quote. Also the trees along the south side need to be trimmed back so that they are not overhanging the courts. Bob suggested that they be trimmed back so that they are 10 ft from the fence. Bob was directed to get quotes

to do this work. The south end of the courts are getting slick because of debris falling from the trees and needs to be pressure washed, the Pickleball players may volunteer to do this. The last issue is the lines that were painted last year for the Pickleball courts has faded, the company that painted them will look at the issue the end of this week.

**Municipal Building** – Many of the exterior lights on the building are not working. J & S Electrical has estimated \$1,220 to replace all 7 lights with LEDs based on a full day for 2 men. The Board agreed to do the work and that the Town should check with Green Mountain Electric to see if there are any deals on fixtures that would lower the cost. The trim on the building is in bad shape. It was thought that NC<sup>3</sup> would be able to do the job, but they were not able to get to us. The rotted boards need to be fixed this year before the rot spreads any more. Bob will look into the cost to get the rotted boards replaced and look up the quotes we got last year for painting/encasing the trim. Also the building needs to be pressure washed but this will have to wait until we are ready to paint/encase the trim.

#### **OLD/OTHER BUSINESS:**

**Route 5 Speed Limit Derby Center – Derby Line** – The State is reconsidering our request to lower the speed limit between Derby Center and Derby Line. The engineer is not recommending a change but would not be opposed to changing it to 40 mph from north of Walts to north of Wallace Road. The Traffic Committee will be meeting on August 3<sup>rd</sup> to discuss this. Grant recommended the board participate in the meeting by phone if they cannot attend the meeting in person. The meeting will be at 1:00 pm in the Vtrans Board Room, 5<sup>th</sup> floor of the National Life Building in Montpelier.

**Road Erosion Inventory Grant** – The kickoff meeting for this project is Wednesday July 20<sup>th</sup> at 8:00 am here in the Municipal Building.

#### **ROAD REPORT:**

The work on the Pine Hill Culvert should be wrapping up this week. Walmart should be paving their road cuts on Thursday. Hazen Converse needs to pave his road cut on N Derby Rd and a letter needs to be sent to him. West St is getting used more as a bypass now that there is a 3-way stop at the T. Maybe we can get NVDA to do a traffic count on the road. Also now that it is becoming more of a bypass the State needs to step up and help with this road.

#### **EXECUTIVE SESSION:**

7:08 pm – Beula moved to go into executive session to discuss a personnel issue, with Grant seconding. Unanimous

7:20 pm – Out of executive session. No action taken.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, August 1<sup>st</sup>.

At 7:24 pm Beula moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**August 1, 2016**

**Present:** Josh Provost, Brian Smith, Perry Hunt (by speaker phone).

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

**MEETING CALLED TO ORDER - 6:13 P.M.**

Warrants #16A in the amount of \$19,721.93 and #16B in the amount of \$190,409.95 were signed.

Perry moved to approve the minutes of July 18, 2016, with Josh seconding. Unanimous.

**PUBLIC COMMENTS:**

Paul Prue questioned the board again about the way the Rublee appeal was handled.

**NEW BUSINESS:**

**Sign Contract for Cleaning Services** – The contract is for \$800/month again this year. Josh moved to sign the cleaning services contract, with Perry seconding. Unanimous.

**Sign Service Agreement – Road Inventory Grant** – Perry moved to sign the agreement, with Josh seconding. Unanimous.

**Approve Tax Rate** – The residential rate was calculated at \$1.6664 vs. \$1.6953 last year, about a 3 cent decrease. The non-residential rate was calculated at \$1.8760 vs. \$1.8740 last year, a 0.2 cent increase. Josh moved to approve a residential tax rate of \$1.6664 and a non-residential tax rate of \$1.8760, with Perry seconding. Unanimous.

**Beach House Rental** – Bob reported that Cassy Moulton has inquired about taking over the rental of the beach house. She is a caterer and would like to have more events at the beach house. She would need exclusive use of the kitchen. Rental fees would go to the Town, people could still rent the beach house without the kitchen, and she would maintain the building. The board would like her to come before them to discuss her proposal in a little more detail.

**Review Job Descriptions** – The board skipped this for tonight.

**Barb Russell** – Barb reported that she has put rat poison in the abandoned problem Beebe house. The property on Nelson Hill Road has a dumpster onsite, so hopefully it will be cleaned up soon. The Border Motel has bed bugs in room 19 and will have to steam the room before it can be occupied again.

