

**2019 ANNUAL TOWN MEETING & ANNUAL TOWN SCHOOL DISTRICT
MEETING MINUTES
HELD MARCH 4TH 2019**

The Annual Town & Town School Meeting was called to order at 7:00 P.M. by Moderator Richard Nelson on March 4, 2019, at the Derby Elementary School, Elm Street, Derby, Vermont. The meeting started with a Pledge of Allegiance to the American Flag. Moderator Nelson introduced Sheriff Kirk Martin & Legislators Brian Smith and Lynn Batchelor. Brian Smith read a House Concurrent Resolution honoring Dr. Dennis LeBlanc for his four decades of outstanding dental service in the Town of Derby written by Representatives Brian Smith, Lynn Batchelor, Mike Marcotte, Woody Page & Paul Lefebvre.

Moderator Nelson asked that anyone wishing to speak, approach the microphone and state your name. Direct the questions to the Moderator and we will go from there. The Town Report was nicely put together again this year. A moment of silence was given for John Joly and Ken Young who passed away. Ken Young had a big influence on why Richard Nelson took the Moderator position. He filled in a few times for Ken and learned to love it. A moment of silence was then given for those who are serving our country and those who are no longer with us. First order of business is to approve the minutes of last years 2018 Annual Town Meeting, Frank Davis moved to approve the minutes and seconded by Elia Spates Marquis. All in favor motion passed. Motion to waive the reading of the warning made by Allen Yale it was seconded by Lynn Batchelor. All in favor motion passed.

Article 1. To elect by the Australian Ballot System the following Town and Town school district officers for **one year**:

- | | |
|------------------------------|--------------------------------|
| (1) Town Agent | (1) Town & School Moderator |
| (1) Delinquent Tax Collector | (1) First Constable |
| (1) Second Constable | (1) Town School Board Director |
| (1) Town Grand Juror | |

To elect by the Australian Ballot System the following Town and Town school district officers for **two years**:

- (1) Select Board Member

To elect by the Australian Ballot System the following Town and Town school district officers for **three years**:

- | | |
|-------------------------|--------------------------------|
| (1) Lister | (1) Town School Board Director |
| (1) Select Board Member | (1) Union School Board Member |
| (1) Town Clerk | (1) Town Treasurer |
| (1) School Treasurer | |

To elect by the Australian Ballot System the following Town and Town school district officers for **five years**:

- (1) Cemetery Commissioner

Article 2. Shall the voters authorize the Northeast Kingdom Waste Management District to appropriate and expend a budget of **\$825,073.00**?

Article 3. Shall the voters of the Town of Derby School District approve the School Board to expend **\$5,788,265.00**, which is the amount the school board has determined to be necessary for the ensuing fiscal year? It is estimated that this proposed budget, if approved, will result in education spending of **\$12,352.00** per equalized pupil. This projected spending per equalized pupil is 1.2% less than spending for the current year.

Article 4. Shall the Town of Derby officially oppose the current expansion of the NEWSVT Coventry Landfill?

VOTING: The polls for voting on the above said **ARTICLES 1, 2, 3, and 4** will open at **8:00 A.M.** and will close at **7:00 P.M. on TUESDAY, MARCH 5th, 2019 IN THE LOWER LEVEL OF THE DERBY MUNICIPAL BUILDING LOCATED AT 124 MAIN STREET, DERBY CENTER.** The polls shall be under the supervision of the Town of Derby Board of Civil Authority.

Article 5. To hear and dispose of the reports from the Town of Derby School Director. Bryan Davis stated that his Report is in the Town Report he doesn't have anything to add to that and asked if there were any questions. No questions.

Article 6. Scott Boskind made a motion for the voters of the Town of Derby School District to authorize the Board of School Directors to borrow money in the anticipation of revenues for the purpose of paying current expenses Curt Brainard seconded. No further discussion. **Vote on motion:** "Ayes" have it; motion passed.

