

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

**Minutes
January 5, 2019**

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

Others: Bob Kelley, Faye Morin, Susan Best, Jason Nye, Craig Ellam, Robin Smith.

MEETING CALLED TO ORDER - 9:00 A.M.

NEW BUSINESS:

Budget Meeting – The board reviewed the draft 2019 budget with department heads and made adjustments. Faye will have the revised draft for the board to review at their next meeting.

EXECUTIVE SESSION:

Beula moved to go into executive session to discuss raises, with Perry seconding. Unanimous.
Out of executive session – Adjustments were made to the draft budget for raises.

ADJOURNMENT:

Next regular meeting is scheduled for 6:00 p.m. Monday, January 14, 2019. At 11:50 Beula moved to adjourn, with Brian seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved

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

**Minutes
January 14, 2019**

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

Others: Paul Prue, Henry Coe, Anita Ancel, Effie Brown, Faye Morin, Gillian Staniforth, Francis Woodward, Fran Batchelder, Jeremy Labbe, Tod Phillabaum, Craig Heindel, Todd Wright, Joseph Gresser, Gwendolyn Bailey-Rowe, Joe Profera, Robin Smith, Larry Gluckman, Brian Beaudoin, Ed Barber, Beth Barnes, Irene Dagesse, Joe Gay, Bob Kelley.

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

Warrants #1A in the amount of \$17,396.36 and #1B in the amount of \$129,336.12 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of December 17, 2018 and January 5, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Tod Phillabaum – Permission to use Land – Tod tapped the maple trees at Veteran’s Memorial Park last year and would like permission to tap them again this year. Permission was granted.

Todd Wright – Land Petition – Todd reported that he has enough signatures to start the amendment process to change his land to the Residential 2 Acre zoning district. He discussed this with the Planning Commission and the Commission would rather allow Function Halls in the Special Lands district than change the district.

Big Truck Day – May 18th Request use of the Green as NCUJHS – Irene Dagesse – Irene explained that last year’s event was a success and would like permission to do it again this year. They will be closing off both entrances to the School for toddler safety. NCUJHS has already given permission for use of the school’s property. Brian moved to grant the request, with Perry seconding. Unanimous.

Recycling Update – Irene Dagesse – Things are running smoothly at NEKWMD. The market for recyclables has its ups and downs as usual. They are holding to their budget. Paul Tomasi is doing a great job.

Employee Probation Period – Road Dept. – Perry would like to shorten the probation period for the last hire for 90 days to 60 days. Perry so moved, with Brian seconding. Unanimous.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, & General Journal Report – All were reviewed and signed.

Revised Budget – Grant and Faye want to discuss the surplus with Gene Besaw before finalizing the budget. Brian moved to table the Budget until their next meeting, with Perry seconding. Unanimous.

Mileage Rate – The Board reviewed and signed the new mileage rate which is in line with the IRS rate.

Minimum Wage Increase – The Board reviewed and signed wage increases due to an increase in the State minimum wage.

Casella Expansion – Opponents and proponents discussed the pros and cons of the proposed expansion, reiterating what was said the last 2 meetings. No motion was made to reconsider their original decision to support D.U.M.P.’s opposition to the proposed expansion. Therefore a

letter will be sent in support of D.U.M.P.'s position to oppose the proposed expansion. Concerned residents have started a petition to have the question on the Town Meeting ballot asking if residents support or oppose the expansion. Karen made a motion to consider the ballot question after they have the required number of signatures, with Beula seconding. Ayes – Karen, Beula, Perry, Grant. Nays – Brian. Motion passes.

TA & ZA Update – 2 permits are pending for the DRB Feb 4th meeting. PC continuing work on Article 2 and will meet on Martin Luther King Day to keep moving forward. 5 permits year to date. Wright has signatures for bylaw amendment to change their property to R2, options to cure existing violation will be an item for Executive Session at a later meeting. Wetlands permit for Eagle Point project has been issued, ROW is clear but waiting on VTrans ROW Chief to sign and then we can begin the bid process. Hoops we had to jump thru for the Eagle Point Project: Army Corp Permit for bypass, Army Corp permit for bridge, State ANR Section 1272 order for bypass, State Shoreland Encroachment permit, State Stream Alteration permit, State Wetlands permit, Town Attorney ROW Certification, State ROW Clearance, RR/Utility Clearance, ROW from Feds, and ROW Survey. Ruggles should be starting the Johns River design this week or next, wetlands and stream alteration permits will be needed. Bridge naming in honor of Joe Queenin is moving forward, should know more after Transportation Board meeting on Jan 18th. We should hear on the Salt Shed grant in March and the Better Roads grants in May. The termination agreement for the Rural Edge loan/grant should be completed in a week or so.

Liquor License – China Moon, Circle K, Derby Jolley Assoc., Price Chopper, Shaws Beer & Wine, Thompsons Redemption – At 7:31 Brian moved to go into a Liquor Control Board meeting, with Perry seconding. Unanimous.

At 7:33 Perry moved to come out of the Liquor Control Board meeting, with Beula seconding. Unanimous

Perry moved to approve the liquor license for China Moon, Circle K, Derby Jolley Assoc., Price Chopper, Shaws Beer & Wine, and Thompsons Redemption, with Beula seconding. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update – They are back in session. Brian will give the appropriate people a copy of all the hoops we have had to jump thru for the Eagle Point project, in hopes of getting them to see all the obstacles Towns need to go thru for simple projects.

ROAD REPORT:

All the equipment is running. Salt delivery truck hit the door and damaged header. There is a problem with a property owner parking their vehicles within the Town Right of Way on Nelson Hill Road causing problems when we are plowing the road. They have been told not to park there or they will be towed and are not listening. A certified letter will be sent advising them that affective immediately they will be towed if they continue to park within the Town Right of Way.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, January 28, 2019. Karen made a motion to adjourn the meeting at 7:40 P.M., with Beula seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
January 28, 2019**

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

Others: Paul Prue, Colin Carter, Mike Welch, Joe Profera, Faye Morin, Joe Gresser, Scott Boskind, Ed Barber, Robin Smith, Robert Tanguay, Bob Kelley.

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

Warrants #2A in the amount of \$19,632.69 and #2B in the amount of \$44,279.32 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of January 14, 2019, with Perry seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Colin Carter – Willie Johnston Memorial – Colin updated the Board on progress for the memorial. Willie Johnston was from Derby and is the youngest Medal of Honor recipient at age 13. They have created a design for the memorial which will be the same size as the other Memorials at Veterans Memorial Park. It will have an engraving of Willie on the left side and the Medal of Honor on the right side. A quote from Heritage Memorials is just over \$8,000 including installation. So far they have raised \$740. The Board agreed to construct the monument after funds have been raised. Brian moved to pledge \$1,000 for the project with funds coming from the Town's Veterans Memorial Fund, with Beula seconding. Unanimous.

Scott Boskind & Robert Tanguay – Field of Dreams Recreational – Fundraising for the ball fields has been successful and the project is ready to go out to bids. The soccer fields have been rearranged to accommodate the baseball and softball fields with no loss in the number of fields. Scott wanted to thank the Board for their support of this project.

Newport Better Connections Grant – Letter of Support – Mike Welch explained the grant to the Board and is requesting a Letter of Support from the Town. This is a \$75,000 project with the grant requiring a 10% match. The project will focus on improving the connections between the existing and proposed trail networks in the Newport area. The Board reviewed a draft Letter of Support. Brian moved to sign the Letter of Support, with Beula seconding. Unanimous.

Petition – D.U.M.P. – The petition is for a nonbinding ballot question on Australian ballot at Town Meeting asking the voters "Shall the Town of Derby officially oppose the current expansion of the NEWSVT Coventry Landfill?" and has 181 signatures. Karen moved to put this on the ballot for Town Meeting, with Beula seconding. Unanimous.

Engagement Letter – Gene Besaw – This is for Gene Besaw to do the annual audit for the Town. Brian moved to have the Chair sign the letter, with Perry seconding. Unanimous.

Excess Weight Permits – Gosselin Water Wells, JP Sicard Inc, Newport Sand & Gravel, RG Gosselin Inc, and VT Transco – All were reviewed and signed.

Liquor License – CVS Pharmacy and Look & Eat Inc – At 7:45 Karen moved to go into a Liquor Control Board meeting, with Beula seconding. Unanimous.

At 7:46 Brian moved to come out of the Liquor Control Board meeting, with Perry seconding. Unanimous

Beula moved to approve the Liquor License for CVS Pharmacy and Look & Eat Inc, with Brian seconding. Unanimous.

Pay Rate - Highway – This is a \$0.50 increase for the new hire now that he has completed his probationary period, bringing his hourly pay rate to \$17.00. Perry so moved, with Brian seconding. Unanimous.

TA & ZA Update – 2 permits are pending for the DRB Feb 4th meeting. PC continuing work on Article 2. The PC meeting last week was canceled due to a lack of a quorum. 6 permits year to date. Options to resolve the Wright zoning violation should be discussed in Executive Session. The Board to wait until their next meeting. Eagle Point has ROW Clearance from the State and now we need to get the Bid Package together to put the project out to bid. Ruggles has started work on the Johns River drawings. The State wants to schedule a hearing for the Joe Queenin Bridge naming on April 8th. Still waiting on the termination agreement for the Rural Edge loan. Gosselin is still very busy and suggested we find someone else to measure the Stump Dump gravel pile.

Revised Budget – Last year's budget included a carryover surplus that was mainly from the Highway Fund. When the General Fund and Highway Fund tax rates were set, they did not account for this surplus resulting with about \$400,000 too much being raised for the Highway Fund and \$400,000 not enough being raised for the General Fund. This deficit needs to be addressed this year. Under the General Obligations \$400,906 has been added this year to retire the deficit and the Highway surplus carried over from last year has been added under income. The Board reduced 2 items in the highway budget totaling \$25,000. The total budget for 2019, not including appropriations, is \$2,840,960.85. If the budget and appropriations are approved this will result in an approximate \$275,000 increase in taxes to be raised. The Board will also offer the voters a second option of paying off the General Fund deficit over a period of up to 5 years which would lower the amount needed to be raised by taxes in 2019. The Board recommends the first option of retiring the entire deficit in 2019. Karen moved to approve a budget of \$2,840,960.85 to send to the voters, with Perry seconding. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update – None.

ROAD REPORT:

We have been running the grader to push back the snow banks.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, February 11, 2019. Brian made a motion to adjourn the meeting at 7:29 P.M., with Beula seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

**Minutes
February 11, 2019**

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

Others: Trevor Evans, Joe Profera, Bob Kelley.

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

Warrants #3A in the amount of \$21,794.01 and #3B in the amount of \$37,797.04 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of January 28, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Green-Up Day Donation – Last year the Town gave \$300. Perry moved to donate \$300 to Green-Up Day, with Brian seconding. Unanimous.

Trevor Evans – Logging – Trevor brought the Board up to speed on his logging operation along Schuler Road.

Certificate of Highway Mileage – Review & Sign – The Board reviewed and signed the Certificate.

Excess Weight Permit – Bourne’s Inc – Perry signed the permit as Road Commissioner.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, General Journal Register – All were reviewed and signed.

Liquor License – Charbo Camp Ground, Kinney Drugs, Walmart, Wesco Inc – At 6:14 Karen moved to go into a Liquor Control Board meeting, with Perry seconding. Unanimous. At 6:15 Beula moved to come out of the Liquor Control Board meeting, with Perry seconding. Unanimous. Brian moved to approve the Liquor License for Charbo Camp Ground, Kinney Drugs, Walmart, Wesco Inc, with Perry seconding. Unanimous.

TA & ZA Update – The DRB does not have any permits pending. The PC continuing work on Article 2 and will meet next week. 7 permits year to date. We are setting up a meeting with the State to go over what is needed in the bid documents for Eagle Point. Ruggles has started work on the Johns River drawings. Still waiting on the termination agreement for the Rural Edge loan. Matt Houghton has given an estimate of \$500 to measure the Stump Dump gravel pile and the Board approved. If we want rubber mulch for the Beach House Playground we need to order it soon. It was decided that wood mulch would be better.

OLD/OTHER BUSINESS:

Legislative Update – A gun bill and an abortion bill are coming up.

ROAD REPORT:

Drainage at the Crawford Road/Route 5 intersection is an issue and there is no easy fix.

EXECUTIVE SESSION:

At 6:34 Brian moved to go into executive session for a zoning violation issue, with Beula Seconding. Unanimous. Out of executive session at 7:03, no action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, February 25, 2019. Beula made a motion to adjourn the meeting at 7:05 P.M., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
February 25, 2019

Present: Grant Spates, Brian Smith, Perry Hunt, Karen Chitambar.

Others: Bob Kelley.

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

Warrants #4A in the amount of \$18,317.55 and #4B in the amount of \$44,540.20 were signed.