**OLD/OTHER BUSINESS:** None.

**ROAD REPORT:**

The Pine Hill culvert project is complete. They finished a couple of days ahead of schedule and about \$30,000 less than anticipated. Josh moved to sign the grant reimbursement request for the project, with Perry seconding. Unanimous.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, August 15<sup>th</sup>.

At 6:45 pm Josh moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
August 15, 2016**

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

**Others:** Paul Prue, Bob Lewis, Joe Gresser, Irene Dagesse, Bob Kelley.

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

Warrants #17A in the amount of \$19,418.23 and #17B in the amount of \$51,952.52 were signed.

Beula moved to approve the minutes of August 1, 2016, with Perry seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Bob Lewis – Law Department Committee** – Bob said we have been hearing for years that we need our own police department and doesn't want the Town to jump into something without getting some facts. He is offering his services to chair a committee of around 6 people to look into the need for more police protection and the options/costs involved. The committee would gather information as neutral as possible. Bob Kelley will be their contact with the town. The Board agreed that they thought the committee was a good idea.

**Recycling – Irene Dagesse** – Irene updated the Board on what is going on. The crew is doing a very good job. Joe went to a training seminar and learned we need to be very careful on how we deal with refrigerators/freezers and e-waste. If Freon were to leak we could be subject to a hefty fine and off hours dumping could subject us to fines. Joe feels we need surveillance cameras. Bob will check with Aaron Waterman to see what is available and the cost. Signage is also needed on the building. Joe will come up with the wording we need and we can order them from the Corrections Dept. At the district level they are running at a deficit and need to come up with additional income. Recycling cost is directly related with the price of oil and nobody anticipated oil would be this low for this amount of time. E-waste payments will go to the district. Currently the towns get \$0.05 per pound and the contract with the district will be \$0.09 per pound. Another income source would be a per capita fee or a per haul fee. For Derby the per capita fee would be \$4,600 and the per haul fee would be \$2,340. The Town may want to consider a pay as you throw system where we have a dumpster with a compactor and people buy special bags and then they can bring their trash along with their recycling. The Town was concerned with the town garage becoming a dump. Irene will get with Paul Tomassi and have him come look at the site to see if it feasible and report to the Board.

**Review Job Descriptions** – The board did not have their copies with them and will bring them to the next meeting.

**Sign Contract for Services** – The figures were not correct. Faye will revise it for their next meeting.

**OLD/OTHER BUSINESS:**

**Municipal Building** – The window trim needs to be replaced. Grant has materials left over from a job that he will donate to the Town. Grant has talked to the Career Center about doing the work and they will be able to do it this fall.

**Beach House** – Coutts is closed for the season and will no longer be able to open and close the beach house. Bob has talked to George Horton who has a camp just past Coutts' entrance and he would be willing to open and close the beach house. The Board told Bob to arrange it. George will not be around on Labor Day Weekend.

**ROAD REPORT:**

The storm over the weekend caused considerable amount of washes. We need to look into more permanent fixes of known problem areas in the future, Better Roads may be a funding source for this work. Grant is working with the Feds and State on funding for the Eagle Point culvert.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, August 29<sup>th</sup>.  
At 7:00 pm Beula moved to adjourn, with Perry seconding. Unanimous.

Submitted by Bob Kelley  
*Unofficial until approved*

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

**Minutes  
August 29, 2016**

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

**Others:** Paul Prue, Joe Gresser, Rod Lyon, Joe Profera, Lisa Boskind, Scott Boskind, Gwen Bailey-Rowe, Bob Kelley.

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

Warrants #18A in the amount of \$18,550.46 and #18B in the amount of \$98,256.01 were signed.

Beula moved to approve the minutes of August 15, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS:**

Joe Profera discussed bylaw amendments and how often the Board would like the same issue to come back before them.

**NEW BUSINESS:**

**Cassy Moulton – Beach House** – Bob reported that she emailed him that she would not be able to attend tonight's meeting and will reschedule.

**Sign Contract for Services** – Grant moved to sign the landscaping contract at \$30/hr, with Josh seconding. Unanimous.