- Article 7.** Bryan Davis made a motion to authorize the Board of School Directors to place the 2017-18 fund balance into three reserved funds to be used over several years: **\$302,260.07** in the building and grounds fund **\$25,000.00** in the Technology fund and **\$18,500** in the Curriculum fund which is new this year. Lynn Batchelor seconded. Discussion: Karen Jenne asked what was in those funds now and what is it to be used for. Bryan Davis went over the balances in the funds and what each was being used for. Lori Before stated that the school board is talking about left over funds these are overpayments from tax payers and the school wants to move them into funds so the board can spend it when needed, the board wants to use the excess money rather than save the tax payers money. Bryan stated that was correct and that is the purpose of having these funds to use when the school needed repairs. Richard Nelson explained the per student cost in our Town being the lowest in the Supervisory Union and in the State of Vermont at \$12,352.00 per student. Frank Davis – said that his understanding is that if we already have money in the account then the school doesn't have to get a loan for the funds when things are needed and can save money in the future instead of paying interest for a new loan. Bryan stated that they don't keep money every year last year they put \$152,000 back into the budget and some the year before that. The fund balance is better than asking the Town for money each year. Pierre Capron asked if the technology funds were being used for something specific this year. Bryan said that it's for replacing technology as needed. Dave Labelle asked about the bus fund and Bryan said 2 years ago they decided to lease instead so there is no bus fund. No further discussion. **Vote on motion:** "Ayes" have it; motion passed.
- Article 8.** To hear and dispose of the reports of the Town of Derby Select Board. Grant Spates stated that he put a letter in the Town Report and Gene Besaw has one as well. Gene has been in the hospital and is not doing well. No further discussion.
- Article 9.** Curt Brainard made a motion for the Town of Derby to authorize and empower the Select Board to hire money from time to time for the purpose of paying the current expenses and appropriations of the Town for the ensuring year. Motion was seconded by Frank Davis. **Vote on motion:** "Ayes" have it; motion passed.
- Article 10.** Steve Gendreau made a motion for the Town of Derby to authorize the Select Board to purchase other land or real estate not to exceed a total purchase price of **\$20,000.00**. Brian Smith seconded the motion. This is for if they need to buy a little land to do repairs to Bridges or culverts. **Vote on motion:** "Ayes" have it; motion passed.
- Article 11.** Lori Before made a motion for the Town of Derby to vote to have the taxes paid to the Town Treasurer on or before **Tuesday, October 15, 2019 at 5:00 p.m.** Allen Yale seconded. No discussion. **Vote on motion:** "Ayes" have it; motion passed.
- Article 12.** Doug Spates made a motion for the Town of Derby to vote the sum of **\$200,000.00** for the rebuilding of roads in the Town of Derby, said monies to be raised by taxes. Bob Lewis seconded, discussion, Lori Before suggests that we use last year's highway fund balance instead of asking the tax payers for more money this year. Grant explained the highway fund surplus and how it needs to be used for Highway purposes only. Frank Davis said the surplus doesn't come from taxes it's left over money from the previous year. Perry explains the grants and the process and procedures of replacing roads. Frank Davis asked if all the entities the Village, State and Town could start to look at Caswell Ave the roads are starting to deteriorate and head towards Canada. State has got to get involved in this. Lynn & Brian our State Reps will keep working on it. No further questions. **Vote on motion:** "Ayes" have it; motion passed.
- Article 13.** Scott Boskind made a motion to authorize the Select Board to purchase 16.26 acres of land located off Main Street in Derby Center, parcel I.D. number SMSDC047G5C1 from Julie A. Poulin Family Trust in an amount not to exceed \$200,000.00 to be financed over a period not to exceed 5 years with the first payment due in the 2020 budget year. Brian Smith seconded. Discussion: Lori Before looked up the property value and feels the Town should not spend that amount of money to purchase land when it is assessed at \$107,200.00 by the Town. Purchasing the property would take it off the tax rolls and take away tax money from the Town. We have Town land already that isn't even being used. If the Town purchased the land there would be extra expenses in subdivisions as well. Richard Nelson had an aerial map and explained where the land was and where the access points are. Bruce Penfield asked about the Town Report mentioning an Australian ballot vote for this Article and Grant said that the Board decided to put it in as an Article instead. Curt Brainard wanted to know if the Town could only buy a portion of the land instead to expand the property. Perry Hunt said that the Town has been renting a portion of the lot of land for \$600.00 a year for parking Town Equipment but the Poulins no longer want to rent they want to sell. It will no longer be available to rent. Brian Smith thinks this is a great opportunity for the Town to get extra land adjacent to the Town Garage and the Town Clerks Office and there isn't any other property with the same opportunity for future needs. The Town would like to sell some of the land to neighboring property owners to put some income back on the books for the Town. Mr. Poulin doesn't want to split up the property he has other buyers interested and wants to sell as a whole piece. The Poulins are giving the Town first option to purchase. Grant explained that Water and Sewer is a big decision in choosing a place to build a Town Garage and the Town already has that here. Tom Cyr feels that