APPROVE MINUTES:

Perry moved to approve the minutes of February 11, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Tax Map Maintenance proposal – Review & Sign – The proposal was reviewed and is about the same as last year. Brian moved to approve the 2019 Tax Map Maintenance Proposal in the amount of \$2,300, with Karen seconding. Unanimous.

Recap – Budget/Land Purchase – The Board went over the Budget and Land Purchase in preparation of next week’s Town Meeting.

Liquor Licenses – Derby Line Village Inn, Dollar General Store, Goobs Brew & BBQ, Rite Aid – At 6:17 Brian moved to go into a Liquor Control Board meeting, with Karen seconding. Unanimous. At 6:18 Brian moved to come out of the Liquor Control Board meeting, with Karen seconding. Unanimous. Brian moved to approve the Liquor License for Derby Line Village Inn, Dollar General Store, Goobs Brew & BBQ, Rite Aid, with Perry seconding. Unanimous.

Excess Weight Permits – Amerigas Propane, CSE Inc, Desrochers Excavating – Perry signed the permits as Road Commissioner.

TA & ZA Update – The DRB does not have any permits pending. The PC is continuing work on Article 2. No new permits in the last 2 weeks. Todd Wright has agreed to the proposed resolution to his zoning violation, the Board approved Davies to draft the agreement. State and Feds approved bidding the Eagle Point project separate from the John’s River project. The termination agreement for the Rural Edge loan has been completed and the loan has been converted to a grant. A list of all policies was handed out with their adoption dates. A Conflict of Interest Policy is need by July 1st. A draft was handed out for the Board to review and discuss at a later meeting. Leahy announced a Northern Borders Grant that needs to be looked into.

OLD/OTHER BUSINESS:

Legislative Update – The abortion bill has passed. State is making auto inspections more difficult by changing reporting requirements.

ROAD REPORT:

The Road Crew has been busy with the weather we have been having. We are getting low on sand, but should be ok. The Road Crew has been working good together and communicating with each other.

EXECUTIVE SESSION: None.

ADJOURNMENT: Town Meeting is Monday, March 4, 2019 at 7:00 p.m. at the Derby Elementary School. Australian Ballot voting is here on Tuesday, March 5, 2019 from 8:00 a.m. to 7:00 p.m. The next regular meeting is scheduled for 6:00 p.m. Monday, March 11, 2019. Karen made a motion to adjourn the meeting at 6:41 p.m., with Perry seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

**Minutes
March 11, 2019**

Present: Grant Spates, Brian Smith, Steve Gendreau, Karen Chitambar, Beula Shattuck.

Others: Joe Cicia, Virginia Best, Ralph Monticello, Faye Morin, Ginette Provost, Thomas Moseley, Maureen Badger, Paul Prue, Joseph Gresser, Beth Chambers, Ed Barber, David Barlow, Kathleen Ahearn, Robin Smith, Daniel Dagesse, Bob Kelley.

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

Warrants #5A in the amount of \$20,046.52 and #5B in the amount of \$49,861.17 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of February 25, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Re-organize Board – Brian moved to elect Grant Spates as Chair, with Karen seconding and Beula move to elect Brian Smith as Vice-Chair, with Grant seconding. Unanimous.

Brian moved to appoint Steve Gendreau as Road Commissioner for one year, with Karen seconding. Unanimous.

Karen moved to appoint Bob Kelley as Town Administrator for one year, with Beula seconding. Unanimous.

Karen moved the following, with Beula seconding:

One Year Appointments:

NVDA Representatives – Beula-Jean Shattuck & Grant Spates

Pound Keeper – Renee Falconer

Fence Viewer – Rick Geisel

Inspector of Lumber, Shingles & Wood – Select Board

Weigher of Coal – Select Board

Tree Warden – Joe Profera

Fire Warden – Craig Ellam

Town Service Officer – Bob Kelley

Energy Coordinator – Karen Chitambar

E-911 Coordinator – Steve Cross

Agent to sign deeds accepting or transferring property on behalf of town – Grant Spates
& Brian Smith

Civil Defense – Craig Ellam & Grant Spates

Water/Sewer Committee – Grant Spates & Brian Smith

Newspaper of Record – Newport Daily Express

Four Year Appointments

Planning Commission – Jane Clark & Robert DeRoehn

Development Review Board – Adam Guyette

All were approved by a Unanimous decision.

Ginette Provost – Dailey Memorial Library – Ginette, Dr. Moseley & Librarian Maureen Badger talked about how the library has become a Community Center and thanked the Board for the ongoing community support. They went over a lengthy list of classes, programs, events, etc... offered at the library. Over 200 patrons visit the library every week, the new addition was fully funded by fundraisers and grants, and they are working on financing a solar array to cut down on their electric bill. They asked the Board for a letter of support for a grant they are applying for to build the solar array. Brian moved to sign the letter of support, with Beula seconding. Unanimous.

Audit Discussion – Because of health reasons Gene Besaw cannot complete this year’s audit. We should be reimbursed for the funds we have already paid him. Faye has contacted multiple CPA’s and most do not do Town audits. She feels the best one is Tom Telling out of Middlebury. Brian moved to go with Faye’s recommendation, with Beula seconding. Unanimous.

Update on Poulin Land Negotiations – Grant emailed and followed up with a call to Mr. Poulin about the Town vote to pay no more than \$150,000 for the land. Mr. Poulin is going to check with other parties who have expressed an interest in the property.

Review Town Owned Properties – Bob compiled a list of properties owned by the Town. They include the Municipal Building, Town Garage, Fire Station, Beach House, Bus Garage, Historic Society Building, 8 cemeteries, Veteran’s Park, Clyde River Park, Stump Dump, Town Forest, an old gravel pit across from Benny’s on Rte 5, and a small lot on Hinman Settler Rd. The Board will review these at a later date to determine if the Town should sell any of them that are of no use to the Town.

Schedule Policy Reviews – Steve needs a list of the policies and the board will review them at a later date.

Town of Morgan – Downstairs Use – They were only supposed to be here for a couple of months, but they ran into some permitting problems. They expect their new vault to be completed by the end of May. The Board has no problem with the continued use of our downstairs and is happy to help out a neighboring Town in need.

Joseph Cicia – Dairninaka Dr – Joseph updated the Board on the improvements to Dairninaka Dr. required before the Town will take over the road. One driveway needs to be realigned and the road needs to be graded when weather permits. There is a hammerhead turnaround at the end of the road.

Liquor Licenses – Derby Cow Palace, G & T Bliss Corp, Newport Elks Lodge, And Northeast Pizza Enterprise – At 6:41 Brian moved to go into a Liquor Control Board meeting, with Beula seconding. Unanimous. At 6:43 Brian moved to come out of the Liquor Control Board meeting, with Steve seconding. Unanimous. Brian moved to approve the Liquor License for Derby Cow Palace, G & T Bliss Corp, Newport Elks Lodge, and Northeast Pizza Enterprise, with Steve seconding. Unanimous.

Excess Weight Permits – Dale Percy Inc, Sticks & Stuff, and New England Quality Services – Steve signed the permits as Road Commissioner.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, & General Journal Posting – The Board reviewed and signed all.

TA & ZA Update – The DRB does not have any permits pending. The PC is continuing work on Article 2. 10 permits have been submitted year to date. Ruggles has completed the Johns River bridge design and sent it along to the State for review. The State is holding a Public Hearing on the Joe Queenin bridge naming request on April 8th before the Select Board meeting. A little over \$2,400 has been raised for the Willie Johnston Memorial, their goal is \$6,851. The State has finished their final draft of the revised Model Road & Bridge standards that the Town has to adopt annually, comment period on the draft is until 4/26/19.

OLD/OTHER BUSINESS:

Legislative Update – None.

ROAD REPORT:

Steve needs the contact info for Sarah Damsell OCNRC in case he has any questions about the Road Inventory.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, March 25, 2019. Beula made a motion to adjourn the meeting at 7:00 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

**Minutes
March 25, 2019**

Present: Grant Spates, Brian Smith, Steve Gendreau, Karen Chitambar, Beula Shattuck.

Others: Andrea Carbine, Veronique Rancourt, Ed Barber, Bob Kelley.

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

Warrants #6A in the amount of \$22,180.97 and #6B in the amount of \$51,670.91 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of March 11, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Wednesday on the Waterfront – Andrea Carbine & Veronique Rancourt explained to the Board the Wednesday on the Waterfront is a series of 6 free concerts with a weekly attendance of 800-1000 people attending, many of them from Derby. It cost about \$16,000 to put on and they are reaching out to surrounding communities for support. Coventry and Newport have donated so far. Brian moved to donate \$500 to Wednesday on the Waterfront, with Karen seconding. Ayes – Brian, Karen, Steve. Nays – Beula. The motion passes.

Sign Pay Rates – The pay rates were reviewed and signed.

Liquor License – Border Lounge LLC – At 6:11 Beula moved to go into a Liquor Control Board meeting, with Brian seconding. Unanimous. At 6:13 Karen moved to come out of the Liquor Control Board meeting, with Brian seconding. Unanimous. Karen moved to approve the Liquor License for Border Lounge LLC, with Brian seconding. Unanimous.

Excess Weight Permits – Calkins, Demag Riggers & Crane Service Inc, Pike Industries, Structural Wood Corp, United Nat'l Foods Inc – Steve reviewed and signed the permits as Road Commissioner.

Sign – Board Appointments – The Board reviewed and signed.

Sign – VT Municipal Roads General Permit Planning Report – This is an annual report the Town is required to submit as part of the Municipal General Roads Permit requirements. The Board reviewed the report. Brian moved to authorize the Chair to sign the report, with Beula seconding. Unanimous.

Sign – Heritage Memorial Contract – This is for the Willie Johnston Memorial. Enough funds have been raised for the deposit necessary to contract with Heritage Memorial and lock in the quoted price of \$6,851. Beula move to authorize the Chair to sign the contract, with Brian seconding. Unanimous.

TA & ZA Update – The DRB does not have any permits pending. The PC has finished reviewing changes to Articles 2 & 11 and the zoning district maps. They will do a final review for errors and then set a date for a public hearing to start the amendment process. 11 permits have been submitted year to date. Ruggles is working on changes the State needs to the bid documents for Eagle Point. We need to select an Inspection Engineer. Ruggles cannot do it because the project is over \$200,000. The State has 6 companies that we can select from and simplify the process or we can send out an RFP and Request for Qualifications. The Board decided to go the simplified process route and selected Grant and Bob to be on the committee to select the firm. Ruggles is working on mostly minor changes required by the State to the Johns River drawings. The State is holding a Public Hearing on the Joe Queenin bridge naming request on April 8th before the Select Board meeting. The Annual Certification of Compliance of

Town Road and Bridge and Network Inventory needs to be approved. The Board reviewed and signed the certification.

OLD/OTHER BUSINESS:

Legislative Update – Various fuel taxes are being proposed.

Policies – The Board would like the proposed Conflict of Interest Policy on their next agenda.

ROAD REPORT:

The roads are all under control from last weekend's storm.

EXECUTIVE SESSION:

At 6:36 Beula moved to go into executive session for Road Crew Evaluations and Land Purchase negotiations, with Karen seconding. Unanimous.

Out of Executive Session at 7:15. After reviewing the Road Crew evaluations, Steve moved to approve the recommended step increases for Trevor Cleveland to D3.1, Robert Letourneau to D4.1, Jason Nye to D6.2, and Dave Royston to D5.2, with Beula seconding. Unanimous.

Brian moved to proceed with the purchase of the 16.26 acre parcel of land from the Julie A Poulin Family Trust for a purchase price of \$150,000 with whatever money from the power company right-of-way going to the Julie A Poulin Family Trust, seconded by Beula. Ayes – Beula, Brian, Karen. Nays – Steve. The motion passes.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, April 8, 2019. Beula made a motion to adjourn the meeting at 7:18 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
April 8, 2019**

Present: Grant Spates, Brian Smith, Steve Gendreau, Beula Shattuck.

Others: Kirk Martin, Joseph Gresser, Karen Jenne, John Zicconi, Richard Bailey, Joe Profera, Norman Patenaude, Faye Morin, Paul Prue, Ed Barber, Bob Kelley.

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

Warrants #7A in the amount of \$20,507.96 and #7B in the amount of \$65,934.31 were signed.

PUBLIC HEARING: Petition to Name State Bridge B1 in the Village of Derby Line “The Joseph Queenin Memorial Bridge”.

At 6:01 Brian moved to recess the meeting so that the State could have a Public Hearing for public input on the proposed bridge naming, with Beula seconding. Unanimous.

After the State listened to all public comments the Board resumed their meeting at 6:10.

APPROVE MINUTES:

Brian moved to approve the minutes of March 25, 2019, with Beula seconding. Unanimous.

PUBLIC COMMENTS:

Karen Jenne commented that she objected to the Town donating to “Wednesdays on the Waterfront” concert series.