**Scott Boskind – Cross Walk near Ice Cream Shack and Jr. High School** – The school board feels the Town should pay for the crosswalk but Scott would be willing to bring a proposal back to the school board. The Town feels that this is a safety issue for the school and the school should be sharing the cost. The school has a quote from Gosselin and it was felt that another quote is needed. The Board thought that between the Town, School and Village that we should be able to get the funding for this project. Scott will keep the Town informed on the school's participation.

**Recycling Center - Gutters** – Grant moved to accept Worth's Seamless Rain Gutters quote for \$305, with Beula seconding. Unanimous.

**Lister's – Errors and Omissions** – Grant moved to approve the changes to the Grand List as proposed by the listers under Errors and Omissions, with Josh seconding. Unanimous.

**Review Letters – Delinquent Tax Collector** – The delinquent tax collector was out of town and unable to attend tonight's meeting.

**Review Job Descriptions** – The board requested that the Zoning Administrator job description be sent to the Planning Commission and Zoning Board for their input. Grant made a few suggestions for changes to the Road Foreman job description. There was confusion as to which draft the Board was reviewing. Bob will resend the latest drafts to everyone.

**OLD/OTHER BUSINESS:**

**Trees Bordering NCJHS Drive** – Scott mentioned that the apartment building to the north of the driveway has 4 or 5 large dead maple trees that are a safety issue as they overhang the exit drive. It was suggested that the school send the owner a letter.

**Beach House** – John & Diane Guyette did a lot of landscaping work around the beach house and Beula thought it would be a good idea if the Town sent them a thank you note. The Board will ask the Town Clerk to send them a letter.

**Walmart Entrance Road Work** – The Town agreed to split the cost with Newport City to remove the old concrete slabs under the roadway at the Walmart entrance up to the estimated cost of \$101,400. In tonight's warrants is a payment to the City for \$50,700 for the Town's



share. The final actual cost was \$106,570.36 and because we have good working relationship with the City it was felt that the right thing to do would be to split the total actual cost with the City which comes to an additional \$2,585.18. The Board was disappointed that the City didn't coordinate with the Town for in-kind work. It was thought that with our 10-wheel dump trucks we could have helped lower the overall cost of the project. Grant moved to authorize the Town Treasurer to pay the additional \$2,585.18 to the City of Newport, with Beula seconding. Unanimous.

**Pine Hill Culvert Grant** – Grant moved to sign the final reimbursement request for the grant, with Beula seconding. Unanimous.

#### **ROAD REPORT:**

The Town is waiting on Walmart to coordinate paving of Shattuck Hill Road. It was unknown when the State will be striping Holland & Schuler Roads. 2 deer warning signs were authorized for Shattuck Hill Road. The loader needs to be replaced and Rod is getting quotes for next year's budget.

#### **EXECUTIVE SESSION:**

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

7:21 Out of executive session. Since Travis Bartley has successfully completed his probationary period Grant moved to make Travis Bartley a full time employee, with Josh seconding. Unanimous.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, September 12<sup>th</sup>.

At 7:22 pm Beula moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
September 12, 2016**

**Present:** Grant Spates, Brian Smith, Perry Hunt.

**Others:** Irene Dagesse, Joe Noble, Paul Tomasi, Renee Falconer, Callie Fields, Timothy Dagesse, Cari Crawford, Maryann Tetreault, Paul Prue, Joe Profera, Bob Kelley.

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

Warrants #19A in the amount of \$17,475.36 and #19B in the amount of \$35,077.94 were signed.

Grant moved to approve the minutes of August 29, 2016, with Brian seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Recycling – Paul Tomasi & Irene Dagesse** – Paul explained the Pay as you Throw concept. Essentially you have a compactor on site to receive the trash and only accept trash in unique bags that will be available for sale at various places around town. Pricing on the bags would cover the cost of everything. A new compactor is in the \$50k range and Paul thought that USDA Facilities Grant or Northern Borders Grant might be a couple of possible sources for funding. This would probably have a negative impact on local haulers, but they will have the opportunity of bidding on hauling it away. The Town may want to consider leasing a compactor from a local hauler. Paul will look into the size of trash compactor we would need so that we can get bids from haulers to supply the unit. Cardboard is also an issue as it is usually overflowing. The Town may want to consider getting a bailer for the cardboard. Off hours dumping has been a problem and the Town is looking into getting cameras installed. Bob will look into an illegal dumping ordinance with VLCT.

