

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
January 9, 2023

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

Others: Nancy Moore, Frank Davis, Ed Barber, Chris Shaffer, Paul Chambers, Steve Mengel, Brian Aubuchon, Kathleen Ahearn, David Barlow, Mark Linton, Matt Wilson, Dan Dagesse, Joe Profera, Bob Kelley.

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

Warrants #26C in the amount of \$388,986.35, #1A in the amount of \$20,463.21 and #1B in the amount of \$54,478.30 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of December 12, 2022, with Brian seconding. Unanimous.

PUBLIC COMMENTS:

Nancy Moore asked the Board about spot checks at the Giroux residence to see if they were complying with the Board's ruling that the dogs be banned from Derby. The Board directed Bob Kelley to contact the Animal Control Officer and Sheriff's Dept to do some spot checks. A Massachusetts dog ordinance allows the Animal Control Officer to board a dog immediately upon receiving a complaint and hold the dog until a hearing is held. Bob will check to see if something similar would be allowed in Vermont.

The Village of Derby Line Trustees asked Frank Davis to inquire about U.S. Customs buying properties in Derby Line and changing the traffic flow. Frank talked to Agent Ryan Holden, he is their public relations liaison. Agent Holden thought it might be beneficial to talk directly with the Town at a regular meeting and Town Meeting. The Board thought it would be best for Agent Holden to come to a Board meeting and then decide if it would be beneficial to him the attend Town Meeting. Frank thinks there is a Payment In Lieu Of Taxes (PILOT) program for federal property which needs to be checked into, Bob will check into it.

Brian Smith brought up the death of Carl Taylor and all financial support Carl & Susan have contributed to the Town over the years. He will be missed. Others spoke up about his support for many organizations in the area.

NEW BUSINESS:

Village of Derby Center – Stephen Mengel – Request ARPA Funds – The Village is requesting \$50,000 of ARPA funds from the Town spread out over 2 years. The money would be used for water/sewer issues or to remove milfoil from Derby Pond. The Village received \$164,000 and has spent \$153,000. The village has sewer pumps that need to be replaced and 430 water meters that need replacing at \$322 each. The extra ARPA funds would be a great help. The request was added to the list and will be reviewed later this year.

Paul Chambers - Dairninaka Drive – The Board was updated on the status of taking over Dairninaka Dr. The Nelson's are waiting for their bank to issue a partial release and the Shaffer's have paid off their mortgage and are waiting for their mortgage discharge to be recorded, otherwise everything is all set.

Recycling – Trash Bag Drop Off – Brian Aubuchon – Mr. Aubuchon is seeking permission to set up a "bag drop" to collect trash from Derby residents. He would do this at the recycling center only during recycling hours. He would charge a set per bag fee. Residents would pay him directly. There would be no cost to the Town. The Board was concerned with congestion at the site and thought local trash haulers should be given a chance to offer this service. Brad moved to table this request, seconded by Steve. Unanimous.

NVDA – Budget Amount – The correct NVDA membership for 2023 is \$3,892.00. Karen moved to approve NVDA 2023 membership of \$3,892.00, seconded by Brad. Unanimous.

Review and Sign – Auditor Engagement Letter – Steve moved to sign the Auditor's Engagement Letter, seconded by Brian. Unanimous.

International Water Co – Tax Exempt Letter – International Water Co is requesting to be on the Town Warning for property tax exemption for a 5-year period. This is required to be voted on every 5 years. Brad moved to add International Water Co property tax exemption for 5 years to the 2023 Town Meeting Warning, seconded by Brian. Unanimous.

Town Meeting – Time Change – It was suggested to change the start time for Town Meeting from 7:00 PM to 6:00 PM. The school board is fine with the change. Karen moved to have Town Meeting start at 6:00 PM, seconded by Brad. Unanimous

Review Appropriation Requests – Haskell Free Library, NEK Learning Services, Old Stone House-Orleans Historical Society & Umbrella – All are requesting the same appropriation as they received in 2022. Karen moved to add these appropriations requests to the 2023 Town Meeting Warning, seconded by Brian. Unanimous.