NEW BUSINESS:

Sheriff Department – Review Annual Contract – Sheriff Kirk Martin with a contract for 20¾ hours per week which is the same hours as last year. The contract amount is \$53,831 a 3% increase from last year. Brian moved to approve the contract with the Orleans County Sheriff’s Department for \$53,831, with Beula seconding. Unanimous.

Orleans County Citizens Advocacy – Ann Stannard – Ann was unable to attend tonight’s meeting and will be on the next agenda.

Extension to File the Grant List – Listers – Brian moved to sign the extension request, with Beula seconding. Unanimous.

Update on Land Purchase – Poulin has accepted the offer on the land. The Board would like to look at the restrictions on the VELCO utility easement crossing the land.

Proposed Conflict of Interest Policy – The Board reviewed the draft policy. Beula moved to approve the Conflict of Interest Policy as written, with Brian seconding. After further discussion the Board would like to take a little more time reviewing the draft and Beula withdrew her motion and Brian withdrew his second. This will be on the agenda for the next meeting.

Excess Weight Permits – Barrett Trucking, Camp Precast Concrete, Harrison Redi-Mix Corp, Oil Supply, Structures RBR Inc – Steve reviewed and signed the permits as Road Commissioner.

Sign Pay Rates – The pay rates approved last week were reviewed and signed.

Sign VT Town Forest Fire – Warden Reappointment Form – The Board reviewed and signed.

Review & Sign – Form for Salt Shed Grant – Steve moved to accept the grant and sign the form, with Brian seconding. Unanimous.

Review & Sign – Balance Sheet, Budget Status Report, Cash Flow Certificate, Delinquent Tax Report, and General Journal Posting – The Board reviewed and signed all.

TA & ZA Update – The DRB has 2 permits pending for their April 29th meeting. The PC is continuing final review of Articles 2 & 11 and the zoning district maps. 15 permits have been submitted year to date. The State is doing a final review of the Eagle Point plans. Grant and I reviewed the eligible companies for the Eagle Point Construction Engineering and we selected Sterling Staff Management out of Morrisville. An RFP has been sent to them and we expect to hear back from them in the next week or two. We receive a \$2,194 grant from the State for maintenance and law enforcement for Pine Hill Rd and Mount Vernon St to compensate us for added traffic on the roads due to the I-191 access road construction project this summer. We received a \$52,000 TAP Grant to replace the Salt Shed roof. We are applying for 2 State grants, a paving grant for Shattuck Hill Rd and a design grant to replace a culvert on Bushey Hill Rd. The Newport Daily Express will be publishing a couple of pages saluting Community Volunteers for “National Volunteer Month” and is asking if we want to place an ad. The Board approved a \$29 business card size ad.

OLD/OTHER BUSINESS:

Legislative Update – Paid family leave is being discussed as is a 24 hour waiting period to purchasing a gun.

Gene Besaw – Gene has passed away, he was a resident of Derby and has been our Auditor for many years. Faye was wondering if the Board would like to send flowers or donate to charity in his name. Grant move to send a \$250 donation to the Jack Byrne Center, with Brian seconding. Unanimous.

ROAD REPORT:

The road crew will be starting 4 day work weeks next week. Paving quotes were reviewed from Pike Industries and J Hutchins Inc. The bids were very close and the Board would like a couple of clarifications.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, April 22, 2019. Beula made a motion to adjourn the meeting at 6:55 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
April 22, 2019**

Present: Grant Spates, Brian Smith, Steve Gendreau, Beula Shattuck, Karen Chitambar.

Others: EJ Blondin, Joseph Gresser, Ann Stannard, Stephen Mengel, Joe Profera, Norman Patenaude, Paul Prue, Bob Kelley.

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

Warrants #8A in the amount of \$17,805.82 and #8B in the amount of \$34,952.98 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of April 8, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Orleans County Citizen Advocacy – Ann Stannard – Ann Stannard & Stephen Mengel explained that Orleans County Citizens Advocacy has asked for a \$2,000 appropriation for at least 15 years and would like the Selectboard to waive the requirement that they get signatures every year and in exchange they will not ask for an increase. Steve moved to waive the signature requirement as long as they continue to ask for no more than \$2,000, seconded by Brian. Unanimous.

Sand & Gravel & Equipment Bids – Bids were received by Patenaude Bush Hogging & Justin Brian Sanville for bush hogging. St Onge Excavating, Tetreault's Maple Farm, RG Gosselin, Ducharme Excavating, & Jason Patenaude Excavating for equipment. J Hutchins, IRD Sand & Gravel, RG Gosselin, & Kelley View Farm for sand & gravel. Bob will put them in a spreadsheet for the next meeting.

Excess Weight Permits – Blevins Inc, Kelley-View Farms, Matthew Excavation – Steve reviewed and signed the permits as Road Commissioner.

Liquor License – Blissrite Pizza Co – At 6:35 Steve moved to go into a Liquor Control Board meeting, with Brian seconding. Unanimous. At 6:37 Brian moved to come out of the Liquor Control Board meeting, with Steve seconding. Unanimous. Brian moved to approve the Liquor License for Blissrite Pizza Co, with Beula seconding. Unanimous.

Sign Annual Financial Plan – Town Highways – Brian moved to sign the Annual Town Highway Financial Plan, with Steve seconding. Unanimous

Conflict of Interest Policy – The State is mandating that all Towns have a Conflict of Interest Policy and Brian doesn't like the State telling Towns what to do. Karen move to approve the Conflict of Interest Policy as written, with Beula seconding. Ayes – Karen, Beula, Steve. Nays – Brian. The motion passes.

Review Paving Bids – Pike's bid was \$65.40/ton and Hutchens' was \$63.75/ton. Several roads have been damaged during the recent storm and Steve felt that we should hold back on some of the paving until we know how much the repairs will cost. It was decided to pave Crawford Rd, Pine Hill Rd, and Shattuck Hill Rd. Beula moved to award the paving to Hutchins at \$63.75/ton, with Brian seconding. Unanimous.

TA & ZA Update – DRB has 2 permits for April 29th. PC is wrapping up their review of Articles 2 & 11 and the Zoning Map for errors. 19 permits year to date. We are waiting on the State to put Eagle Point out to bid. Ruggles is meeting with State District Wetland Ecologist on April 25th at 11:00. There is no grant money available for paving this year. The State will do the engineering for the Bushey Hill culvert so we will not need a grant for the engineering. State

approved naming the new bridge over I-91 on Caswell Ave the “Joseph Queenin Memorial Bridge”. AT&T is proposing a cell tower across from the fire station on Elm St. The Town can request a public meeting with the petitioner and ask the Public Service Board to attend. Karen Jenne has expressed concerns and would like the Town to request a public meeting. We need a Stump Dump attendant, Dave Royston does not want to do it this year.

OLD/OTHER BUSINESS:

Legislative Update – None.

Purchase & Sale Contract – Poulin Land – Our attorney has reviewed the contract and doesn’t have a problem with it. Brian moved to sign the Purchase and Sales contract for the Poulin Land at a price of \$150,000, with Beula seconding. Ayes – Brian, Beula, Karen. Nays – Steve. The motion passes.

Municipal Building Trim – The Town has budgeted the money to encase the trim and need to get it out for bid.

ROAD REPORT:

There has been damage to Darling Hill Rd below Surprenants and the State will be looking at it this week before we can fix it because of the creek. The bank on West St has slid down toward the river during the last storm and will not be an easy fix. We may need to close the road. The ramp to the temporary bridge on Eagle Point is partially under water. Roads are flooded around Lake Salem and the Quarry Rd culvert is scheduled to be replaced this week.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, May 6, 2019. Karen made a motion to adjourn the meeting at 7:47 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
May 6, 2019

Present: Grant Spates, Brian Smith, Steve Gendreau, Beula Shattuck, Karen Chitambar.

Others: Colin Carter, Paul Prue, Todd Wright, Rod Lyon, Joe Profera, Armand Belisle.

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

Warrants #9A in the amount of \$18,354.51 and #9B in the amount of \$35,624.23 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of April 22, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Colin Carter – Willie Johnston Memorial – Updated Board on fundraising. They still need about \$3,000. The spelling was pointed out that it had a T in Johnston. He wanted to know how involved will the Town be. The Board will approve the location in the park. Colin should coordinate everything with Bob Kelley. Champlain Rifles, Vermont Hemlocks, and Sons of Union Veterans all want to be part of the ceremony. The ceremony date is unknown at this time.

Beach House – We need to pick a spot for the layout of the playground. The Board will meet a half hour prior to next meeting to visit the Beach House and Veterans Park. Flooding is an issue for the playground. Buried utilities need to be identified. The snowmobile trail needs to be accommodated for.

Stump Dump – A lot of stumps from Pine Hill were dumped last year and we need a dozer to push them over the bank. NCUJHS needs to dump 10 loads of dirt from their baseball field project next Thursday and Friday. Pat Silvestri has agreed to run the Stump Dump and it will be open for this Saturday if the stumps can be pushed out of the way.

Sand & Gravel Bids – Sand/Gravel and Equipment bids were put into a spreadsheet for the Board. The gravel pile needs to be measured.

Excess Weight Permits – James A Donovan Trucking & N.A. Manosh Inc – Steve reviewed and signed the permits as Road Commissioner.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, and General Journal Posting – The Board reviewed and signed all.

TA & ZA Update –DRB does not have any permits pending. Our Town Plan expired on Town Meeting Day and we cannot amend our bylaw while the Plan is expired. Therefore the PC started drafting a new Town Plan. 21 permits have been submitted year to date (see attached). State is still doing the final review of the Eagle Point plans and Ruggles is redoing the Bid Documents to comply with new State requirements. We have signed a contract with Staff Sterling for an amount not to exceed \$29,150 for the Eagle Point Construction Engineering. Ruggles and Bob Kelley are meeting with the State Fish & Game about the easement needed for the Johns River project on Tuesday. We received the official paperwork for the State's approval for the Joseph Queenin bridge naming. Bob has sent Shane Moring (VTrans) a draft for an Emergency Grant and asked him to review it before we submit it. Rod thought that there is not any money from the State for an Emergency Grant.

OLD/OTHER BUSINESS:

Legislative Update – State changed Columbus Day to Indigenous People Day.

Elm Street Cell Tower – The Board decided not to try to get it located on the Fire Station property.

Birthdays – Beula’s son stopped by earlier and informed the Board that it is Beula’s 78th birthday.

Function Hall Amendment for Town Bylaw – Todd Wright brought up that because the Town Plan has expired because the Bylaws cannot be amended and this is holding up his project. The Board wants to fast track the Town Plan update. The Commission has switched gears to get working on the Plan.

ROAD REPORT:

The Darling Hill washout is fixed. West Street may need sheet piling to hold the bank, maybe the State can help with the design. It will not be an easy fix. The bank is sinking, not washing out. 4-H Road culvert is undersized and there has been complaints when there is flooding. The State’s hydraulic study calls for a significantly larger structure. The Quarry Road culvert just past the Land Lab has been replaced. Paving should begin in the next couple of weeks. There was \$535 in disposal fees for the tires from Green-Up Day.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, May 20, 2019. Steve made a motion to adjourn the meeting at 6:57 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
May 20, 2019**

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

Others: Paul Prue, Rod Lyon, Joe Profera, Laurent Letourneau, Ed Barber, Bob Kelley.

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

Warrants #10A in the amount of \$23,408.08 and #10B in the amount of \$341,913.89 were signed.

BEACH HOUSE SITE VISIT

At 4:45 Grant Spates, Brian Smith, Beula Shattuck, Steve Gendreau, Karen Chitambar, Ed Barber, and Bob Kelley were present at the Beach House as the Board staked out a location for the playground and inspected the building to see what improvements could be made.

APPROVE MINUTES:

Karen moved to approve the minutes of May 6, 2019, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Grant read a Thank You letter from Dartmouth Hitchcock for the donation made in honor of Gene Besaw.

Laurent Letourneau discussed road issues he has with the Town concerning plowing and grading along his property. The Board agreed to work with him to clean up excessive gravel that has washed onto his property and to remove the berm on the edge of the road that is causing this problem.

NEW BUSINESS:

Rider Hill Race Track Permit – There are nine races and four practices scheduled, which is similar to last year. Brian moved to approve the permit, with Karen seconding. Unanimous.

Road Side Mowing – Steve would like to have the Road Crew do the mowing rather than hiring it out. The Town has the equipment to do the job, but the problem is that the excavator is often being used on other projects. The Board decided to authorize overtime for the Road Crew to mow on Fridays. If additional help is needed the Town can contract out to one of the contractors we received bids from.

West Street – The road is getting worse with every storm. FEMA has denied funding as they do not think that it was the storm that caused the failure. Cost to repair the road may be substantial and is not budgeted. If grants cannot be found the Town may need to borrow money. The State sent their initial evaluation and a list of Geotechnical Consultants. It was decided to contact the consultants for estimates on the cost to evaluate and design a fix. It was thought that sheet piling may be a solution.