**Review Letters – Delinquent Tax Collector** – The board reviewed a draft letter to mobile home parks/contractors about removing mobile homes without paying taxes and a draft delinquent tax policy. Grant moved to approve the letter to mobile home parks/contractors, with Perry seconding. Unanimous.

Grant moved to approve the delinquent tax policy, with Perry seconding. Unanimous

**Margaret Maxwell – Dog Complaint** – Margaret was a no show. Animal Control Officer, Rene Falconer, explained that Margaret got bitten by a chained dog on the owner's property. It is nothing to do with the Town and the owner has contacted their insurance company and is willing to pay for any medical expenses. Renee will pass this along to Margaret.

**Marsha Deschenau – Dog Control** – No show.

**Review Job Descriptions** – A few changes were made to the job description for Road Foreman. Road Commissioner and Road Crew descriptions looked good. Zoning Administrator and Town Administrator still need to be reviewed. Grant moved to approve the job descriptions for Road Crew, Road Commissioner, and the revised Road Foreman, with Perry seconding. Unanimous.

**Liquor Licenses – Roadside Pizzeria** – At 6:08 Perry moved to approve the recess the meeting to go into a liquor control board meeting, with Grant seconding. Unanimous.

This is the location of the former Village Pizza now under new management. At 6:10 Grant moved to come out of the liquor control board meeting, with Perry seconding. Unanimous.

Grant moved to approve the liquor license for Roadside Pizzeria, with Perry seconding. Unanimous.

**Lister's – Errors and Omissions** – Grant moved to approve the changes to the Grand List as proposed by the listers under Errors and Omissions, with Perry seconding. Unanimous.

**OLD/OTHER BUSINESS:**

**Barbara Russell – Health Officer** – Barbara has submitted a letter of resignation effective October 31<sup>st</sup>. The Town will have to advertise the position.

**Town Forest Logging** – We received a check for \$13,771.95 for logging the Town Forest. Historically it has gone into the recreation fund. The board was wondering if it has to.

**ROAD REPORT:**

There were a few washouts from the last storm and all have been fixed. Half the winter sand has been hauled in and they are trying out new loaders for next year. Wednesday morning is a conference call concerning possible federal funding for the Eagle Point Culvert.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, September 26<sup>th</sup>.

At 7:05 pm Perry moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

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

**Minutes  
September 26, 2016**

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

**Others:** Barb Russell, Paul Prue, Joe Profera, Bob Kelley.

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

Warrants #20A in the amount of \$30,053.49 and #20B in the amount of \$45,425.08 were signed.

Beula moved to approve the minutes of September 12, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Barb Russell – Health Officer** – Barb is resigning, but will stay on until we can find a replacement. The Town will advertise for the position. The only pending issue is the problem on Nelson Hill Road. They have moved a dumpster onsite and it is full, but the place is still a mess. Bob Kelley issued a zoning violation and will follow up.

**Excess Weight Permit – Cardinal Logistics Management Corp** – Perry signed the permit.

**Liquor License – Walmart Stores East LP** – At 6:03 Grant moved to go into a Liquor Control Board meeting, with Perry seconding. Unanimous.

At 6:04 Beula moved to come out of the Liquor Control Board meeting, with Perry seconding. Unanimous.

Grant moved to grant the license to Walmart Stores East LP, with Josh seconding. Unanimous.

**Continue Review of Job Descriptions** – No action.

**Illegal Dumping Ordinance** – Bob found an ordinance from the Town of Middlebury that he thought would work for Derby. The board made a couple of changes dealing with penalties. Bob will send it to Bill Davies for review.

**Municipal Building Repairs** – Grant is working the NCCC to get the trim around the back windows replaced. There is a water leak in the listers office. The board asked Bob to check with either Marcel Delabruere or Jeff Charland to get it fixed as both are very experienced with roofing.

**OLD/OTHER BUSINESS:**

**Bylaw Amendment** – The planning commission has submitted an amendment modifying the definition of Village Inn to the Selectboard. The board changed the word “the” to “a” and set October 24<sup>th</sup> as the date for a Public Hearing.

**Beach House** – The board would like to send Roger Horton a letter thanking him for helping opening and closing the beach house.