the Town needs to dress up what they have already and not squat on other properties. He walked the property last week and said that the land isn't worth the \$200,000 that they are asking for. He feels the Town should reduce the price since the ROW was sold with the house, there is no realtor involved in the sale, and Town assessment is not comparable to the asking price. The Town already owns properties that are not being used, owning another 16 acres might not be a bad idea for the future if it will be used, if the Town has a plan and the Town can purchase it at a lower cost. The Town Forrest has been logged off and has been keeping the recreation fund supplied at no cost to the tax payers. Karen Chitambar stated that the Town has an opportunity to grow now and if we pass this up it may not come along again. Richard Nelson pointed out where the access is; by the Town Garage and the Tennis Courts as well. Doug Spates thinks the Town shouldn't sell a R.O.W. to Velco if the land is purchased, Velco approached him and he turned them down. Pierre Capron said that if the Town doesn't have a plan than they shouldn't purchase the land. Ginette Provost walked the property and found some wet land for the animals to drink and said it is leaving a bad taste in my mouth and I don't like this feeling. Ginette feels like the Poulins are leaving the Town with no choice but to purchase. Tom Cyr feels the Town should reduce the price since the ROW was sold with the house, there is no realtor involved in the sale, and Town assessment is not comparable to the asking price. Bob Primeau asked if we can make them a lower offer. Brian Smith said there are 7 land owners who may be interested in purchasing lots. Larry Kelley asked if selling the Town Forest would be an option to purchase this property. Karen Jenne asked if there was a dead line on when the Poulins need to know by and the board told them he would have an answer after tonight. The select board has discussed this property quite a bit and agree it would be a good idea for recreation, garage expansion, parking and future use.

By a show of hands this article will be voted on by paper ballot.

Dr. Moseley made a motion to amend the article to purchase the property for \$150,000.00, seconded by Doug Spates. Discussion: Frank Davis made a motion to amend the amendment for the motion to read not to exceed \$150,000.00, seconded by Lisa Boskind. Discussion: Pierre Capron said that we should have a plan before we purchase the land. No further discussion. Vote on the amendment to the amendment: "Ayes" have it; motion passed. Vote on the amendment to purchase the land not to exceed a value of \$150,000.00: "Ayes" have it; motion passed.

We are now voting on the article to read "Shall the voters of the Town of Derby authorize the Select Board to purchase the 16.26 acres of land located off Main Street in the Town of Derby from Julie A. Poulin Family Trust in an amount not to exceed \$150,000.00 to be financed over a period not to exceed 5 years with the first payment due in the 2020 budget year? No further discussion. **Vote on motion:** By Australian ballot. Vote took place 103 people voted and 70 were In-favor and 32 Oppose 1 spoiled ballot. **Vote on motion:** "Ayes" have it; motion passed.

Article 14. Lynn Batchelor made a motion for the Town to vote to raise, appropriate and expend the sum of **\$3,300.00** for the support of The Northeast Kingdom Council on Aging to provide services to residents of the Town. Seconded by Curt Brainard. **Vote on motion:** "Ayes" have it; motion passed.