Review & Sign – Newport Ambulance Service Agreement – After reviewing, Brian moved to approve the agreement, seconded by Karen. Unanimous.

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 2 permits pending for next week. The PC will be finishing review of Planned Unit Developments and Mobile Home Parks. **Permits:** There have been 3 permits submitted year to date. **Storm Damage – FEMA:** 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's share remaining to be reimbursed (\$9,980.50). **Route 5 Land:** The State's appraisal is complete and the appraised value is \$20,000. **Budget:** The \$198,340.83 for deficit reduction does not need to be in the budget. For your next meeting the auditors should have decent figures for the Highway surplus and General Fund surplus/deficit.

OLD BUSINESS:

Legislative Update – Brian reported that he is now on the Environment and Energy committees.

ROAD REPORT:

Steve is getting an estimate on the cost to get the pickup truck inspectable.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

Personnel Issue – At 6:55 p.m. Brian moved to go into Executive Session for personnel issues, seconded by Brad. Unanimous.

Out of Executive Session at 7:32 p.m.. No action taken

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, January 23, 2023. Steve made a motion to adjourn the meeting at 7:33 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
January 23, 2023

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

Others: Frank Davis, Ed Barber, Paul Prue, Joe Profera, Bob Kelley.

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

Warrants #2A in the amount of \$22,602.58 and #2B in the amount of \$278,969.79 were signed.

APPROVE MINUTES:

Karen moved to approve the minutes of January 9, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Budget – The Board reviewed the draft budget. Total expenditures are \$3,437,536.62 including appropriations. Last year's actual was \$3,661,543.85. Last year \$250,000 of the ARPA funds were used and this year \$350,000 is proposed. Brian mentioned that last Friday the Commission of Buildings and Grounds talked to the Environment and Energy Committee about Community Resilience Grants and Municipal Revolving Fund available for municipalities and that the garage roof replacement should qualify. This could save the Town the estimated \$64,000 for the project. Dave Snediker at NVDA knows all about it and Bob needs to contact him. Brian move to approve the budget of \$3,437,536.62 for voter approval at Town Meeting, seconded by Steve. Unanimous.

Appoint – Deputy Health Officer – A Deputy Health Officer is not required. The Board didn't see the need to appoint one. Karen moved to table the appointment, seconded by Brad. Unanimous.

ARPA Funds – Pope Memorial Frontier Animal Shelter – They are requesting \$12,000. The Board didn't see how they could fund it this year and will notify Pope Memorial Frontier Animal Shelter.

Liquor License – Shaw's Beer & Wine – At 6:13 Karen move to go into a Liquor Control Board meeting, seconded by Brad. Unanimous. At 6:14 Steve move to come out of the Liquor Control Board meeting, seconded by Brian. Unanimous. Steve moved to approve the Liquor License for Shaw's Beer & Wine, seconded by Karen. Unanimous.

Over Weight Permits – Newport Sand & Gravel and Carrol Concrete – Steve reviewed and signed all as Road Commissioner.

TA & ZA Update – DRB/PC: The DRB has 1 permit pending for next week. The PC has finished review of Planned Unit Developments and Mobile Home Parks and will be starting on Article 8: Limitations and Variances. **Permits:** There have been 11 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:** We have all the signatures except North East Agricultural Trust (NEAT). Waiting their mortgage company to do a partial release. I talked with Tom Bellavance with NEAT and he is contacting the mortgage company. He knows about the deadline. **Vicious Dogs:** The Animal Control Officer has been asked to do spot checks at the Giroux residence to make check to see if Morgan Griffith's dogs are there in violation of the Board's order. Bob will also ask the Sherrif to do spot checks if they are in the area.

OLD BUSINESS:

Legislative Update – Brian reported they have been listening to all the Environmental Agencies, what they want to do and their wish lists.