**Skating Rink** – Bob will check to see if Jordan Benjamin will be taking care of the skating rink again this year.

**ROAD REPORT:**

Everything is going good. The Town will be testing loaders with the intent of purchasing one next year. A federal grant is being applied for to fix the Eagle Point culvert.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, October 10<sup>th</sup>.

At 6:40 pm Perry moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley  
*Unofficial until approved*

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

**Minutes  
October 10, 2016**

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

**Others:** Norm Gaboriault, Randy Brock, John Kelley, Laura Carpenter, Paul Prue, Joe Profera, Bob Kelley.

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

Warrants #21A in the amount of \$17,201.77 and #21B in the amount of \$58,393.44 were signed.

Grant moved to approve the minutes of September 26, 2016, with Perry seconding. Unanimous.

**PUBLIC COMMENTS:**

Zoning Board Chair Joe Profera informed the board that he had inadvertently called a ZBA meeting without warning it to review the job description for Zoning Administrator. He didn't realize it had to be warned. The ZBA will either call another meeting or each individual member will review the description and comment to the board separately.

**NEW BUSINESS:**

**Randy Brock – Lt. Governor** – Mr. Brock is running for Lt. Governor. He introduced himself to the board and fielded questions from the board and public.

**Resignation – Norman Gaboriault** – After discussing his issues with the board in executive session he withdrew his letter of resignation.

**Illegal Dumping Ordinance** – The board would like another 2 weeks to review the ordinance now that the Town Attorney has completed his review. They will discuss it again at their next meeting.

**Continue Review of Job Descriptions** – Skipped for tonight.

**OLD/OTHER BUSINESS:**

**Skating Rink** – Jordan has agreed to take care of the rink again this year.

**ROAD REPORT:**

Paving is completed. There is nothing the Town can do to resolve the drainage issue with the garage on Bridge Street, the garage is a couple of feet below the road. Perry and Bob will meet with Vtrans tomorrow at 9:00 to finalize the federal grant that is being applied for to fix the Eagle Point culvert.

**EXECUTIVE SESSION:**

@ 6:17 Grant moved to go into executive session on a personnel issue, with Perry seconding. Unanimous.

@ 6:53 back into open session. No action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, October 24<sup>th</sup>.

At 6:56 pm Grant moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**October 24, 2016**

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

**Others:** Paul Prue, Maryann Tetreault, Willie Tetreault, Rod Lyon, Paul Tomasi, Sam Carlson, Pat Austin, Marcie Giroux, Dave Giroux, Joe Profera, Bob Kelley.

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

Warrants #22A in the amount of \$18,999.41 and #22B in the amount of \$6,591,350.02 were signed.

Josh moved to approve the minutes of October 10, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Sam Carlson – Green Lantern Solar – Gosselin’s Gravel Pit** – Mr. Carlson gave the board a heads up about a 500 kw solar array they are planning for the Gosselin gravel pit. It will take up about 3½ acres. If the Town wants to partner with them the Town could save 10% on their electric bill. It is about the same size as the array by Tractor Supply. A Certificate of Public Good (CPG) is required from the Public Service Board. The Town and all abutters will be notified 45 days before they apply for the CPG.

**Pat Austin – Austin’s Rubbish** – Mr. Austin explained the state of trash in Derby. He didn’t think it was a good idea for the Town to collect trash at the recycling center. Paul Tomasi NEKWMD and Dave’s Rubbish agreed. NEKWMD isn’t sure what role they will be playing in the future of recycling with the new State laws. They don’t like to compete with the private haulers. The Town decided to keep things as they are for now.

**Beebe Fire Hydrants** – 3 hydrants along Canusa Ave have been closed due to the water main being too small and in poor condition. Mike Houle, Stanstead Director of Public Works would like to discuss this issue informally with the Town. Bob was asked to set up a meeting with him, Brian and Grant will represent the Town and hopefully Craig Ellam will also be able to attend.

**Health Officer** – The Town needs to send a recommendation for a Health Officer to the State by the end of the Month. If no one is appointed the job goes to the Chair of the Selectboard. Bob will check with Barb Russell to see if we can submit her name until we can find a replacement. 3 people have inquired about the job.

**Recycling Cameras** – We have a quote for \$1,269.99 for a 4 camera setup. The Board wants to make sure the setup will do what we want before we purchase the system. Bob will see if we can get a demo.