Parking Lot Sweeping – The parking lot needs to be swept so that the lines can be repainted. When the Town hires a sweeper for the Letourneau problem on Nelson Hill Rd they will have them do the parking lot also.

Poulin Land – There is no new news, we are waiting on the attorneys to finish the paperwork.

Town Plan – The Board would like the rewrite of the Town Plan to be a priority for the Planning Commission. The Commission has started review of the Plan and Bob Kelley handed out a list of the sections of the Plan that have been reviewed and which ones still need work. After the Plan is complete it is a minimum of 16 – 20 weeks to complete the adoption process.

Eagle Point – All the plans and bid documents are complete and we are waiting on the Feds to give final approval to put it out to bid. It is still on schedule to be completed this year.

John's River – Negotiations are underway with VT Fish & Wildlife for permission to place fill at the toe of the slope which is outside of the road R.O.W. It appears that the only requirement may be that native shrubs be replanted on disturbed areas. This project will not get done this year.

Beach House – The location of the playground was staked out at the Board's site visit. It was decided to order 8 six ft long tables, 64 chairs and racks to hold them for inside the Beach House. A door needs to be added from the kitchen to the changing room behind it and the refrigerator needs to be moved into the closet.

Willie Johnston Memorial – It will be located in the front part of the Veterans Park. Colin Carter and Brian met with Heritage Memorial and discussed the change in design so that it is a different size than the war memorials.

Hydroseeder Sharing – Town of Westmore – Westmore has asked if they can join our Hydroseeder Sharing Program. Our agreement with Morgan & Brownington is that with a majority vote other towns can join for \$600 and the \$200 annual maintenance fee. Brownington doesn't have a problem with them joining and Bob has not been able to get a hold of Morgan. Steve thought that adding one more town would be ok, but wouldn't want to add more than that. Steve moved to approve Westmore's request to join the Hydroseeder Program, with Brian seconding. Unanimous. Approval from either Brownington or Morgan is needed before they can join.

TA & ZA Update – An application came in for the DRB late today, so they will be meeting in 3 weeks. PC is not meeting next week due to Memorial Day and they have started working on the Town Plan. 29 permits have been submitted year to date. We are waiting on the State before we can start the Salt Shed project. The Joseph Queenin bridge dedication is scheduled for Memorial Day, Monday May 27 at noon.

OLD/OTHER BUSINESS:

Legislative Update – Brian says that this was the most unproductive year in the 3 years he has been a Representative.

ROAD REPORT:

The Hydro dig has finally been fixed; it was a wiring problem that was covered under warrantee. The Mack truck is down for repair. Shattuck Hill Rd and Pine Hill Rd have been paved.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, June 3, 2019. Brian made a motion to adjourn the meeting at 7:20 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
June 3, 2019

Present: Grant Spates, Brian Smith, Steve Gendreau, Karen Chitambar, Beula Shattuck.

Others: Paul Prue, Rod Lyon, Joe Profera, Andy Major, Dennis Bond, Roger Cartee, Brian Sanville, Fran Batchelder, Bob Kelley.

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

Warrants #11A in the amount of \$22,724.26 and #11B in the amount of \$384,457.29 were signed.

APPROVE MINUTES:

Karen moved to approve the minutes of May 20, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS:

Dennis Bond was concerned about the speed limit on Rte 105 near the camps on Lake Salem. He is requesting that the Town petition the State to set a lower speed limit along this section of the road due to the amount pedestrians crossing the road and vehicles entering and leaving the camp properties. Summer months are the worst. Beula moved to petition the State to lower the speed limit along this section of road either year round or seasonally, seconded by Brian. Unanimous.

NEW BUSINESS:

Brian Sanville – Roadside Mowing – The Board explained that the Town has the equipment to do the roadside mowing and will only be hiring it out if the Town falls behind and needs the extra help. Mr. Sanville had the lowest equipment rate for mowing, so the Town would call him first if help is needed.

Coin Drops – The Fire Dept, DAV, Lake Salem, Dailey Memorial Library, and Derby Historic Society submitted requests. The Board allows 4 coin drops per year and has historically given both the Fire Dept and DAV drops every year. This is the first year that the Derby Historic Society has requested a drop. All are fine worthy organizations. The Board would like to give the Historic Society a slot this year. Representatives from the Dailey Library and Lake Salem were present and rather than having the Board flip a coin to see who gets the last slot, the 2 organizations agreed to do a joint drop and split the proceeds. Steve made a motion to grant coin drops to the Fire Dept, DAV, Derby Historic Society, and jointly to Dailey Memorial Library/Lake Salem, seconded by Beula. Unanimous.

Sign Mileage Change – The IRS has increase the mileage allowance from \$0.54 to \$0.58. Steve moved to approve a mileage reimbursement of \$0.58/mile, seconded by Beula. Ayes – Karen, Beula, Steve. Nays – Brian. The motion passes.

Review & Sign Policies – Purchasing Policy & Reserve Fund Balance – The Board reviewed the policies. The Board agrees with both policies, but would like VLCT to review them before adopting them. Karen moved to add in the Purchasing Policy \$2,000 as the limit for purchases without prior Board approval and \$10,000 as the limit for purchases or reoccurring purchases not requiring the Bid Process to be followed, seconded by Beula. Unanimous.

Sign Land Purchase Loan – The Board reviewed the \$150,000 3-year loan from CNB for the Poulin Land purchase. Brian moved to approve the loan, with Beula seconding. Unanimous.

Sign Excess Weight Permits – Cassella Construction Inc & Tetreault's Maple Farm LLC – Steve signed both permits as Road Commissioner.

Trim on Clerk's Office – 6 contractors have been contacted and we are waiting for replies. Bids are to be in prior to the Board's June 17th meeting.

Beach House Playground – The equipment has been ordered and is anticipated to be delivered between June 13th – 18th. Karen has been lining up volunteers to assemble it on June 15th; this date may have to be canceled if the equipment does not arrive in time. We should know more by June 7th. Green Mountain Mulch has the best price for the mulch, they are currently out of stock, but expect more by the end of the week. One foot of mulch is required; the Road Crew will remove the topsoil and prep the site.

Update on Eagle Point, Town Plan & West Street – Nothing new to report on Eagle Point, still waiting for the Feds to signoff so we can put it out to bid. Bob will see what is holding things up. The Planning Commission did not meet last week due to Memorial Day and will continue with the Town Plan updates next week. The Board was given the working draft of the Plan. Steve is working on a fix for West Street and should have a plan and cost for the next meeting. The Board will do a site visit of West Street on June 17th prior to their next meeting.

TA & ZA Update – The DRB has one permit pending for their meeting next week. The PC is continuing work on the Town Plan. 42 permits have been submitted year to date. Nothing new to report on Johns River or the Salt Shed projects. The Hayward Road Bridge needs to be repainted. We have received a quote from one company and are waiting for a quote from another company. We receive two Better Roads grants for ditching on Bushey Hill Rd and Hinman Settler Rd. The Willie Johnston Memorial is moving along. The Board approved a dedication date of September 28th and also approved the new monument design.

OLD/OTHER BUSINESS:

Legislative Update – None.

Skate Shack – The Skate Shack has been pressure washed. The State may be holding up the painting and we need to check to see what the deal is.

ROAD REPORT:

New one ton truck is on hold for now. I-191 Access Road will be closed from July 8th to August 23rd. Rod will be on vacation Wednesday and Thursday.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, June 17, 2019. Karen made a motion to adjourn the meeting at 7:55 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
June 17, 2019

Present: Grant Spates, Brian Smith, Steve Gendreau, Karen Chitambar, Beula Shattuck.

Others: Paul Prue, Rod Lyon, Joe Profera, Ed Barber, Elizabeth Bumps, Bob Kelley.

WEST STREET SITE VISIT – 5:00:

Bob Kelley, Grant Spates, Karen Chitambar, Brian Smith, Steve Gendreau, Maryann Tetreault, Rod Lyon, Ed Barber, John Bailey and Liam Bailey-Rowe were present at the site visit. The Board reviewed the damage to the road and speculated on possible fixes.

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

Warrants #12A in the amount of \$23,338.89 and #12B in the amount of \$79,168.52 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of June 3, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Dailey Memorial Library – Jr. High Green – The library would like to use the Jr. High Green for their annual summer craft fair on August 3rd. Beula moved to approve the use of the Green, with Brian seconding. Unanimous.

Combat Vets Motorcycle Assoc. – Dave Lesperance - July 27th Veterans Park – Dave was unable to attend tonight.

West Street Update – The Town is looking for ideas for a fix. Too much weight and drainage seems to be the problem. Among things discussed were: Using lighter fill material such as ground rubber tires, closing the road, rerouting the road, removing trees on the upper bank, converting to a one way road, alternating one way traffic with a traffic light, and changing drainage. The Town is hoping to have a more solid pricing on some of the options for their next meeting. Current thoughts are that a fix would be in the \$200,000+ range.

Eagle Point Update – The project is ready to go out to bids. Ruggles is getting copies of the Bid Package printed and they should be delivered this week. Advertising will go out next week and bids will be due July 15th.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, Financial Management Questionnaire & General Journal Posting – All reports were reviewed and signed.

Sign Excess Weight Permit – Andrew Lawrence – Steve signed the permit as Road Commissioner.

Review & Sign Policies – Purchasing Policy & Reserve Fund Balance – The Taxpayers have not authorized a Reserve Fund and the Board tabled action on the Reserve Fund Balance Policy. VLCT thought the Town should reconsider the purchase authorization section of the Purchasing Policy. It was felt that the draft policy adequately addressed the Town's needs. The purchasing limits as approved at the last meeting have been added to the draft policy. Karen moved to approve the Purchasing Policy as written, with Beula seconding. Unanimous.

Bids for Trim on Clerk's Building – There were 2 bids for the job: J B Carpentry - \$11,663 and Claude Paul Construction - \$14,500. Claude Paul Construction also had 2 other more expensive options using PVC trim. Karen move to award the project to J B Carpentry for a price of \$11,663, with Brian seconding. Unanimous.

TA & ZA Update – The DRB has one permit pending for their meeting next week. The PC is continuing work on the Town Plan. They were unable to meet last week due to a lack of a quorum, but will be meeting tonight to make up for the missed meeting. 48 permits have been submitted year to date. Nothing new to report on Johns River or the Salt Shed projects. We are still waiting on a second bid on the Hayward Bridge repainting project. The Beach House play set was installed on Saturday and we are waiting on the mulch delivery. The tables and chairs have been ordered and tomorrow Ken Corkins is going to look at what is involved to add a door from the kitchen into the changing room. Also, Grant suggested that a set of outside outlets be installed. The State has said we can expect approximately a \$62,000 grant annually for paving. A revised Memorandum of Understanding adding Westmore to the Shared Hydroseeder Program has been signed by Steve as Road Commissioner.

OLD/OTHER BUSINESS:

Legislative Update – None.

ROAD REPORT:

The Quarry Road just past Green Mountain Mulch will be closed most of the day next Monday to replace a culvert. The road crew has started the roadside mowing.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, July 1, 2019. Beula made a motion to adjourn the meeting at 6:38 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
July 1, 2019

Present: Grant Spates, Brian Smith, Steve Gendreau, Beula Shattuck.

Others: Dana Lesperance, Robin Smith, Rod Lyon, Joe Profera, Ed Barber, Bob Kelley.

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

Warrants #13A in the amount of \$23,114.18 and #13B in the amount of \$49,490.86 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of June 17, 2019, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Review & Sign Representation Letter – Telling & Hillman PC – This is the new accounting firm and Faye says they have been very good to work with. Steve moved to sign the Representation Letter, with Brian seconding. Unanimous.

Beach House Update – Grant installed the grills, the outside outlet is installed, the door thru the kitchen to the changing room is installed, racks & tables have arrived, chairs should be coming in tomorrow, and we trying to get mulch from NH before the 4th. If we cannot get the mulch from NH we will get a base layer from Green Mountain Mulch for now.

Eagle Point Update – Bids are due July 15th. So far 5 companies have purchased plans – Winterset Inc, Blow & Cote, Kirk Fenoff & Sons Excavating, JP Sicard, and Cold River Bridges.

West Street Update – Steve reported that he is having trouble making the numbers work. The State doesn't have a problem with the Town using rubber chips for fill under the road. The Town needs to contact the owners of the bank on the north side of the road to get permission to cut the trees, find out if we can use the tailings from the granite quarry in Beebe, Quebec, start taking out the asphalt & guardrails, and get the Geotechnical Consultants to look at the problem.