ROAD REPORT:

Everything is going good. A dash cam was added to one of the trucks, there are three cameras, front, back and plow. It can be reviewed remotely along and it is working very good. VLCT likes this for insurance purposes and Steve plans on adding them to the other trucks. They are about \$165 each and it should lower our insurance rates.

RECREATION COMMITTEE:

Paul Chambers approached Karen about having a Fun Run before the 4th of July Parade as a fund raiser for a local organization. Karen thought this could work if they sent them right at the start of the parade and gave them one lane. The Board was ok with it and Karen will work it out with Paul Chambers.

OTHER BUSINESS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

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

Submitted by Bob Kelley, *Unofficial until approved.*

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 21st 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 4th parade is usually held on July 4th. This year it falls on a Tuesday. Karen moved to have the July 4th parade on the 4th, 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.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
February 20, 2023

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

Others: Joe Cicia, Paul Chambers, Paul Tomasi, Matthew Wilson, Frank Davis, Paul Prue, Joe Profera, Ed Barber, Effie Brown, Irene Dagesse, Steve Davenport, Fran Batchelder, Bob Kelley.

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

Warrants #4A in the amount of \$24,574.08 and #4B in the amount of \$28,731.84 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of February 6, 2023, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Paul Prue stated that the press got his comments wrong about people plowing snow across the road. He is against it and it is illegal.

NEW BUSINESS:

Joe Cicia – Dairninaka Dr - Paperwork – Bob Kelley reported that all the paperwork has been submitted to the State for addition to the Town's Highway Mileage.

Pope Frontier Animal Shelter – ARPA Request \$500 – The Shelter is requesting the funds for an interior door in the kennel area. The Board has put a halt on all ARPA requests. No action taken.

Paul Chambers – Northern Border Running Club – Paul explained that the Club would like to have a one mile race at the start of the 4th of July Parade. He expects that there would be about 100 runners. It would start at the Elks and finish at the Junior High. The Club has liability insurance. The Board was in favor of the race. One main concern that will have to be worked out is parking. A few different options were discussed. Paul will look into the options. The Club would like to donate anything they raise to a Veterans organization.

NEKWMD – Voting Budget – Paul Tomasi, Fran Batchelder and Irene Dagesse explained the process and reason for changing the voting from Australian Ballot to the Board of Supervisors. NEKWMD is the only district in the State that vote by Australian Ballot. This is a hardship on some of the smaller communities where this is the only item that they vote by Australian Ballot. Fran inadvertently voted for the change instead of against, but it didn't affect the outcome of the vote. Historically the Town has voted in favor of the NEKWMD budget by about a 2 to 1 margin.

Review & Sign - Excess Weight Permits – Barrett Trucking Co Inc, Blanchard Oil, CSE Inc, Gosselin Water Wells, New England Quality Services Inc, RG Gosselin Inc & Velco – Steve reviewed and signed all as Road Commissioner.

Review & Sign – Liquor Licenses – Derby Jolly, Derby Line Village Inn, Kinney Drugs & Price Chopper – At 6:51 Brian moved to go into a Liquor Control Board meeting, seconded by Steve. Unanimous. At 6:52 Brian moved to come out of the Liquor Control Board meeting, seconded by Karen. Unanimous. Steve moved to approve all the license requests, seconded by Brad. Unanimous.

TA & ZA Update – DRB/PC: The DRB does not have any permits pending for next week. The PC is working on Article 8: Limitations and Variances. They held a public hearing last week on amendment to Flood Hazard, Planned Unit Developments and Mobile Home Parks and they are awaiting further feedback from the State Floodplain Manager before passing it along to the Selectboard. Bob DeRoehn and Hazen Converse PC terms and Adam Guyette DRB term expire this year. They would all like to be reappointed. **Permits:** There have been 15 permits submitted

year to date. **Storm Damage – FEMA:** No change. Everything is approved and waiting on the final payments from the Feds for Dumas Rd (\$68,800.26) and Administration (\$7,429.06), then it will just be the State share remaining to be reimbursed (\$9,980.50). **Border Patrol:** Just a reminder that the Border Patrol is going to be at the Derby Line Village Trustee's meeting tomorrow night at 6:30. **Route 5 Land:** Letters of support for Fish & Wildlife purchasing the Town and Joyal properties have been sent out.