**Christman Road** – Past the Christman residence the road changes to a Class 4 road and dead ends in the middle of the Christman property. The Christman’s have the road gated and locked where the Class 4 portion begins. A resident would like to walk the entire length of the road, but can’t because of the gate. The road past the Christman residence serves no purpose for the town as a road and Perry, as road commissioner, recommends that we formally discontinue this section. The board agreed and asked Bob to get the ball rolling with the Town’s Attorney. A public hearing and 30 days notice is required.

**Municipal Building Trim** – The trim is still on NCCC’s schedule for this fall. They are finishing up on a couple of projects and then will have time for us.

**Sign Vast Permission Form** – This is an annual requirement. No changes are proposed from last year. Beula moved to sign the form, with Grant seconding. Unanimous.

**Continue Review of Job Descriptions** – Skipped for tonight.

**Sign Excess Weight Permit – Walmart** – The Walmart trucks use the Shattuck Hill entrance to deliver their goods and a permit is needed. Walmart picked up the form last week but they have not returned it yet.

**OLD/OTHER BUSINESS:**

**Water/Sewer** – The Town needs to move forward with discussions with the Village and Newport City to resolve capacity issues that could limit development within the Town. There is a committee setup with 2 Selectboard members (Brian & Grant) and 2 Trustees. Bob will set up a meeting for them to begin discussions.

**Stump Dump** – The stump dump will be closed for the season in 2 more weeks. Saturday November 5<sup>th</sup> will be the last day the stump dump will be open this year.

**ROAD REPORT:**

Things are going fine. There was some tree damage from the last storm, but it has all been cleaned up. Twin culverts along Hayward Road have been replaced with larger culverts and this should resolve issues along this section of the road. We are getting quotes and demos for a new loader.

**EXECUTIVE SESSION:**

7:22 Josh moved to go into executive session on a personnel issue, with Perry seconding. Unanimous.

7:34 Back into open session. No action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, November 7<sup>th</sup>.

At 7:35 pm Josh moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**November 7, 2016**

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

**Others:** Paul Prue, Rod Lyon, Chris Blais, Fritz Halbedl, Paula Halbedl, Kimko Fitz, Laura Carpenter, Bob Kelley.

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

Warrants #23A in the amount of \$19,985.08 and #23B in the amount of \$179,495.12 were signed.

Josh moved to approve the minutes of October 24, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**PUBLIC HEARING: Zoning Bylaw Amendment.**

Grant moved to recess the meeting to go into a public hearing for a proposed zoning bylaw amendment, with Perry seconding. Unanimous.

The amendment is to change the definition of Village Inn to read "Village Inn – An establishment containing rooms for rent consistent with the definition of a hotel/motel. The establishment may have a full service dining room open to the general public where alcoholic beverages may be served with meals to guests and patrons, and may include indoor reception and/or banquet venues on the property for private functions by a Village Inn. Any additional entertainment services, pool facilities, game rooms or similar form of entertainment are to be restricted to overnight guest only. Village Inn is a principal commercial use."

There were no comments from the public.

Josh moved to close the public hearing, with Grant seconding. Unanimous.

Perry moved to approve the proposed amendment as written, with Beula seconding. Unanimous

**NEW BUSINESS:**

**Health Officer** – Joe Noble has submitted a letter indicating his interest in the position. This is the only letter received. Beula moved to appoint Joe Noble to the position of Health Officer, with Grant seconding. Unanimous.

**Trash Ordinance** – The board reviewed 2 drafts of the proposed Ordinance Regulating the Disposal of Refuse and decided to go with the one that includes regulations on open burning and incineration. Grant read the complete ordinance (see attached) for the record and then moved to approve it, with Perry seconding. Unanimous.

**Review Job Descriptions** – The board reviewed job descriptions for Zoning Administrator and Town Administrator. Bob Kelley was hired as zoning administrator and also to assist the Selectboard as needed. Over the years he has taken on more responsibilities and the board felt that it was time to formalize his other duties. Paul Prue wanted to discuss Bob's job performance, but the board was only reviewing the job descriptions tonight not job performance. After reviewing the June 1<sup>st</sup> drafts Beula made a motion to approve the job descriptions for both Town Administrator and Zoning Administrator as written, with Josh seconding. Unanimous.

**OLD/OTHER BUSINESS:**

**Walmart Sign** – Chris Blais thought that the Walmart sign on Route 5 was hard to see because it is so low. She thought this might cause traffic issues. Bob will relay her concerns to Walmart.