TA & ZA Update – The DRB has one permit pending for their meeting next week. The PC is continuing work on the Town Plan. The Board was given a copy of the sections of the plan that have been completed for them to review. 53 permits have been submitted year to date. Fish & Wildlife has finally finalized their conditions for the minor work that will be outside the road R.O.W. for the Johns River project. Nothing new to report on the Salt Shed project. We are still waiting on a second bid on the Hayward Bridge repainting project.

OLD/OTHER BUSINESS:

Legislative Update – None.

Combat Vets Motorcycle Assoc. – Dave Lesperance - July 27th Veterans Park – Dave explained the upcoming event on July 27th at Veterans Park. They are expecting about 350 riders to come rolling in at about 10:30, the ceremony starting at 11:00 to last about 20 minutes, and a lunch at 11:30 at the Derby Community Church. The bikers will park at the church and walk to Veterans Park.

ROAD REPORT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, July 15, 2019. Beula made a motion to adjourn the meeting at 6:45 p.m., with Grant seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
July 15, 2019**

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

Others: Paul Prue, Joe Profera, Ed Barber, Joseph Gresser, Dan Cordeau, Richard Lafoe, Joe Cicia, Laurie Moss, Robin Smith, Bob Kelley.

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

Warrants #14A in the amount of \$24,755.18 and #14B in the amount of \$87,396.37 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of July 1, 2019, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Laurie Moss – Community Day Derby Line – Laurie asked if the Town would be donating to the event again this year. Last year the Town donated \$1,500. Brian move to give \$1,500 for Community Day, with Steve seconding. Unanimous.

Dan Cordeau – Applewood Drive – Dan asked if the Town would put chloride on the private road into their development. The road is getting very dusty and the liquid chloride the Town uses does a lot better job than the granular chloride. The Town doesn't normally do anything on private roads, but they have helped out some places in the past. The Board asked Dan to work the timing and cost out with Steve and Rod.

NEW BUSINESS:

Joe Cicia – Dairninaka Association – Joe reported that the punch list of things needed to be done for the Town to take over the road has been completed. The Town would like Shane Morin with the VTrans to look at the road and Steve wants to check it out also.

Town Road & Bridge Standards – The State has revised the Standards to fit with the Municipal General Roads Permit. The Town needs to fill in what sections of the standards that the Town wants to apply to hydrologically connected roads and what sections to apply to non-hydrologically connected roads. This needs to be done by the end of July. Steve and Rod will go over it for the next meeting.

Open & Review Eagle Point Bids –

Blow & Cote Inc - \$ 365,870.00 -

Cold River Bridges LLC - \$ 543,756.00

J.P. Sicard Inc - \$ 377,251.00

Kirk Fenoff & Son Excavating LLC - \$ 327,500.00 – Apparent low bidder

Tremblay Construction LLC - \$ 388,700.00

Brian moved to accept the apparent low bid of \$327,500 from Kirk Fenoff & Son Excavating LLC contingent upon our engineer's review of the bids confirms it to be the low bid, seconded by Steve. Unanimous

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report & General Journal Report – All reports were reviewed and signed.

TA & ZA Update – The DRB has one permit pending for their meeting next week and Vermont Electric Cooperative submitted an application today for a \$2,200,000 office/truck terminal/warehouse project on Citizens Rd. The PC is continuing work on the Town Plan. 56 permits have been submitted year to date. Two geotechnical consultants looked at West St. last week and we have received a detailed proposal from one with an engineering cost of \$58,000 - \$70,000. The other firm is expected to get us a proposal in time for our next meeting and Grant

had the name for another company out of NY that Bob will contact. Nothing new to report on the Johns River project. The Salt Shed grant agreement has been signed and we need to work on getting it out to bid. We are still waiting on a second bid on the Hayward Bridge repainting project. The Beach House is looking good. The benches need to be ordered and funds are available for the fence this year. We have 2 quotes for the fence and Bob will get a couple more.

OLD/OTHER BUSINESS:

Legislative Update – None.

Route 5 Speed Limit – Brian received a petition from Champlain Valley equipment, Gosselin's Water Wells, Walt's Sales and Service, Paul's Sugar House, Mario Paul Excavating, Fred's Energy, and Stereo Plus to lower the speed limit from Derby Center to the top of Provost Hill to 35 mph. The Nathan Covey with the State is reviewing access to Fred's and would like them to move their driveway due to site distances at the 50 mph speed limit, he also suggest that they petition the State to lower the speed limit (not knowing that we petitioned them 3 years ago). We need to petition the State again to lower the speed limit.

ROAD REPORT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, July 29, 2019. Brian made a motion to adjourn the meeting at 7:02 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
July 29, 2019

Present: Brian Smith, Steve Gendreau, Karen Chitambar, Beula Shattuck.

Others: Joe Profera, Ed Barber, Bob Kelley.

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

Warrants #15A in the amount of \$22,000.29 and #15B in the amount of \$22,396.86 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of July 15, 2019, with Beula seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

West Street Update – The road crew has removed the pavement and guardrails. It looks like we may be able to do some minor shoring up of the road and reopen the road after reinstalling the guardrails. It was guesstimated that reinstalling the guardrails may cost \$5,000. After the road crew does a little more work the Board will need to look at the road to determine if they think it is safe to reopen the road. This is a temporary fix until we get experts in to analyze what is going on and what is needed for a permanent fix. Two firms have given the Town proposals for analyzing and engineering a fix. Their estimated fee is in the \$50k - \$70k range. Another firm should have a proposal submitted this week and Bob will contact a 4th firm. The Town will apply for an engineering grant from the State to help defray the cost.

Town Road & Bridge Standards – The Board reviewed the draft standards and decided that non-hydrologically connected road segments will apply to sections 1 & 2. Also sections 3, 4, 5, 6, & 7 will apply Town wide. Section 5 – New or substantially reconstructed gravel roads shall have 12 inches thick gravel sub-base with an additional 3 inches top course of crushed gravel. All new or substantially reconstructed paved roads shall have 15 inches thick gravel sub-base. Beula moved to approve the Town Road and Bridge Standards with the above modifications, seconded by Steve. Unanimous

TA & ZA Update – The DRB has two permits pending for their meeting next. The PC is continuing work on the Town Plan. 59 permits have been submitted year to date. Eagle Point – Sterling Staff Management is trying to set up a preconstruction meeting, it will probably be next week. Kirk Fenoff signed the contract and has the bond almost ready to go, but just needs to know what form we will accept. He has submitted the Certificate of Good Standing from the Secretary of State, so everything is looking good so far. Johns River – Everything is signed with Fish & Wildlife. We need new easements from Tom & Claire Roberts and Reg Abbott. Salt Shed – We need an engineering firm for the project, Bob recommended we go thru the same process as we did with Eagle Point and negotiate with Staff Sterling management. The Board agreed. Beach House – Benches arrived, the road crew will assemble them. There are 4 quotes for the fencing, ranging from \$2,099.24 to \$3,725.98. Karen moved to accept the Round Hill Fence quote of \$2,099.24, with Steve seconding. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update – None.

ROAD REPORT:

Road side mowing by our road crew is proceeding slowly. It is estimated they are 20% complete. Board will evaluate at next meeting if we need to hire some of the mowing out to a contractor. There have been 2 complaints about the bush hog throwing rocks and dinging

vehicles. We need to check to make sure the mower guards are properly installed and we need to make sure that proper signage is being used.

EXECUTIVE SESSION:

At 6:32 pm Beula moved to go into Executive Session for a personnel issue, seconded by Karen. Unanimous. Out of Executive Session at 6:35 pm no action taken.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, August 12, 2019. Beula made a motion to adjourn the meeting at 6:36 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
August 12, 2019**

Present: Brian Smith, Steve Gendreau, Beula Shattuck.

Others: Colin Carter, Joe Cicia, Rod Lyon, Faye Morin, Paul Chambers, Joseph Gresser, Dan Dagesse, Paul Prue, Joe Profera, Ed Barber, Bob Kelley.

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

Warrants #16A in the amount of \$21,183.03 and #16B in the amount of \$94,612.68 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of July 29, 2019, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Joe Profera was wondering about the ambulance service. He has seen two ambulances arrive at an accident when none are even needed and was wondering if this cost the Town money. The answer was no, the Town pays a flat rate for ambulance service.

Brian Smith presented Colin Carter with a check for \$1,000 from DAV for the Willie Johnston Memorial. They are now less than \$500 from their fund raising goal.

NEW BUSINESS:

Joe Cicia – Dairninaka Dr – The residents of Dairninaka Dr are ready for the Town to take over the road as was agreed upon. There may be a couple of minor issues related to drainage that need to be addressed before the road is considered to be up to Town specifications. Steve was thinking that the Town should plow it for one winter before taking it over to see how things work out. Because the main roads are top priority in the winter, Dairninaka Dr might not be plowed as soon as some residents may like. The Board will inspect the road at 5:00 p.m. on Monday, August 26th prior to their 6:00 p.m. Selectboard meeting.

Set and Approve Tax Rate – Town Treasurer Faye Morin presented the Board with her calculations for this year's Tax Rate.

	2019	2018	change
<u>Total Homestead</u>	<u>1.7437</u>	<u>1.7560</u>	<u>-0.0123</u>
<u>Total Non-Homestead</u>	<u>2.0415</u>	<u>2.0049</u>	<u>+0.0366</u>
<u>Education Homestead</u>	<u>1.3007</u>	<u>1.3643</u>	<u>-0.0636</u>
<u>Education Non-Homestead</u>	<u>1.5985</u>	<u>1.6132</u>	<u>-0.0147</u>
<u>Municipal</u>	<u>0.4430</u>	<u>0.3917</u>	<u>+0.0513</u>

The Municipal rate breaks down as follows: General – 0.2625, Road – 0.1121, Cemetery – 0.0065, Voted Appropriations – 0.0584, and Local Agreement – 0.0035

Beula moved to approve a 2019 Total Homestead tax rate of 1.7437 and a Total Non-Homestead tax rate of 2.0415, seconded by Steve. Unanimous.

Emerald Ash Borer – The Emerald Ash Borer has been found in the Town. The County Forester recommends that the Town conduct an inventory of Ash trees within the Town road right-of-ways so that the Board can make an informed decision on how to deal with this infestation. The State has offered to do the inventory with the help of volunteers at no cost to the Town. The Board accepted the State's offer to inventory the ash trees within the Town's right-of-ways. The problem is that trees that become infested become brittle and are prone to snapping during storms which can cause road hazards and downed power lines which the Town will have to deal with.

West Street Update – We have 4 proposals from Geotechnical Consultants. GEODesign - \$34,445 to analyze the area and develop repair concepts; GZA - \$50,900 to analyze the area and

develop repair concepts; Terracon - \$58,000 to \$70,000 to analyze the area, develop repair concepts, preliminary design, final design, construction documents & cost estimate, permitting, bid services; and Golder - \$123,413 to analyze the area, develop repair concepts, preliminary design, final design, and permitting. Steve is working on a plan to get the road passable for traffic at a minimal cost until a permanent fix can be done. Steve thinks that we may have a chance for a State stormwater management grant next year and that we should hold off on the engineering. Bob will look into this and also look into grants for just the engineering.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, & General Journal Posting – The Board reviewed and signed all.

TA & ZA Update – The DRB has two permits pending for their meeting next. The PC is continuing work on the Town Plan. 64 permits have been submitted year to date. Eagle Point – Construction is scheduled to begin September 3rd and it is expected to take 3-4 weeks to complete. Johns River – All easements are in place. Beach House – Round Hill Fence expects to have the fence installed by the end of the month. Hayward Road Bridge – We have two quotes for cleaning and painting the bridge; Catamount Environmental - \$34,850 – clean with needle gun, prime and undercoat; and Vermont Protective Coatings - \$288,700 – sand blast, 3 coats of paint, and undercoat. Steve moved to accept the bid from Catamount Environmental for \$34,850, with Beula seconding. Unanimous.

OLD/OTHER BUSINESS:

Legislative Update – None.

ROAD REPORT:

Road side mowing by our road crew is proceeding slowly and Tim Patenaude has been hired for a couple of days to assist.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, August 26, 2019 with a site visit to Dairninaka Dr. at 5:00 p.m. before the meeting. Beula made a motion to adjourn the meeting at 6:45 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
August 26, 2019**

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates, Karen Chitambar.

Others: Joe Cicia, Rod Lyon, Faye Morin, Paul Chambers, David Barlow, Kathleen Ahearn, Dan Dagesse, Paul Prue, Joe Profera, Ed Barber, Bob Kelley.

DAIRNINAKA DRIVE SITE VISIT – 5:00 P.M.

The Selectboard conducted a site visit of Dairninaka Drive with the following persons present:
Selectboard – Grant Spates, Brian Smith, Steve Gendreau.

Others – Dan Dagesse, George Brown, Joe Cicia, David Barlow, Kathleen Ahearn, Beth Chambers, Paul Chambers, Chris Shaffer, Lesley Rae Lawson, Rod Lyon, Bob Kelley.