OLD BUSINESS:

Legislative Update – Senate bill S.5 The Affordable Heat Act is getting a lot of discussion.

ROAD REPORT:

There was an accident with one of the Town's dump trucks. It should be back in service later this week. An insurance claim has been filed. Stumps have been pulled behind the sand pile and next year the sand will be stockpiled by coming in from Boucher Circle. There appears to be good gravel in this area and the Town needs to look into what it would take to open a pit for Town use. A hydraulics study was done for the culvert at the end of 4H Rd and it is calling for a 16 ft wide box culvert.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

Steve moved to go into executive session for a personnel matter at 7:10, seconded by Brian. Unanimous. Out of executive session at 7:19, no action taken.

ADJOURNMENT:

Town Meeting is in 2 weeks and the next regular meeting is scheduled for 6:00 p.m. Monday, March 20, 2023. There will be no Selectboard meeting on March 6, 2023. Steve made a motion to adjourn the meeting at 7:20 p.m., with Brad seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
March 20, 2023

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

Others: Chris Binette, Diane Binette, Patrick Hurley, Dan Dagesse, Joe Profera, Bob Kelley.

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

Warrants #6A in the amount of \$25,009.64 and #6B in the amount of \$85,368.18 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of February 20, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None

NEW BUSINESS:

Reorganize Board – Karen moved to nominate Grant as Selectboard Chair, seconded by Brad. Unanimous. Brad moved to nominate Brian as Selectboard Vice-Chair, seconded by Karen. Unanimous. Brian moved to make the following appointments, seconded by Brad. Unanimous.

One year appointments:

- Bob Kelley – Town Administrator
- Steve Gendreau – Road Commissioner
- Grant Spates & Karen Chitambar – NVDA Representatives
- Renee Falconer – Pound Keeper
- Joe Profera – Tree Warden
- Craig Ellam – Fire Warden
- Karen Chitambar – Energy Coordinator
- Nancy Moore – E-911 Coordinator
- Grant Spates & Brad Shattuck – Agents to sign deeds accepting or transferring property on behalf of town
- Craig Ellam & Steve Gendreau – Civil Defense
- Grant Spates & Brian Smith – Water/Sewer Committee
- Newport Daily Express – Newspaper of record

Four year appointments:

- Hazen Converse & Robert DeRoehn – Planning Commission
- Adam Guyette – Development Review Board

Review & Approve – List of Town Officials for NEKWMD – The list was reviewed and approved.

Dairninaka Dr – Dan Dagesse – Stormwater Permit – Dan explained that because the Town owns the road the Town needs to be part of the Stormwater Permit. The Town will maintain the road and ditches like it does on every road in the Town and the association will take care of everything else. Brian move to approve and sign the Application Certification, seconded by Brad. Unanimous.

VT Fish & Wildlife Conservation Projects – North Derby Road – Patrick Hurley, Memphremagog Watershed Association, explained two acquisition project VT Fish & Wildlife is proposing along Johns River/North Derby Road to help protect the Johns River. One is on the Binette property and the other is on the Sargent property. They would like a letter of support from the Town. Karen moved to approve letters of support for the two projects, seconded by Steve. Unanimous.

Review & Sign – Grant Reimbursements – Both were reviewed and signed.

Review & Sign – Engineering Contract – 4H Rd Culvert – East Engineering has submitted a proposal for engineering services for the proposed culvert replacement project on 4H Road along Greens Brook. VTrans has reviewed the proposal and is ok with it. The Town will be applying for a State Grant for the engineering. The proposal is for \$12,000 – Design & Permitting, \$125/hr – Right-of-Way Assistance, 4% of Selected Contractors Bid Price – Bid & Construction Administration/Management, and \$125/hr – Construction Inspection & Layout Assistance. Steve moved to approve the contract with East Engineering, seconded by Karen. Unanimous.