**Letter from Lieutenant Walter Smith – State Police Station Commander** – The letter was in regards to the opening of the Walmart store. He explained that if he didn't have a trooper in the



immediate area or available they would not be responding to non-emergency call such as minor parking lot collisions with no injury or retail theft. The board was not very happy with the letter.

**Zoning Violation** – Bob reported that there is a pending violation along the Beebe Road that the property owner has not responded to and asked the Selectboard's permission to pass it along to the Town Attorney. He was directed to use Bill Davies.

**ROAD REPORT:**

There is an old fuel tank behind the town garage that should be removed before it becomes a problem. Mario Paul is looking into what it will take to remove it. It was thought that Scott Oeschger should be consulted with as he has a lot of experience with this.

Old truck #1 is getting a wooden bed install on the back and will be used for sanding in the winter and chloride in the summer.

Rod and Perry are looking into pricing for a 6 wheel dump truck for next year's budget. They are also looking into a new loader and thought that a 5 year lease might be the way to go.

Josh told the town that he has 2 bays in his old building that he is not using and would let the town can use at no cost. It is not heated and the town would have to keep it plowed and take full responsibility for anything stored there. If the building sells they would have to move out. The Board thanked him for the generous offer.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, November 21<sup>st</sup>.

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

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**November 21, 2016**

**Present:** Grant Spates, Brian Smith, Josh Provost.

**Others:** Marsha Descheneau, Joe Profera, Bob Kelley.

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

Warrants #24A in the amount of \$16,028.38 and #24B in the amount of \$36,133.96 were signed.

Josh moved to approve the minutes of November 7, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Marsha Descheneau – Animal Control** – Mrs. Descheneau would like to be appointed as animal control officer. She has had training for the job and doesn't think Renee Falconer is doing a good job. The board would like to have both Renee and Marsha at their next meeting to discuss this further.

**Sign Ordinance – Disposal of Refuse** – The ordinance as adopted at their last meeting was signed.

**Sign Job Descriptions** – The job descriptions for Zoning Administrator and Town Administrator as approved at their last meeting were signed.

**OLD/OTHER BUSINESS:** None.

**ROAD REPORT:** None.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, December 5<sup>th</sup>.

At 6:08 pm Josh moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**December 5, 2016**

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

**Others:** Marsha Descheneau, Benjamin Barrup, Callie Fields, Renee Falconer, Marsha Descheneau, Bob Kelley.

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

Warrants #25A in the amount of \$13,074.57 and #25B in the amount of \$87,373.17 were signed.

Josh moved to approve the minutes of November 21, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Recreation Department – Snow Blower** – Jordan Benjamin would like to purchase a snow blower to assist in clearing off the ice skating rink. The board would like to get a couple of quotes to compare prior to authorizing the purchase. Money would come out of either the Recreation budget or the dedicated recreation fund from logging the town forest.

**Animal Control Officer** – Mrs. Descheneau would like to become animal control officer or assist the animal control officer. There is a history between Mrs. Descheneau and the current animal control officer, Renee Falconer. Discussion centered on Mrs. Falconer's past performance and Mrs. Descheneau's past actions portraying herself as an animal control officer. The board felt that Mrs. Falconer is doing a good job and decided to keep things as they are.

**Notice of Hearing – Christman Road** – Perry made a motion to sign the notice for the January 30, 2017 hearing for the discontinuation of the class 4 portion of the Christman Road, with Grant seconding. Unanimous.

**Guillette Appeal** – This is an appeal of the Planning Commission's decision to grant approval for a Function Hall to be operated on the Guillette property on Salem Derby Road. Abutting property owner Steven Kirby is appealing the decision to Environmental Court. The Board authorized to use Attorney Bill Davies to represent the Town.

**OLD/OTHER BUSINESS:**

**Municipal Building Cleaning** – Williams Janfloor LLC has submitted notice that they will be increasing his rate by \$100/month starting January 1<sup>st</sup> due to the requirement that they now need to carry workman's comp insurance. Currently he charges \$800/month. The Board is happy with their work and will take this into account when they budget for next year.

**Budget Meeting** – The budget meeting will be on January 7, 2017.

**Board Reorganization** – Brian would like to step down as chair because of his duties as a state legislator. It was thought that Brian and Grant switching chair and vice-chair positions makes sense. This will be formally approved at a future meeting.