Article 15 – 25. The Town Voters unanimously requested **Article 15–Article 25** be voted on as one block as presented.

Article 15	\$2,500.00	to Rural Community Transportation, Inc.
Article 16	\$10,000.00	to Haskell Free Library
Article 17	\$35,000.00	to Dailey Memorial Library
Article 18	\$2,000.00	to Orleans County Citizens Advocacy
Article 19	15,000.00	to Town of Derby /Salem Lakes Association
Article 20	\$10,000.00	for Removal of Eurasian Milfoil from Derby Pond
Article 21	\$2,000.00	to Pope Memorial Frontier Animal Shelter
Article 22	\$13,600.00	to Orleans Essex VNA & Hospice Inc.
Article 23	\$4,852.00	to Northeast Kingdom Human Services, Inc.
Article 24	\$1,150.00	to Umbrella, Inc. (Support Services)
Article 25	\$5,000.00	to Umbrella, Inc. (Meals on Wheels deliveries)

No further discussion. **Vote on motion:** "Ayes" have it; motion passed.

Article 26. Curt Brainard made a motion for the Town of Derby to authorize **\$44,450.00** for the care and upkeep of the Cemeteries in the Town of Derby, of which **\$10,305.37** shall come from Cemetery revenues and **\$34,144.63** shall be raised by taxes. Elia Spates Marquis seconded. Lori Before thanked the Town for fixing the fence at the Morrill/Dowling Cemetery. Tom Cyr has volunteered his services to help them out. No further discussion. Vote on motion: "Ayes" have it; motion passed.

- Article 27.** Brian Smith made a motion for the voters of the Town of Derby to vote to raise, appropriate and expend the sum of **\$1,500.00** for the support of Northeast Kingdom Learning Services, Inc. (NEKLS) to provide services to residents of the Town. Lynn Batchelor Seconded. No further discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 28.** Allen Yale made a motion to vote to appropriate the sum of **\$1,550.00** to the Orleans County Historical Society to assist in maintaining the Old Stone House Museum and its educational programs, and direct the selectmen to assess a tax sufficient to meet the same. Christine Moseley seconded. No further discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 29.** Frank Davis made a motion for the Town of Derby to provide notice of annual Town report availability to residents by publishing notice in the newspaper and on the Town website as least 10 days before the annual meeting along with designated pick up locations for said report in lieu of mailing. Allen Yale seconded. No further discussion. **Vote on motion:** “Ayes” have it; motion passed.
- Article 30.** Allen Yale made a motion to authorize the reduction of the General Fund Deficit in an amount not exceed \$400,906.00 to be financed over a period not to exceed 5 years. Brian Smith seconded. Discussion: Richard Nelson explained if this article is turned down it will be paid for in this year’s budget. Allen Yale suggests we turn down this motion. Tom Cyr agrees we don’t need to pay interest. Bob Kelley agrees with Allen Yale as well. No further discussion. **Vote of motion:** “Nay” Motion defeated.
- Article 31.** Grant Spates made a motion to approve a Town Budget of **\$ 3,182,557.48** which includes **\$ 341,596.63** of previously voted appropriations. Brian Smith seconded. No further discussion. **Vote on motion:** “Ayes” have it; motion passed.

Doug Spates mentioned the Field of Dreams flyers on the table in the back of the room.

Brian Smith moved to adjourn the meeting. All in favor.
Meeting Adjourned at 9:25 p.m.

Dated at Derby, Vermont this March 6, 2019

BRYAN DAVIS
GIGI GOBEIL-JUDD
EMILY MICKNAK
ABIGAIL PROVOST
NIKOLE BRAINARD
(School Directors)

KAREN CHITAMBAR
W. PERRY HUNT
BEULA-JEAN SHATTUCK
BRIAN SMITH
GRANT SPATES
(Select Board)

Attest: FAYE C. MORIN
Town Clerk