

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**February 6, 2023**

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

**Others:** Dan Dagesse, Joe Cicia, Chris Shaffer, Paul Chambers, Bruce Penfield, Tanya Bailey, Mark Linton, Paul Tomasi, Matthew Wilson, Patrick Hurley, Peter Emerson, Frank Davis, Paul Prue, Joe Profera, Bob Kelley.

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

Warrants #3A in the amount of \$20,234.45 and #3B in the amount of \$119,659.09 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of January 23, 2023, with Steve seconding. Unanimous.

**PUBLIC COMMENTS:**

Paul Prue mentioned that plowing snow across the road is illegal and people should not be doing it. Also Hinman Settler Rd has become very busy. Frank Davis reminded the Board that Border Patrol will be going to the Derby Line Village Trustee's meeting on Tuesday, February 21<sup>st</sup> at 6:00 PM.

**NEW BUSINESS:**

**Peter Hurley – Route 5 Land** – Mr. Hurley explained that the appraisal of the land came in at \$5,000/acre. The State will survey the land to determine the actual acreage. The State is also interested in buying the abutting property owned by Rick Joyal which appraised at the same value. Mr. Hurley is asking the Board for a letter of support for them purchasing both properties. The Board agreed to write the letters of support. The only concerns were the dry hydrant on the property and access thru the property.

**Planning Commission - Appointment** – Bruce Penfield was present to explain his interest in serving on the Planning Commission. Karen moved to appoint Bruce Penfield to fill the remaining term of Cynthia Adams on the Planning Commission which expires in 2024, seconded by Brian. Unanimous.

**Recycling Attendants** – Angela Walton and Jimmy Almazan have been working at the Recycling Center for the last week or so and seem to be working out fine. The Board needs to officially appoint them and set their hourly rate. Currently Kameron Coe is making \$13.18/hr. (minimum wage) and Pat Silvestri is making \$13.50/hr. Bob recommends that Pat be increased to \$13.75/hr. and Kameron, Angela and Jimmy be paid \$13.50/hr. Karen moved to hire Angela Walton and Jimmy Almazan at \$13.50/hr. and to increase Kameron's pay to \$13.50/hr. and Pat's to \$13.75/hr., seconded by Steve. Unanimous.

**Town Garage - Roof & Insulation Grants** – The USDA community facilities Grant will not be good as the grant would cover only a maximum of 15%. The Municipal Energy Resilience Program looks to be a good fit, The State does not have all the details about the program yet. For salt sheds the Transportation Alternative program looks good. Applications are not due until the end of the year. Another is the Municipal Highway and Stormwater Mitigation Program. Applications are due in October. The grant we have for the salt shed roof cannot be used for a new salt shed without the approval of the State and would only cover a portion of a new shed. Bob will petition the Commissioner for approval to use the grant for a new salt shed.

**Review & Sign - Budget** – The Board reviewed and signed the proposed 2023 Budget.

**Liquor License – Wesco/Champlain Farms Exxon** – At 6:34 Karen move to go into a Liquor Control Board meeting, seconded by Steve. Unanimous. At 6:35 Steve move to come out of the

Liquor Control Board meeting, seconded by Brian. Unanimous. Steve moved to approve the Liquor License for Wesco/Champlain Farms Exxon, seconded by Brian. Unanimous.

**CAI – Review & Sign Contract for Mapping** – The Board reviewed and signed the contract.

**Review & Sign - Excess Weight Permits – Structures R.B.R. Inc, Bourne’s Inc & Bourne’s Propane** – Steve reviewed and signed all as Road Commissioner.

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

**TA & ZA Update – DRB/PC:** The DRB has 1 permit pending for next week. The PC is working on Article 8: Limitations and Variances. They have a public hearing scheduled for next week on amendment to Flood Hazard, Planned Unit Developments and Mobile Home Parks. **Permits:** There have been 14 permits submitted year to date. **Storm Damage – FEMA:** No change. Everything is approved and waiting on the final payments from the Feds for Dumas (\$68,800.26) and Administration (\$7,429.06), then it will just be the State share remaining to be reimbursed (\$9,980.50). **Dairninaka Dr:** The Deed has been signed by all the property owners. A property transfer needs to be drafted and Sara Davies is working on it. Dan Dagesse has agreed to pay the bill from Davies and then he will get reimbursed from the rest of the property owners. Bob could not find that the Board held a Public Hearing to take over the road and will check further into it and warn a hearing if one is required. Steve believes that the State will have to inspect the road. Otherwise everything is good to go.

#### **OLD BUSINESS:**

**Legislative Update** – Brian would like to get information out about House Bill H126 which proposes to have 30% of Vermont land conserved by 2030 and 50% by 2050. Right now the NEK is 43% conserved which is way ahead of the curve. Chittenden County is only 8%. He thinks this bill goes to far and would like anyone who is interested to contact him. Brian also had concerns with House Bill H146 which would allow NEKWMD to change the way their budget is voted on from Australian Ballot to the Board of Supervisors. Paul Tomasi explained that all the other waste management districts in the State vote on their budgets by their Board of Supervisors and explained why he is in favor of this change. The Selectboard wanted our district representatives to vote against it, but they voted for it. The Board of Supervisor’s vote ended up being 32-3 in favor and they needed 30 votes for it to pass. Another issue is that Casella may be able to offer a more cost-effective means for recycling than NEKWMD. Paul agreed to come to the next Board meeting and our district representatives will be asked to attend. The 2 issues are how the budget is voted on and whether the Town stays in the district.

#### **ROAD REPORT:**

One truck was down last week because of a problem with the computer board. They were only able to locate one computer board in the country. It was in Texas and it arrived today. The Board needs to certify the highway mileage. Steve move to approve the highway mileage with 0.75 miles added to the Class 3 road for the addition of Dairninaka Dr, seconded by Brian. Unanimous.

#### **RECREATION COMMITTEE:**

The July 4<sup>th</sup> parade is usually held on July 4<sup>th</sup>. This year it falls on a Tuesday. Karen moved to have the July 4<sup>th</sup> parade on the 4<sup>th</sup>, seconded by Brian. Unanimous.

The Town needs to get started on designs for the new park for the tennis courts, walking path and landscaping. It was suggested that instead of adding a bathroom in the park that we could use the bathroom here in the basement of the municipal building with minor alterations.

**OTHER BUSINESS: None.**

**EXECUTIVE SESSION:**

Steve moved to go into executive session for a personnel matter at 7:07, seconded by Brian. Unanimous. Out of executive session at 7:15, no action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, February 20, 2023. Steve made a motion to adjourn the meeting at 7:15 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*