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

Warrants #17A in the amount of \$22,066.84 and #17B in the amount of \$102,081.24 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of August 12, 2019, with Beula seconding. Unanimous.

PUBLIC COMMENTS:

Brian Smith informed the Board that DAV has donated an additional \$500 for the Willie Johnston Memorial. Brian praised Colin Carter for his fundraising efforts. It is believed that the fundraising is within a few hundred dollars of their goal, the exact amount is not known. Brian move to donate up to \$200 from the Town's Veterans Memorial Park Fund if it is needed to reach the fundraising goal, seconded by Beula. Unanimous.

NEW BUSINESS:

Dairninaka Dr – The Board discussed the site visit earlier tonight. Everything appears to be in good shape. The turnaround at the end may need some minor work. Utilities are buried underground and the vaults are within the road right-of-way. The board asked if they could get a map of the vault locations. Because of the road layout it was thought that buses will not be able use the road so residents would have to continue to bring their children down to Darling Hill Road to catch the bus. Brian moved to have the Town take over Dairninaka Drive as a Town Road with the understanding that if the Town determines that additional area is needed at the turnaround at the end of the road it will not be an issue with the residents, seconded by Beula. Unanimous.

VLCT Annual Business Meeting – The meeting is in Killington which is 3+ hours away. None of the Board members or other Town employees were planning on attending because of the distance.

Grant Reimbursement Request – The reimbursement is for funds spent on engineering for the Johns River culvert replacement project. The Board reviewed and signed the request. Bob Kelley reported to the Board that the Town will be over budget on the engineering before the project is completed and that the State has increase the grant funding to cover this.

Meg Thompson - Insurance – Meg Thompson damaged her car when she crossed over the windrow created during the grading operation on Bates Hill Rd. She damaged the transmission pan and is asking the town to pay for the damages. The Town felt that people need to be responsible for their own actions and that the Town was not liable for the damages because it occurred while the Town was doing normal maintenance of the road and proper signage was used to inform the public of the ongoing grading operation. The Town will double check with VLCT concerning the Town's liability during standard maintenance operations.

West Street Update – The temporary fix of West St is almost complete. Three cross culverts with catch basins have been installed, the bank stabilized with rip rap and the road regarded to direct the water to the ditch on the uphill side. A patch of clay was encountered on the eastern end next to the retaining wall. Three truckloads of clay were removed and underground drainage installed to collect water from this area and pipe it over the bank. Guardrails will have to be reinstalled before the road can be reopened. The Town will continue to look for grant money to help fund a permanent fix.

TA & ZA Update – The DRB and PC have next week off due to Labor Day. 70 permits have been submitted year to date. Eagle Point – Start of construction has been delayed about a week which will push back the scheduled September 3rd start date. Johns River – Nothing new to report. Beach House – Gene Tessier will be repairing the 4 picnic tables and building a kids picnic table, cost will be a little over \$200. Hayward Road Bridge – Nothing new to report. Barking Dogs – There has been a complaint about barking dogs on Dashner Circle. Renee is dealing with the issue. Hopefully she can resolve it, if not I am sure the Board will be hearing more about it because the neighbor is extremely frustrated with the barking.

Personal Policy Changes – Faye Morin suggested two changes to the policy; 1) Article II, Section C, Retirement – change the wording regarding Town and employee contributions rates into VMERS because the rates can vary from year to year and are currently out of date. The Board agreed and Bob will draft language for the Board to review at their next meeting. 2) Article II, Section D, Holiday Leave – reinstate Indigenous Peoples Day (formerly Columbus Day) as a paid holiday for all Town Employees. The Board took away the holiday in 2017. Faye argued that the banks, post office, and many towns have the day off and she is unable to deposit cash received that day. Because it is so close to the date property taxes are due the amount of cash is significant. Karen moved to add Indigenous People’s Day as a paid holiday for all Town employees, seconded by Beula. Ayes – Karen, Beula, Steve, Grant. Nays - Brian. The motion passes.

OLD/OTHER BUSINESS:

Legislative Update – None.

Derby Line Day – The Town received a thank you note for contributing to Derby Line Day.

Beebe Hydrants – The Town needs to check into which hydrants are no longer good for fire protection and what needs to be done to replace them.

Beebe Delinquent Water Bills – The Town was sent a courtesy notice of which water bills were delinquent.

ROAD REPORT:

The ditching project on Hinman Settler Road is complete. Rod has been exploring ways to keep our stone lined ditches cleaned out. One idea was a vacuum truck and the National Association of State Agencies for Surplus Property (NASASP) listed the availability of a Vacuum Cleaner Sweeper last week. It is a 2006 with less than 4,000 miles on it. The estimated acquisition (shipping) cost is \$8,000 - \$10,000. Steve moved to notify NASASP of our interest in the Vacuum Cleaner Sweeper, seconded by Karen. Unanimous.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, September 9, 2019. Brian made a motion to adjourn the meeting at 6:54 p.m., with Beula seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 9, 2019

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Karen Chitambar, Grant Spates.

Others: Rod Lyon, Faye Morin, Robin Smith, Craig Ellam, Ed Barber, Bob Kelley.

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

Warrants #18A in the amount of \$21,022.21 and #18B in the amount of \$83,980.55 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of August 26, 2019, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Craig Ellam - Policy – Craig researched and couldn't find anything on a policy with the Town of Holland for Fire Protection in writing. This has come up because Holland had not budgeted for the truck we purchased this year. Craig told Holland that it would be fine to put it in next years' budget. In the past Holland has contributed 10% of the purchase price for most new fire trucks. Craig would like to get an agreement in writing with Holland and gave the Board a draft of his proposal. The Board reviewed and approved the agreement. Craig will present it to Holland for their review and approval.

Hydrants - Beebe – This issue was discussed in 2016 when Canada took 3 hydrants out of service along Canusa Ave. One of the issues is that Stanstead cannot get any funding for work done in the USA. It was discussed running a line down the US side of Canusa Ave or behind the houses. Stanstead used to come across the border to repair things on the US side but they can't even do that anymore. The Town will need to hire a consultant to see what is currently there and what we have.

West Street Update – The Town is waiting on the guard rails to be installed around the end of the month and the road can be reopened. Total cost for these repairs will be around \$25,000. The Town needs to post a lower weight limit for the road; Bob will talk to the State about lowering the limit. On future overweight limit permits West Street will be excluded. Bob mentioned that there is a grant deadline in October, but without knowing what type of permanent repair is needed will make it difficult to apply for and be competitive. Also there is a small planning grant due at the end of the month that could help fund the engineering to analyze the site. The Board agreed to apply for the planning grant.

Sign Personnel Policy – The Board reviewed and signed changes to the Personnel Policy they approved last week.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, & General Journal Posting – The Board reviewed and signed all.

TA & ZA Update – The DRB has 3 applications pending for their meeting next week. The PC is continuing work on the Town Plan and hope to have it finished next month. The Board should review the draft and let the PC know of any concerns they have. 73 permits have been submitted to date. Fenoff should be mobilizing and starting work on the Eagle Point project this week. There is nothing new to report on the Johns River or Hayward Bridge projects. Everything is complete on the Beach House improvements. The barking dog issue on Dashner Circle is ongoing. Matt Sheltra staked out the area for an hour on Friday and didn't hear excessive barking. The resident complaining may be at your next meeting. The RFP for the engineering for the Salt Shed Roof project has been sent to the State for their approval. It is highly unlikely

that the roof will be replaced this year. Another Town beat us to the vacuum truck discussed at the last meeting. The insurance claim for the damage to Meg Thompson's car was denied by our insurance company because they concluded the town was not liable.

OLD/OTHER BUSINESS:

Legislative Update – None.

Dunn Property Turnaround – The complaint about damage to the yard and shed by the plow trucks last spring was looked into by Grant and Brian. The damages appeared to be minor and it was intended to relay this to the property owner, but never was. Brian emailed him last week explaining the Town's position.

Wednesdays on the Waterfront – The Town got a thank you note for the support of the concerts.

ROAD REPORT:

Road side mowing is complete; the hired mowing cost was about \$7,000. The Better Roads Grants for ditching on Hinman Settler Road and Bushey Hill Road are complete.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, September 23, 2019. Beula made a motion to adjourn the meeting at 7:03 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 23, 2019

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Karen Chitambar, Grant Spates.

Others: Faye Morin, Robin Smith, Gwen Bailey-Rowe, Joe Profera, Bob Kelley.

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

Warrants #19A in the amount of \$23,840.57 and #19B in the amount of \$125,234.50 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of September 9, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Gwen Bailey-Rowe – 2nd Annual Community Leadership Seminar – Gwen was impressed with the seminar, which had 200-300 attendees and thought next year a group of 2-3 people from the Town would be better. It was all about Community service and engagement. She came away with 2 ideas to bring to the Town. One was to build a narrative of what makes people want to serve their community. It would involve having someone interview our community leaders and writing a story about what it is that motivates them to serve. The goal would be to get others in the community to start thinking about way they may want to serve. The other idea involves the Town hosting a community event with the help of a professional facilitator to get a diverse group together to create a vision for the future. The goal again is to get people involved. It was thought that would be a good venue to get ideas for how best to utilize the 16 acre field the Town just purchased between the Town Offices and Town Garage.

Local Emergency Management Plan – The Board reviewed the plan. Bob Kelley with the help of Bruce Melendy (NVDA) drafted the plan. The State revised the format of the plan, but basically all the same information from last year is in it. Craig Ellam has reviewed and approved it. Karen moved to approve the 2019 Local Emergency Management Plan, seconded by Steve. Unanimous.

Cargill - Salt – The Board reviewed the contract to purchase salt at \$87.19/ton for this winter. It is estimated that we use about 1,400 tons a year. Brian moved to sign the contract, seconded by Steve. Unanimous.

Review & Sign Purchasing Policy – The Board approved the policy earlier this summer and this is the copy for them to officially sign. The Board reviewed and signed the Purchasing Policy.

Listers Correction – This correction is from the BCA's decision to lower the land value \$13,000 on parcel #COSLN005D2T4. The total value of the property changed from \$127,500 to \$114,500. Brian moved to approve the correction to the Grand List, seconded by Steve. Unanimous.

T.A. & Z.A Update – DRB - no permits pending for their meeting next week. PC – they should have the Town Plan completed next week. Any concerns with the Plan should be passed along to the Commission by next Monday. The Board has been given a copy of the Town Plan. Permits - 77 permits have been submitted year to date. Eagle Point - the footer and abutments have been poured. The old culvert is gone. Work appears to be proceeding smoothly. Johns River - nothing new to report. Hayward Road Bridge - Catamount will be mobilizing the end of this week, weather permitting and hope to be complete by the end of Oct. Barking Dogs - the issue on Dashner Circle is closed as far as Renee is concerned. Matt Sheltra went to the house

one day for an hour, I went to it one day for 1½ hours, and I put a recorder by the front door for 3 days in a row (7 hrs, 8 hrs, & 5 hrs). There was no evidence of excessive barking found. The lady complaining is still upset. She claims to have recordings and today she says she has video also. None of the recordings have been given to the Town. Salt Shed - the RFP for the engineering has gone out and proposals are due October 7th. Grant, Steve, and Bob were appointed by the Board as the review committee to evaluate the proposals.

OLD/OTHER BUSINESS:

Legislative Update – None.

Terry Tice - Donation – Terry passed away recently and the family is asking that in lieu of flowers that donations be made to the Mary Wright Halo Foundation. Steve felt that Terry was a good employee for a number of years and that a \$150 donation in Terry’s name from the Town would be appropriate. Brian moved to donate \$150 to the Mary Wright Halo Foundation in the name of Terrance Tice, seconded by Steve. Unanimous.

ROAD REPORT:

West Street has been reopened, the repairs ended up costing about \$25,000. The road was lowered about 2 ft and now slopes toward the uphill side ditch. For maintenance concerns it was decided to repave this section with just a base coat. Grant funding will be looked into for a permanent fix. Gwen Bailey thought that guard rails should be installed on the corner in front of the McKinnon residence on West St; cars have gone off the road and hit trees in this section in the past. The Board will look into it. The need for caution signs for “Trucks Entering” near the Tetreault property was also a concern that needs to be addressed. Beula brought up the need for children at play signs on Pine Hill Rd. Steve thought the property owners should look into the little signs with a florescent turtle holding a flag works better than “Children at Play” signs. The recent VLCT insurance claim deductible we paid was discussed; it was due to damage from rocks being thrown during shoulder mowing. The truck had a ½ dozen small chips in the paint spread out along the entire driver’s side of the vehicle, so although the damage was minor it involved all the panels along the side of the truck. The mower is now equipped with guards to prevent this in the future.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, October 7, 2019. Beula made a motion to adjourn the meeting at 6:44 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
October 7, 2019**

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

Others: Faye Morin, Karen Jenne, Paul Prue, Joe Profera, Bob Kelley.

