

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
May 1, 2023

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

Others: Nancy Moore, Jason Baraw, Raymond Lefevre, Del Green, Irene Dagesse, Fran Batchelder, Mark Linton, Bob Hornish, Ed Barber, Matthew Wilson, Joe Profera, Bob Kelley.

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

Warrants #9A in the amount of \$25,196.87 and #9B in the amount of \$45,895.83 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of April 17, 2023, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Bob Hornish – Inclusive (Remote) – Mr. Hornish explained the Declaration of Inclusion to the Board. It is a grassroots effort to help community leaders and interested citizens reinforce the message that Vermont is a welcoming and safe place for all. The initiative began 3 years ago and 100 Vermont Towns have adopted it. The declaration states “The Town condemns racism and welcomes all persons regardless of race, color, religion, national origin, sex, sexual orientation, gender identity or expression age or disability and wants everyone to feel safe and welcome in our community. As a town, we formally condemn discrimination in all its forms, commit to fair and equal treatment of everyone in our community, and will strive to ensure all our actions, policies and operating procedures reflect this commitment. The Town is and will continue to be a place where individuals can live freely and express their opinions.” Karen moved to sign the Declaration of Inclusion, seconded by Steve. Ayes – Grant, Karen. Nays – Brian, Steve. The motion failed. The Board decided to put this on their next agenda when they have a full Board.

VT Moto Cross – Rider Hill – Jason Baraw – Their schedule is similar to previous years. They have insurance and a State permit. Brian moved to approve the Rider Hill Race permit, seconded by Karen. Unanimous.

E911 – Nancy Moore – Driver Hill Road – Nancy explained that all 3 properties on the road are owned by Drivers and they have all signed off on the name. Steve moved to name the private road Driver Hill Road, seconded by Brian. Unanimous.

NEK Broadband – Representative Appointment – Karen is the current representative and Bob and Grant are alternates. Grant moved to appoint Karen as the NEK Broadband Representative with Bob and Grant as Alternates, seconded by Steve. Unanimous.

Road Crew – Applications – The applications will be reviewed in Executive Session.

New Park – Archaeological Resource Assessment - Crown Consulting Archaeology has submitted a proposal to do a Phase I Assessment at a cost of approximately \$5,800 depending on what they find. UVM submitted a proposal for up to \$3,003 just for the Resource Assessment. Charles Knight of Crown Consulting was in Derby on April 24th and confirmed his desk review that the site is Archaeologically Sensitive. Bob recommended that we hire Crown Consulting Archaeology to do a Phase I Assessment. Karen moved to hire Crown Consulting Archaeology to do a Phase I Site Assessment for the new park, seconded by Steve. Unanimous. Wheeler Environmental Services has finished their Phase I Environmental Site Assessment and the site is clean. Their estimate was \$2,100 - \$2,500 and it came in at \$2,350. The full report is 200 pages long if anyone cares to read it.

Recycling – Styrofoam Collection – Irene and Fran explained that #6 Styrofoam is now recyclable and the Town has the space in the Recycling Center to collect it. It is handled similar to plastic as it is put in large plastic bags and picked up with the rest of the recycling. NEKWMD will come to our Recycling Center to train the recycling attendants how to handle it.

Sign – Title for 1996 L-8000 Fire Truck Sold – The Board reviewed and signed the Title.

Review & Sign – Liquor Licenses – Goobs Brew & Barbeque, Newport Elks Lodge #2155, Thompson’s Redemption & Convenance Inc, and Look & Eat Inc– At 6:52 Steve moved to go into a Liquor Control Board meeting, seconded by Karen. Unanimous. At 6:54 Steve moved to come out of the Liquor Control Board meeting, seconded by Karen. Unanimous. Steve moved to approve all the license requests, seconded by Karen. Unanimous.

TA & ZA Update – DRB/PC: The DRB doesn’t have any permits pending for next week. The PC will continue review of Article 9: Administration & Enforcement. **Permits:** There have been 44 permits submitted year to date. **Pickleball Backstop:** Al Loukes on behalf of the Pickleball Group has asked if the Town would put up a backstop on the tennis court fence so people can practice by themselves. Since the courts are going to be torn down soon, Bob would not recommend that the Town pay for it. If they are willing to put it up at their own expense, Bob doesn’t see a problem with it on the existing fence. However since the new courts will be in more people’s backyard, Bob recommends that the backstop not be transferred to the new courts until we see if noise is going to be an issue. Bob recommends that the Board allow the backstop to be put up provided it is at no cost to the Town and that they are aware that there is no guarantee that they will be allowed to move it over to the new courts when they are built. The Board agreed.

NEK Broadband Equipment Shed: They could not be at tonight’s meeting and will be on your next agenda. **Townline Sign:** Charleston is willing to put up a Derby|Charleston Townline sign on Fontaine Rd and is asking that the Town pay for half of it. The Board agreed to pay their share.

OLD BUSINESS:

Legislative Update – Two weeks to go in the session. S.100 was voted out of committee and is expected to pass the full house. H.48 is in Brian’s Committee now and it calls for a study to replace Casella’s Landfill now rather than waiting until it is full.

ROAD REPORT:

The Road Crew fixed the depressions at the Green and removed a dead tree. Paving this year will be Day St, a portion of Hinman Settler, and a shim on 4-H Road.

RECREATION COMMITTEE:

The Committee met on Apr 22nd. Ruth Duckless did a great job with the Community Garden and did a lot of work on a bare bones budget. The Apple Fest had over 100 kids last year and she is trying to schedule it for September 24th. Julie Gunn met with sales people for playground equipment for the Green. Karen would like a list of grants available for this project. Grant is working on a project in St Jay where they are doing a playground. The existing equipment is in good shape and they may be replacing it. Grant told them he has a place for it if they are replacing it, he will look into this more. The theme for the 4th of July Parade is “Stars & Stripes”. Karen needs help with getting a Grand Marshal, one suggestion was Rob Boskind, he was on the School Board forever. The disc golf at Derby Elementary is open and the one at Town Forest will be open Memorial Day to Labor Day. It was asked if a small portion of Town Forest Road could be plowed for parking for cross country skiing in the winter, this will be looked into. The last person on the road works for the Town.

OTHER BUSINESS:

Kids Pond – The Town gave them a couple loads of grinding for their parking lot on Friday because it was not in their budget. It worked out very nicely for them. Steve would like to know

if the Fish & Game Club is happy with the stone wall at the outlet. The Ribbon Cutting for the new Dam is at 11:00 on June 3rd. The Governor & his secretary, Chris Herrick Commissioner of Fish & Wildlife, and both the current & past Commissioners of Forest and Parks will be invited.

Del Green – Subdivision – Del got all the State permits for a subdivision but didn't get the local permit. Now the zoning for his property has increased the minimum lot size to 5 acres and his subdivision has lots smaller than that. Del is upset that he was never notified of the change. Del will work with the Zoning Administrator to see if there is anything that can be done to rectify this.

EXECUTIVE SESSION:

At 7:23 Karen moved to go into executive session for a personnel issue, seconded by Brian. Unanimous. Out of executive session at 7:38. Karen moved to hire candidate A as Road Foreman pending completion of all paperwork, seconded by Steve. Unanimous.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, May 15, 2023. Brian made a motion to adjourn the meeting at 7:39 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*