Review & Sign – 2023 Non-Arbitrage Borrowing Anticipation Note – Brad moved to approve, seconded by Karen. Unanimous.

Review & Sign – Pay Rates Form – The Board signed after Executive Session.

Review & Sign – A.D.A. Traffic Control Agreement – Steve moved to approve, seconded by Karen. Unanimous.

Review & Sign – Liquor Licenses – Brockton Corp (Shaw’s), Derby Line Village Inn, Tong Sheng Restaurant, Wesco Inc – At 6:30 Steve moved to go into a Liquor Control Board meeting, seconded by Karen. Unanimous. At 6:33 Steve moved to come out of the Liquor Control Board meeting, seconded by Brad. Unanimous. Karen moved to approve all the license requests, seconded by Brad. Unanimous.

Review & Sign - Excess Weight Permits – Consolidated Communications, Demag Riggers & Crane, Feed Commodities International Inc, IM Trucking LLC (DBA – Ivan Maxwell Trucking), JBL Hauling LLC, Kris Bullock (Sticks & Stuff), NA Manosh Inc, Oil Supply Corp, Pike Industries Inc, Tetreault’s Maple Farm LLC– Steve reviewed and signed all as Road Commissioner.

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

TA & ZA Update – DRB/PC: The DRB doesn’t have any permits pending for next week. The PC is working on Article 6: Flood Hazard and River Corridor & Article 8: Limitations and Variances regulations. **Permits:** There have been 23 permits submitted year to date. **Storm Damage – FEMA:** The Town has received the final reimbursement for Dumas (\$68,800.26). The last of the paperwork for Administration (\$7,429.06), and the State share (\$9,980.50) have been approved. These final reimbursements should be coming in any day now. **Hinman Settler Rd Land:** Kacel Family Trust (Larry Fortin) has paid the Town \$1,000.00 which is the agreed upon sales price and has paid all attorney fees to date (\$610). It looks like this may be closing soon. **Municipal Energy Resilience Program (MERP):** This program is a good match for the Town Garage improvements, insulations and furnace upgrade, maximum Implementation Grant is \$500,000. An Energy Assessment is required to apply for a grant (up to \$500,000) and the assessment is free. Grant applications are due January 2024, so if the Town can hold off for another year this is the grant to apply for. The Board agreed that this would be a good grant opportunity for the Garage improvements. Repairs to the leaks in the roof will be done this summer and is budgeted for. An Energy Assessment is needed to apply for the Implementation Grant which MERP will pay for. We can also get a \$4,000 Community Capacity Grant to – Hire a grant writer, Host educational events, Purchase promotional material, or Start an energy committee. The Board thought it would be a good idea to form an Energy Committee. **Highway:** The Certification of Compliance for Town Road & Bridge Standards and Town Highways Annual Financial Plan need to be signed. The Board reviewed and signed both. Steve Davenport and Bob Kelley met with Eric Pope this morning. The Town should be getting \$60,000 for paving and a grant for the engineering for the 4H Rd culvert. The construction grant for the 4H Rd culvert will probably be in 2025, but there is a possibility that it will be next year.

Health Officer: Elijah is having some issues again with 18 & 26 Main St, Derby Line that he is working on. **New Park:** The State has started the Environmental Review that is required for the

project. The Town needs to hire a firm to do a Phase I Environmental Site Assessment. The State gave Bob a list of contractors and Bob contacted Wheeler Environmental Services and they estimated that it will cost between \$2,100 - \$2,500 which is in the range the State thought it would be. The Board agreed to hire Wheeler Environmental Service for the Phase I Environmental Site Assessment. The State didn't think that an Archaeology consultant would be needed, but gave Bob a list of consultants if needed. Bob is getting clarification to see if the Town can put anything out to bid before the assessment is completed. It is estimated that it will take a minimum of 2 months to complete. **Old Dumps:** Irene Dagesse informed Bob that the State is cracking down on closed landfills, but it is only for those that have closed since 1987. All 3 old landfills in Derby were closed before 1973 so it will not affect them.