**Beebe Water Line** – Grant, Perry and Bob met with Stanstead's Mayor and Public Works Director this afternoon. With the border issues, upgrading the water system servicing the Derby customers has become more complicated than we first thought. Canada cannot get grants for anything to do with projects improving the services to U.S. customers. We will have to look into grants for this. The hydrants along Canusa Ave have been disconnected because of a lack of flow and the line going down Canusa Ave starts as a 4 inch line and reduces down to a 2 inch line. There is a 10 inch line going down Beebe Road and a 6 inch line going up Darling Hill Road. While we are looking into grants to replace the line along Canusa Ave we should also

look into adding hydrants for fire protection along Beebe Road and Darling Hill Road at the same time.

**ROAD REPORT:**

A used cab for the grader has been found for \$2,500 in West Virginia. The board authorized the purchase. We have 4 proposals for a new truck and 2 proposals for a new loader that can be reviewed during budgeting. All the trucks have been undercoated. The old body on truck #4 has been removed and replaced with a pressure treated lumber bed. It will be used for salt in the winter and chloride in the summer.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, December 19<sup>th</sup>.

At 6:55 pm Beula moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**December 19, 2016**

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

**Others:** Sue Best, Joe Profera, Paul Prue.

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

Warrants #26A in the amount of \$14,829.09 and #26B in the amount of \$418,451.12 were signed.

Beula moved to approve the minutes of December 5<sup>th</sup>, 2016, with Grant seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Recreation Department – Snow Blower** – Board thought that between the use of the town pickup and shoveling as in the past a snow blower is not needed. For now we will hold off.

**Discuss Board Reorganizations** – With Brian's new position as State Representative, Brian would like to resign as Chair and switch with Grant and become Vice-Chair. Josh moved to accept Brian's resignation as Chair, with Perry seconding. Unanimous.

Josh moved to appoint Grant as Chair, with Perry seconding. Unanimous.

Beula moved to appoint Brian as Vice-Chair, with Josh seconding. Unanimous

**Listers – GIS Mapping** – This is to have the maps on the internet. The annual fee is \$2,400. The pros and cons were discussed. The Board would like to look at the lister's budget for next year before making a decision.

**Listers - Reappraisal** – Sales are getting to be all over the place and the listers want to start planning for a reappraisal. Sue Best explained that funding is available from the reappraisal fund and no money from the general fund will be required. They are recommending that the Town hire the firm that did the last reappraisal to do the next reappraisal over a 3 year period, with a completion date of 2020. She handed out a write up on the proposal for the Board to review.

**Sign Liquor Licenses – Derby Village Store, Jolley Associates** – At 6:30 Beula made a motion to go into a Liquor Board meeting, with Josh seconding. Unanimous.

At 6:31 Beula made a motion to come out of the Liquor Board meeting, with Grant seconding. Unanimous.

Perry moved to approve the licenses for both Derby Village Store and Jolley Associates, with Josh seconding. Unanimous.

**OLD/OTHER BUSINESS:**

**Eagle Point Culvert** – The Town was awarded the \$300,000+ grant for the project. \$800,000 was earmarked for Vermont and we were the only one to submit an application. We listed the John's River culvert as the next phase of the project and the Feds would like us to expand the application to include the John's River culvert. The grant program funds 80% of the cost with the Town's share being 20%.

**Emmons/Simpson** – All the law suits have been settled in the Town's favor.

**NVDA Appropriation** – We have received the appropriation from NVDA which will have to be budgeted for.

**ROAD REPORT:**

We are still sinking money into the truck fleet and need to continue replacing equipment. We will need to budget for a truck and a loader next year. State equipment loans are available at an interest rate of 1%.

There have been complaints that one of the drivers is going too fast. Perry will take care of it.

A water line on Lawson Road was hit by a plow and broken. It was not the fault of the plow driver as there were obstacles in the way and the valve was not marked. The Zoning Administrator should look at the property for possible violations.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

There will be no meeting on Monday, January 2, 2017.

There will be a Budget Meeting on Saturday, January 7, 2016 at 9:00 a.m.

The next regular meeting is scheduled for 6:00 p.m. Monday, January 16, 2016.

At 6:52 pm Beula moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley

*Unofficial until approved*