

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**June 12, 2023**

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

**Others:** Peter Auclair, Jason Nye, Bob DeRoehn, Paul Chambers, Paul Prue, Matt Wilson, Ed Barber, Joe Profera, Bob Kelley.

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

Warrants #12A in the amount of \$23,255.72 and #12B in the amount of \$160,795.96 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of May 15, 2023, with Steve seconding. Unanimous.

**BYLAW AMENDMENT HEARING:**

Steve moved to recess the meeting to go into a public hearing for public input on proposed Zoning Bylaw Amendments to Articles 4, 6, 7, and 11, seconded by Brian. Unanimous.

Bob Kelley gave a brief explanation of the amendments. There were no comments from the public. Brad moved to close the public hearing, seconded by Karen. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Consider Bylaw Amendments** – Karen moved to approve the proposed Bylaw Amendments as warned, seconded by Brad. Unanimous.

**Town Website – Inclusion Statement** – The draft statement reads – “The Town of Derby 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. The Town of Derby condemns discrimination in all its forms, commits 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 of Derby is and will continue to be a place where individuals can live freely and express their opinions.” Karen moved to approve the Inclusion Statement, seconded by Grant. Discussion – Brian and Steve thought that only the last sentence is needed “The Town will continue to be a place where individuals can live freely and express their opinions.” Brad thought that the first sentence only would be ok and suggested adding “and discrimination” after condemns racism. Grant moved to amend the motion to read “The Town of Derby condemns racism and discrimination 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. Derby is a Town for everyone.”, seconded by Karen. Ayes – Grant, Karen, Brad. Nays – Brian, Steve. The amendment passes. Vote on the original motion as amended: Ayes – Grant, Karen, Brad. Nays – Brian, Steve. The motion as amended passes.

**NEK Broadband Equipment Shed** – Bob and Jason met with NEK Broadband at the Town Garage site to show them where the Town would be willing to locate the equipment shed. Their engineer will draft a plan for this site and present it to the Board.

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

**Review & Sign 4<sup>th</sup> of July ADA Traffic Control LTD – Service Agreement** – The Board reviewed and signed the agreement.

**Review & Sign – Mileage Rate** – The IRS has increased the mileage rate to \$0.655. Karen moved to approve the increase, seconded by Brad. Unanimous.

**Personnel** – Jason Nye has accepted the Road Foreman position. The Town is still looking to fill the vacant Road Crew position and will discuss this in executive session.

**TA/ZA Report - DRB/PC:** The DRB one permit pending for next week. The PC has finished a complete review of the Zoning Bylaw which they have been working on since the completion of the Town Plan in 2020. They are considering only meeting once a month for a while as there is nothing pressing on their agenda. Amendment to Articles 9 & 10 have been approved by the PC and now the SB needs a Public Hearing which has been set for July 10<sup>th</sup>. **Permits:** There have been 57 permits submitted year to date. **New Park:** Crown Consulting has started the Archeological Resource Assessment. Grant gave me a list of landscape architects. Professional Services are not subject to our Bid Process in our Purchasing Policy. Bob will contact a few of the companies to come take a look and give us a proposal. **Kids Pond:** Ribbon cutting was June 3<sup>rd</sup>. We received a thank you card from the White Family. Betsy Bumps was thanked for suggesting we send them an invitation and supplying their contact info. **Sewer Allocation:** Derby Center Village Trustees have notified the Town that sewage usage is up this year. April & May were 85,000 gallons. Total Allocation is 150,000 gallons and the Village is reserving 32,000 for future village use. They say they will have to start limiting the amount of sewer gallons outside the Village for any big developments unless the Town contracts with the City of Newport for more allocation. The Board would like more information on where the increase is coming from. There have not been any new businesses coming in.

#### **OLD BUSINESS:**

**Legislative Update** – A week from tomorrow there will be veto session. The budget is a big deal.

#### **ROAD REPORT:**

A resident next to the Stump Dump is upset. They have been riding ATVs all around the Town's property and Jason has put a stop to this. This may be an ongoing issue. Day St, 4H Rd, and Hinman Settler Rd have been paved. The Town is having a hard time contacting Matthews Excavating about when they will start the Bushey Hill Rd culvert project. Bob will send them a certified letter. Two trucks need repairs. One they forgot to prime the body and the paint is peeling.

#### **RECREATION COMMITTEE:**

**4<sup>th</sup> of July Race – Paul Chambers – Benefit Combat Veterans Motorcycle Association** – Paul updated the Board on the race that is being put on by the Northern Border Running Club. It will be 1 mile and they are expecting 50-60 runners. It is advanced registration only and everyone is made aware of the parking situation on the 4<sup>th</sup>.

**Disc Golf Update – Peter Auclair** – All 12 baskets are up and Peter has bush hogged the area twice. Karen suggested that the Town reimburse Peter for the fuel for the tractor to bush hog from the Recreation Fund and the Board agreed. A little more work is still needed to get the court in shape.

**Derby Green Playground** – Julie Gunn has researched equipment and has come up with a design. The equipment is \$35,000 not including installation. Grants are being looked into. The usable area is 75' x 115' and mulch will be needed around some of the equipment. The playground will not interfere with the skating rink. Brian moved to go ahead with the plan, seconded by Brad. Unanimous. Karen asked if the Recreation Committee could use the coin drop slot that the Fire Department is not using this year. Brian moved to allow the Recreation Committee to use the last remaining coin drop, seconded by Brad. Unanimous.

**Other Recreation** – 4<sup>th</sup> of July Parade preparation is coming along. Ruth has the Community Garden going. Barton Community Garden has helped with the rototilling. The Dailey Library is putting in a story walk.

**OTHER BUSINESS: None.**

**EXECUTIVE SESSION:**

At 7:15 Steve moved to go into executive session for personnel, seconded by Karen. Unanimous. Out of executive session at 7:30. No action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, June 26, 2023. Brian made a motion to adjourn the meeting at 7:30 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*