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

Warrants #20A in the amount of \$30,840.68 and #20B in the amount of \$294,146.51 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of September 23, 2019, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Karen Jenne submitted a letter from the Derby Line Trustees asking that the Town intervene with the Public Service Board on the proposed Elm Street cell tower. The Village was concerned that they may not be granted party status and wanted to make sure they had a voice in the issue. The Town is automatically granted party status. The Board felt that the Trustees should have a say in what is going on in their own Village. Brian moved to intervene on the proposed Elm Street cell tower, seconded by Steve. Unanimous.

NEW BUSINESS:

Salt Shed Engineering – One proposal was received. Cross Consulting Engineers submitted a proposal with a total cost estimate of \$21,442.00. Budgeted for the Grant was \$5,000 for the engineering. It appears that Cross Consulting Engineers didn't fully understand the scope of the work to be performed. Bob will explain the scope of the project in greater detail with Cross Consulting Engineers to see if they would like to revise their estimate. Bob, Grant and Steve will review the revised estimate and decide whether to accept the proposal or rebid it.

Light Up the Night Parade – Dec 7th – Ann Kelley is organizing the parade again this year. She is looking into having the parade start in Newport and ending at NCUJHS in Derby. Orleans County Sheriff's Dept has agreed to lead the parade again this year.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, & General Journal Posting – The Board reviewed and signed all.

TA & ZA Update – The DRB & PC have next week off (Columbus Day). 81 permits have been submitted year to date. Town Plan: The PC completed the Town Plan last week and has scheduled a public hearing for Tuesday, November 12th. The Board asked a few questions about the Plan. It was questions why there was nothing about the Beebe water/sewer in the Plan. Eagle Point: The abutments are complete and the deck is scheduled to be installed tomorrow. Johns River: Nothing new to report. Hayward Road Bridge: Catamount hopes to start work the end of this week, weather permitting. Barking Dogs: There have been no new complaints in the last 2 weeks with barking on Dashner Circle. Tennis Courts: Faye Long called about the courts being slippery and thinks the Town needs to pressure wash them in the spring. Now that we own the lot behind the courts the Town should consider cutting the row of trees between the courts and the field. This would make for more sunlight and less leaves on the court. The Board agreed that the courts should be pressure washed in the spring. ATV's: There was a complaint about ATV's on Cobb Rd and Hinman Settler Rd. West Street: An Environmental Mitigation Grant was submitted last week for \$1,000,000. Transportation Alternative Grants are due in November and the Town will apply for that grant, also along with an emergency grant from VTrans. Lister Parcel ID#: As part of the revaluation the Listers are considering changing the

parcel ID# for all parcels and are getting costs together from NEMRC & CAI. Verbal estimates were higher than expected. The Listers are meeting with CAI and possibly NEMRC on Wednesday to explain in greater detail what is involved. The Board questions the need.

OLD/OTHER BUSINESS:

Legislative Update – None.

Health Officer – The State has notified the Town that the Health Officer’s 3-year term is to expire in November and the Town will need to recommend an appointment to the State. It was decided to ask Joe Noble if he wishes to remain the Health Officer of Derby. This will be an agenda item for the next meeting.

ROAD REPORT:

Everything is in good shape. There were only minor repairs needed from the last storm.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, October 21, 2019. Brian made a motion to adjourn the meeting at 6:44 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
October 21, 2019

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates.

Others: Michael Koehler, Tommy Charest, Rod Lyon, Joe Profera, Bob Kelley.

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

Warrants #21A in the amount of \$20,492.76 and #21B in the amount of \$6,946,329.74 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of October 7, 2019, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Snowmobile Trails – Michael Koehler – Drift Dusters would like to get the Towns approval for use of Town land and roads. Everything is the same as last year except they are no longer able to use Cousins Lane to get access to Lake Memphremagog. They are looking at an alternate route that would require the use of a portion of Lindsay Road near the bike path. Drift Dusters is still working on getting property owners' permissions to reach the lake. Their preferred route would use about 200 ft of Lindsay Road. The Board was okay with the route, but would like them to have the other land owners' permissions before the Board signs off on it. This will be on the agenda again for the next meeting.

Town Health Officer – Joe Noble does not wish to continue as Town Health Officer. This position can be difficult to fill. It was suggested to contact Marsha Descheneau and Renee Falconer to see if either would like the job, if not the Town will have to advertise for the position.

Sheriff Invoice – The Sheriff contacted Grant & Faye to explain last month's bill because it was higher than normal. This was due to an abnormally high number of thefts at Walmart.

TA & ZA Update – DRB/PC – The DRB has one permit pending for next week. The PC will continue to work on the zoning bylaw. A reminder that the PC has scheduled a public hearing for the proposed Town Plan on Tuesday, November 12th. Permits - 86 permits have been submitted year to date (see reverse side). Eagle Point - The bridge is complete. The only minor thing left to do is the pockets on the sides where the tension cables were installed need to be filled with mortar. They are hoping to do it tomorrow. The check in with your warrants will be held until this is completed. Johns River - Nothing new to report. Hayward Road Bridge - Work has started on the bridge. They are starting on the South side and working toward the North. The Board is concerned with painting the bridge this late in the year and would like to get the specifications on the paint being used to make sure it is being applied correctly. Salt Shed - Bob talked to Cross Consulting Engineers to explain the project in more detail and is waiting to hear back from them. Listers Parcel ID # - Nothing new to report.

OLD/OTHER BUSINESS:

Legislative Update – None.

ROAD REPORT:

West St should be paved either tomorrow or Wednesday. Whips are going up. Another sweeper/vacuum truck has come available thru Surplus Property. The truck is free but the Town would have to pay for the shipping from Japan which could be \$10k – 20k. It is a 2002 with 15,800 miles. The Board agreed to pay up to \$15,000 for the delivery, anything more would have to come back to the Board for approval.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, November 4, 2019. Beula made a motion to adjourn the meeting at 6:31 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
November 4, 2019**

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates, Karen Chitambar.

Others: Paul Snider, Amy Snider, Joe Noble, Ed Barber, Elijah Capron, Irene Dagesse, Rod Lyon.

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

Warrants #22A in the amount of \$20,327.47 and #22B in the amount of \$204,027.03 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of October 21, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Snowmobile Trails – Roger Gosselin – Has not heard back from Palin yet.

Linda Deming – Rural Edge Entrance & Exit – Linda could not make it and asked it to be rescheduled for Nov. 18th. This will be on the agenda for Nov. 18th.

Paul & Amy Snider – Lions Club – Junior High Green – The Lions Club is doing their Christmas Event for families again this year. It will be similar to last year, but will be doing more. Will be doing a raffle, ugly sweater contest, ginger bread house contest, etc... all family orientated. Good feedback from last year. They would like permission to do a tree lighting again this year on the Town's Green in front of the Junior High. Steve moved to approve the use of the Green in front of the Junior High, seconded by Brian. Unanimous.

Recycling - Appliances – Joe Noble explained the issue with recycling appliances with Freon. In order to recycle these, the Freon needs to be drained. NEKWMD will drain the Freon at no charge but we need to collect 50 before NEKWMD will come to drain them. The problem is having a place to store them. We collect 10 to 20 of these appliances a month. Town will get a 40 ft container to store these appliances in. Road crew will have to work with NEKWMD when they come to remove the Freon. Town will charge \$5 for air conditioners and \$10 for the larger appliances. Stop fee for picking up recycling is going up from \$35 to \$45. The per capita fee will remain the same this year.

Appoint Town Health Officer – Marsha Descheneau and Elijah Capron are interested in the position. Marsha is out of Town and could not make tonight's meeting. The Board interviewed Elijah. He was a building inspector, is self employed, knows about mold remediation and lead paint. He has reviewed information about the job and knows what is involved. The Board will interview Marsha and make a decision at the next meeting on Nov 18th.

TA & ZA Update – DRB/PC – The DRB has next week off for Veterans Day. The PC has scheduled a public hearing for the proposed Town Plan on Tuesday, November 12th. Permits - 87 permits have been submitted year to date (see attached). Eagle Point - The bridge is complete. Staff Sterling has some paperwork to complete so we can submit for reimbursement from the Feds. Johns River - Nothing new to report. Hayward Road Bridge – Work is continuing on the bridge. Catamount Environmental will get us the specs on the paint they are using. Salt Shed - Nothing new to report. Health Officer – Discussed earlier in meeting. Storm Damage – There was considerable damage from the storm. Bob entered the damage into a spread sheet which is attached. Steve and Rod should review it for accuracy.

OLD/OTHER BUSINESS:

Legislative Update – Dec 4th there is a budget meeting. Opioid crisis – VLCT will join suit against manufactures unless we opt out.

Wednesdays on the Water Front – Town received a letter, last year the Town donated \$500. This will be on the next agenda.

ROAD REPORT:

The worst of the storm damage has been fixed so that all roads are now passable, with the exception of Dumas Rd. We are working with the State on a fix for Dumas Rd. 24 roads were affected by the storm. Contractors were used to help repair the roads. Jason Patenaude Excavating, Teterault's Maple, and Kelley View Farm all were a great help. Grant offered use of his equipment if it is needed in emergencies. Grader berm was discussed and that is still a problem with water not getting off the road which is causing erosion along the side of the road. The Board thanked the Road Crew for the great job they are doing.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, November 18, 2019. Beula made a motion to adjourn the meeting at 6:47 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
November 18, 2019

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates.

Others: Susan Best, Becky Masure, Faye Morin, Nancy Gosselin, Maryann Tetreault, Paul Prue, Tom Roberts, Marsha Descheneau, Joe Profera, Bob Kelley.

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

Warrants #23A in the amount of \$24,372.20 and #23B in the amount of \$154,827.07 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of November 4, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Sue Best – Listers Parcel ID#s – Sue explained that the Listers voted in favor of changing the ID#s and their reasoning why. Total cost will be about \$4,100 due to changes to the Tax Maps and various NEMRC programs. The Clerk's office was not in favor of the changes because so many of their documents are referenced to the Parcel ID. Ken Salzmann, Licensed Septic Designer sent an email outlining potential problems with changing Parcel ID#s. Brian moved to keep the existing Parcel ID#s, seconded by Steve. Unanimous.

Linda Deming – Rural Edge Entrance & Exit – Becky Masure was present representing Rural Edge, Linda Deming was not present. Linda's concern was the safety of exiting from the easterly drive and would like Rural Edge to make it an entrance only and require everyone to exit from the westerly drive. She has not talked directly to Rural Edge. The roads in the mobile home park are private so the Board doesn't have a say. Rural Edge doesn't have a problem making the easterly drive enter only and will try to talk with Ms. Deming about it.

Appoint Health Officer & Recommendation Form – The Board interviewed Marsha Descheneau. She is the Health Officer for Morgan, lives in Derby, knows what the job entails, is willing to go to trainings, and has all the paperwork and books. Elijah Capron was interviewed at the last meeting. The Board will go into executive session later tonight to discuss the candidates.

Wednesday on the Waterfront – The Town donated \$500 to the events last year. The concerts have been very well attended by Derby residents. Brian moved to donate \$500 to Wednesday on the Waterfront again this year, seconded by Steve. Unanimous.

Sweeper/Vacuum Truck – This is federal surplus property that the Town only needs to pay the shipping. The estimated shipping cost is \$20,000 to get the truck because it is coming from Japan. The Board decided to pass on this offer and wait for another one to become available at a lower shipping cost. In the mean time the Town will see if we can contract with Newport City if we need a vacuum truck.

Set Public Hearing Date for Town Plan – The Board decided to have their first Public Hearing for public comment on the Proposed 2020 Town Plan on Monday, December 16, 2019 at 6:00 p.m.

Recycle Appliances – Discussion about getting a trailer to store appliances. One trailer will hold about 40 appliances and we need to collect 50 before they will come get them. Maybe we can use a portion of the salt shed roof to create additional storage or simply store the excess appliances beside the container. It was questioned if Wright Brothers Scrap Metal takes

appliances with Freon. The Town will check with Wright Brothers to see what they do accept and then decide about a container.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, & General Journal Report – All were reviewed and signed.

TA & ZA Update – DRB/PC – The DRB has one permit pending for next week. The PC has finished the Proposed 2020 Town Plan and submitted it to the Selectboard. They are now working on review of the zoning bylaw. Permits - 88 permits have been submitted year to date. Eagle Point – Still waiting on Staff Sterling to complete paperwork needed for reimbursement from the Feds. Johns River - Nothing new to report. Hayward Road Bridge – Work has continued on the bridge. It is unsure if they have shut down because of the weather. The paint can be applied with temperatures as low as 20 degrees. Salt Shed – Nothing new to report. Storm Damage – We are keeping track of cost of repairs in case there is a FEMA declared disaster. Newport Ambulance Service – They have sent us their draft budget. Derby's cost is up 3% from last year.

