

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**April 17, 2023**

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

**Others:** Chris Wright, Kim Edwards, Ed Barber, Matthew Wilson, Joe Profera, Bob Kelley.

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

Warrants #8A in the amount of \$22,000.03 and #8B in the amount of \$73,190.86 were signed.

**APPROVE MINUTES:**

Brad moved to approve the minutes of April 3, 2023, with Karen seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**E911 – Nancy Moore – Driver Hill Road** – Nancy was not present so the Board tabled this until their next meeting.

**Recycling – Styrofoam Collection** – This was tabled until the Boards next meeting to get more information.

**NEK Broadband – Equipment Shed** – NEK Broadband would like to place an equipment shed on the Town’s property at the end of Boucher Circle. Bob Kelley suggested that just inside the gate at the Town Garage would be a better location. Road Foreman Steve Davenport agreed that this would be a better location. The Board agreed and would like to ask NEK Broadband to their next meeting to discuss this.

**New Park – Environmental Review** – An Archaeologically Resources Assessment is required. UVM has submitted a proposal for \$3,003.00 to do the assessment. Charles Knight, Crown Consulting, believes that the site is Archaeologically sensitive and that an Archaeologically Resources Assessment is a waste of money, he believes that we should go directly to a Phase I test pitting survey. The cost for this would be \$7,000 - \$7,500. The Board would like Bob to check other options. They didn’t like the idea of someone concluding the site as Archaeologically sensitive without visiting the site. Wheeler Environmental Services will be here tomorrow to do the Environmental Assessment.

**Review & Sign – Orleans County Sheriff’s Agreement** – The contract is for 40 hours per week at a cost of \$120,640. This is the amount that has been budgeted. Brian moved to sign the agreement, seconded by Karen. Unanimous.

**Review – Sand, Gravel & Equipment Bids** – Equipment bids were received from Jason Patenaude Excavating and Ducharme Excavating. Sand & Gravel bids were received from RG Gosselin/Pine Hill Sand & Gravel. Bob will put them into a spreadsheet for the Board.

**Review and Sign – Retail Cannabis License – Kingdom Boyz** – At 6:29 Karen moved to go into a Cannabis Control Committee meeting, seconded by Brian. Unanimous. The local zoning permit has been granted and the State has approved the license. At 6:32 Brian moved to come out of the Cannabis Control Committee meeting, seconded by Steve. Unanimous. Brian.

**Review & Sign - Excess Weight Permits – Fred’s Energy, Kelley View Farm**– Steve reviewed and signed all as Road Commissioner.

**Review & Sign – Liquor Licenses – Derby Village Store, Derby Cow Palace, DG Retail LLC, Charbo-Cindy Willis, NE Pizza Enterprises and G&T Bliss Corp**– At 6:34 Karen moved to go into a Liquor Control Board meeting, seconded by Brian. Unanimous. At 6:36 Brian moved to come out of the Liquor Control Board meeting, seconded by Steve. Unanimous. Brian moved to approve all the license requests, seconded by Steve. 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 will continue review of Article 9: Administration & Enforcement and they have a Public Hearing scheduled for Article 6: Flood Hazard and River Corridor & Article 8: Limitations and Variances regulations. **Permits:** There have been 32 permits submitted year to date. **10 Acre Town:** It is official, we are now a 10-Acre Town for Act 250. Any properties currently under Act 250 will remain under their jurisdiction even if they are less than 10 acres. **Better Road Grant:** The Town has been awarded \$20,000 for a project along Salem-Derby Road to bring various hydraulically connected road sections in compliance.

**OLD BUSINESS:**

**Legislative Update** –S.5 The Affordable Heat Act will probably pass, get vetoed and the veto overridden. S.100 is being discussed and is a quagmire, it proposes to increase the supply of affordable housing, promote homeownership, and broaden housing opportunities.

**ROAD REPORT:**

Frost heaves have been bad this year, but the frost is coming out. Steve mentioned that the Road Crew may be able to put in the paths for the new park.

**RECREATION COMMITTEE:**

The Committee has a meeting scheduled for this Saturday April 22<sup>nd</sup> at 9:00 AM.

**OTHER BUSINESS:**

Grant congratulated Karen for the good showing with the North Country Career Center with the First Lady and Governor.

**EXECUTIVE SESSION: None.**

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, May 1, 2023. Brian made a motion to adjourn the meeting at 7:00 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*