OLD/OTHER BUSINESS:

Legislative Update – None.

ROAD REPORT:

Jason Patenaude will be mobilizing to start the repairs on the Dumas Rd culvert tomorrow. The Town had solicited 3 bids for the Dumas Rd project from Jason Patenaude Excavating, Tetreault's Maple Farm, and Ducharme Excavation. There are still a lot of smaller issues from the storm that have not been completed due to the weather. The oil separator tank for the drains in the Town Garage is scheduled to be pumped out. The Jacobs driveway on Hinman Settler Rd needed a load of gravel from the washout after the storm that the Town will be paying for. Paul Prue didn't think the Town should be paying for it as he felt the water washing down their driveway caused the problem. The Town thought it was roadside drainage that caused the problem.

EXECUTIVE SESSION:

Brian moved to go into executive session for a personnel issue and to discuss applicants for Health Officer at 7:02, seconded by Beula. Unanimous.

Out of executive session at 7:25. Brian moved to recommend Elijah Capron as Health Officer subject to a background check and Marsha Descheneau if he doesn't pass the background check, seconded by Beula. Unanimous.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, December 2, 2019. Beula made a motion to adjourn the meeting at 7:26 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

Minutes

December 2, 2019

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates, Karen Chitambar.

Others: Susan Best, Becky Jacobs, Dennis Jacobs, Ed Barber, Joe Profera, Bob Kelley.

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

Warrants #24A in the amount of \$17,742.84 and #24B in the amount of \$96,409.77 were signed.

APPROVE MINUTES:

Beula moved to approve the minutes of November 18, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS:

Lister Sue Best apologized for walking out of their last meeting and explained why she had done so.

Becky & Dennis Jacobs explained what they thought happened to the bottom of their driveway during the Halloween storm. They showed the Board before and after pictures and would like to be reimbursed for the load of gravel Mario Paul Excavating delivered for repairs within the road right of way. Brian move to reimburse \$180 to the Jacobs' for the gravel, with Steve seconding. Unanimous with Beula & Karen abstaining.

NEW BUSINESS:

Light Up the Night Parade – Green Use – Bob explained that they would like to have a fire on the Green in front of NCUJHS along with hot chocolate and cookies after the parade. Karen moved to allow the use of the Green for parade related activities, with Beula seconding. Unanimous.

Resolution Supporting Municipal Authority in a Commercial Cannabis System – The resolution outlines the conditions under which the Town would support legislation allowing for the commercial sales of cannabis including the Town's right to "opt-in" to hosting cannabis establishments, the right to assess licensing & permitting fees, and right to share in the taxes generated (see attached resolution). Steve moved to approve the resolution, with Beula seconding. Unanimous.

Health Officer Pay – Elijah Capron passed the background check and Faye needs to know what his pay rate will be. The last Health Officer was paid \$12.29/hr. Beula move to approve a Health Officer pay rate of \$12.29/hr., with Karen seconding. Unanimous.

Recycling Appliances – Bob reported that Wright Brothers Metal Recycling in Newport on the Crawford Rd accepts appliances with Freon for \$20/unit. The Board was considering accepting the appliances with a \$10 fee, but storing the units was an issue. It was felt that the best option was to let Wright Brothers deal with appliances with Freon. Steve moved to NOT accept appliances with Freon at the Town Recycling Center and to refer people to Wright Brothers Metal Recycling with appropriate signage, with Beula seconding. Unanimous.

TA & ZA Update – DRB/PC – The DRB doesn't have any permits pending for next week. The PC is continuing review of the zoning bylaw. Permits - 89 permits have been submitted year to date. Eagle Point – We are still waiting on Staff Sterling to confirm that all the required material certifications are in place and to complete the VTrans Invoice Submittal Form before we can request reimbursement. Johns River - Ruggles is going to start working on this project now that the construction season is over. Hayward Road Bridge – Catamount has shut down the operation for the winter. They finished ½ of the bridge and have invoiced for 40% of the contract. Salt Shed – Nothing new to report. Storm Damage – We continue to track of cost of repairs in case there is a FEMA declared disaster. Orleans County Budget Meeting - A meeting is scheduled for 8:00 am, December 10, 2019 at 247 Main St, Newport to answer questions about next year's

budget. The total proposed budget is \$515,776 which is a \$3,900 increase from this year's budget (less than 1% increase). They appear to be doing a good job of controlling their budget. Town Plan - A reminder that you have a Public Hearing for public input on the Proposed 2020 Town Plan at you next meeting. Sheriff Kirk Martin Retirement - There is a retirement party for Kirk from noon – 3:00 12/20/19 at the Sheriff's Office for anyone that is interested. Kirk has 37 years of Service with the State.

OLD/OTHER BUSINESS:

Legislative Update – There is a budget meeting on Wednesday and there is expected to be talk about a carbon tax.

Veterans Monument Flag Holders – The Board thanked South Bay Auto for donating \$546.66 to pay for the holders.

ROAD REPORT:

There was a minor slide on West Street west of the slide earlier this year. The road crew has patched it. The Dumas Rd culvert washout has been repaired. The culvert ended up having to be replaced and it was upgraded from a 48 inch to a 60 inch. The Town is consulting with the State to determine if the 60 inch culvert will be adequate, but at least for now the road is back open. A big oak tree on Pine Hill Rd near the golf course needs to be trimmed.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, December 16, 2019. There will be a budget meeting on Saturday, January 4, 2020 at 8:00 a.m. for the Selectboard and department heads. Beula made a motion to adjourn the meeting at 6:47 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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

**Minutes
December 16, 2019**

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

Others: Janice Lamoureux, Paul Prue, Faye Morin, Bob DeRoehn, Cynthia Adams, Todd Wright, Dan Dagesse, Joe Cicia, Joe Profera, Bob Kelley.

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

Warrants #26A in the amount of \$21,625.80 and #26B in the amount of \$93,441.82 were signed.

PUBLIC HEARING FOR PROPOSED TOWN PLAN

Brian moved to recess the meeting to go into a Public Hearing for public comments on the Proposed Town Plan, seconded by Karen. Unanimous.

Written comments were submitted by NVDA, the Derby Planning Commission and Karen Chitambar. Bob Kelley explained the changes the Planning Commission is proposing after reviewing NVDA's comments. They include: Economy – deleting median earnings figures & changing State to County, Economic Development – minor addition to the REAP section for better clarification, Housing – adding that accessory apartments are permitted for all single-family residences, Education – correcting Schools School District to Supervisory Union, Local Government – added a list of all municipal owned buildings, Emergency Services – minor corrections to the Disaster Preparedness section, and Maps – adding a wildlife habitat blocks map and a comprehensive source protection map. Bob Kelley further explained that Karen has suggested that at the end of the first paragraph of the Education section we add that there are alternative programs such as the North Country Schools Alternative Program, Turning Points, and Northeast Kingdom Learning Services. Karen also found multiple grammatical errors that should be corrected. The Board thought that all municipally owned properties should be listed, not just properties with buildings. Janice Lamoureux asked for clarification of the protection of rare and irreplaceable area section on page 8. Todd Wright asked about special lands in the policy. After all comments were heard and questions answered, Brian moved to close the Public Hearing, seconded by Steve. Unanimous.

APPROVE MINUTES:

Steve moved to approve the minutes of December 2, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS:

Todd Wright asked about weddings on his property on Upper Quarry Rd. The Board will put it on the agenda for next meeting under Executive Session as it is an ongoing zoning violation issue.

NEW BUSINESS:

Dairninaka Drive Survey– Horizons Engineering has surveyed the road and the road is not in the center of the right of way. The majority of the road is okay, but there are 6 sections that the actual road is close to the edge of the right of way. In the future this may cause issues with road maintenance. The board would like to have the map redrawn to have the centerline of the right of way in the center of the existing road.

Ambulance – Service Agreement – There is a 3% increase for next year. Steve moved to have the Chair sign the agreement on behalf of the Board, with Brian seconding. Unanimous.

Umbrella Letter - Susan Gresser – Umbrella is requesting that the Board waive the requirement that they get signatures for their requested appropriation. The Board will look into their policy on appropriations at a later date. Steve moved to deny the request, seconded by Karen. Unanimous.

Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, & General Journal Posting – All were reviewed and signed.

TA & ZA Update – DRB/PC – The DRB has one permit pending for next week. The PC is continuing working on review of the zoning bylaw. Permits - 90 permits have been submitted year to date. Eagle Point - The end of last week we got the info we needed from Staff Sterling to send in our request for reimbursement. It will get processed this week. Johns River - Ruggles is going to start working on this project now that the construction season is over. Salt Shed - Nothing new to report. Storm Damage - Nothing has changed. We continue to track repair costs in case there is a FEMA declared disaster. Better Roads Grants - I worked with Rod and we have applied for 2 Better Roads Category B grants. Bushey Hill for \$10,412.00 to replace 2 undersized culvert, install check dams on the hill by Rte 105, fix 2 perched culvert, and stone line a steep section near Tullers and Salemview Heights for \$3,315.20 to stone line, berm removal, and replace a culvert at the intersection with Terrace. Recycling - Recycling will be open Tuesday December 24th and 31st from 3-6 instead of on the Wednesdays.

Town Plan – The Board agreed with the changes discussed during the Public Hearing. Karen moved to accept the written recommended changes by the Planning Commission and Karen Chitambar, and to add a list of all municipally owned property to the Local Government section, seconded by Steve. Unanimous.

The Board's 2nd Public Hearing will be at 6:00 p.m. on Monday, January 13, 2020.

OLD/OTHER BUSINESS:

Legislative Update – They will be getting back in session on January 7th.

ROAD REPORT:

It was a slippery weekend and the road crew did a good job.

EXECUTIVE SESSION: None.

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, December 30, 2019. Brian made a motion to adjourn the meeting at 7:08 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
December 30, 2019

Present: Brian Smith, Steve Gendreau, Beula Shattuck, Grant Spates.

Others: Todd Wright, Ed Barber, Faye Morin, Joe Profera, Bob Kelley.

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

Warrants #26A in the amount of \$17,123.79 and #26B in the amount of \$694,890.78 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of December 16, 2019, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Venue – Planning Commission – The Planning Commission has drafted a bylaw amendment that will allow Function Halls in the Special Lands zoning district. They have to wait until the new Town Plan is adopted at Town Meeting before beginning the amendment process. If and when the amendment is adopted Todd Wright will be able to apply for a permit for the Function Hall he has on his property on Upper Quarry Rd, which will bring him into compliance with zoning.

Review and Sign Auditor Engagement Letter – This is from Telling & Hilman P.C., the new auditing firm, in the amount of \$7,900. Brian moved to sign the Auditors Engagement Letter, with Steve seconding. Unanimous.

Planning Commission Vacancy – Jane Clark has submitted a letter of resignation effective immediately. The board thanked her for her service and will advertise for the opening. Brian moved to accept the resignation with regret, seconded by Beula. Unanimous.

TA & ZA Update – DRB/PC – The DRB has one permit pending for next week. The PC is continuing working on review of the zoning bylaw. Permits - 91 permits have been submitted year to date. Town Plan – The Selectboard's 2nd Public Hearing has been scheduled for January 13th. Eagle Point – The request for reimbursement has been submitted and will not be received until 2020 which makes our highway budget \$300k off for 2019. Johns River – The Wetlands permit is being submitted. The fee is \$1,952.25 and is in with this Week's warrants so the check should get mailed out tomorrow. Salt Shed - Nothing new to report. Storm Damage - Nothing has changed. We continue to track repair costs in case there is a FEMA declared disaster. Recycling – Just a reminder that recycling will be open Tuesday December 31st from 3-6 instead of on the Wednesday.

OLD/OTHER BUSINESS:

Legislative Update – None. They will be getting back in session on January 7th.

ROAD REPORT:

Steve thinks we should pave the end of Pine Hill Rd next year. Coventry is paving their end and this will eliminate the grader having to be dispatched to this section of Town. This will be discussed further during budget discussions.

EXECUTIVE SESSION:

Beula moved to go into executive session at 6:16 p.m. with Todd Wright to discuss a zoning violation issue, seconded by Steve. Unanimous.

Out of executive session at 6:50. A zoning bylaw amendment is in the works to allow Function Halls as a condition use in the Special Lands zoning district which will allow Mr. Wight to apply for a permit to bring his land into compliance. Steve moved to accept from Todd Wright a \$5,000 fine for events on his property held in 2018 paid to the Town, a \$2,000 fine per event for the 8 events in 2019 paid to the Halo Foundation, and a \$2,000 fine per event for 2020, until the property is brought into compliance, to be paid to the Halo Foundation, seconded by Brian. Unanimous

ADJOURNMENT: The next regular meeting is scheduled for 6:00 p.m. Monday, January 13, 2020. There is a budget meeting at 8:00 a.m. Saturday, January 4, 2020. Brian made a motion to adjourn the meeting at 6:52 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*