OLD BUSINESS:

Legislative Update – House bill H.31 wanted to put a moratorium on ProcellaCor that has successfully been used against Eurasian Milfoil, the good news is it was ultimately taken out of the bill, but they want to do a study. Tomorrow Brian's Committee starts on S.5 The Affordable Heat Act.

ROAD REPORT:

Truck #1 is out for a complete brake job and should be back in service in a couple of days. Truck #5 has a software issue that needs to be analyzed. RFPs for paving have been given to Pike & Hutchins bids may be back for next meeting.

RECREATION COMMITTEE:

Karen has put in a proposal with the Career Center for some natural equipment. Steve will check the company that last logged the Town Forest to see if we can log some more.

OTHER BUSINESS:

The property at the intersection of Beebe Rd and Darling Hill Rd needs to be looked at for zoning violations.

EXECUTIVE SESSION:

Brad moved to go into executive session for a personnel matter at 7:10, seconded by Steve. Unanimous. Out of executive session at 7:44, the Board signed the Pay Rates Form.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, April 3, 2023. Steve made a motion to adjourn the meeting at 7:45 p.m., with Brad seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
April 3, 2023

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

Others: Matt Wright, Paul Prue, Norm Patenaude, Meredith Augostoni, Ginette Provost, Elijah Capron, Steve Davenport, Ed Barber, Mickey Morelli, Criag Ellam, Tom Cyr, ;Matthew Wilson, Joe Profera, Bob Kelley.

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

Warrants #7A in the amount of \$23,267.36 and #7B in the amount of \$49,492.29 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of March 20, 2023, with Karen seconding. Unanimous.

Fire Department water damage was added to the agenda.

PUBLIC COMMENTS:

Paul Prue asked about employee hiring practices and asked about the Road Foreman.

NEW BUSINESS:

Fire Department – Craig Ellam – There was a leak in the sprinkler system which caused damage to the ceiling and sheetrock. This is the 4th leak in the last 2 years. An insurance claim has been submitted. Craig believes all the feed lines need to be replaced. It was installed in 2005 when steel being produced was crap. Due to the scope of replacing the feed lines it will probably have to go out to bids.

Derby Skate Shack Rental – The 5-year lease is up and Matt Wright has first option of renewal. Matt offered to raise the lease from \$400/month to \$600/month with \$200 going to the recreation department. Karen moved to approve the 5-year lease to Matt Wright for \$600/month with \$200 going to the Recreation Department, seconded by Brad. Unanimous.

Poulin Farm Road Paving – The Board received a petition to pave Poulin Farm Road. In the past the Board has also received petitions to pave Lakeview Drive and Salem View Heights. There is no money in the budget for extra paving this year. No action taken.

Health Officer – Elijah Capron – Elijah explained to the Board problems he has been having with 18 & 26 Main Street. These properties straddle the border. He would like to file a health order with the courts to get these building up to code. There have been numerous complaints over the last few years. The Board would like to see some of the written complaints. The Board asked Bob Kelley to check in with the officials in Stanstead to see what the Canadians are doing about this problem. VLCT should be contacted to see what help they may be able to supply.

Dailey Memorial Library Funding - Meredith – Library Trustees Meredith Augostoni and Ginette Provost explained to the Board the services the library offers, number of annual visits, etc... A 2019 Municipal Funding Support Study by Craftsbury shows that the Vermont average was 74% and the Dailey Library is at 41%. The Library's current operating budget is \$118,896 and Derby's appropriation is \$42,500 leaving them with an additional \$70,000+ that they need to raise. The Board suggest incrementally raising their appropriation request.

Zoning Administrator Reappointment – The Zoning Administrator term is for 3 years. Karen moved to reappoint Bob Kelley as Zoning Administrator for another 3 years, seconded by Brad. Unanimous.

Review Pavement Bids – The Town received 2 bids: Pike Industries \$86.25 per ton for paving and \$2.25 per square yard for reclaiming. J Hutchins \$80.00 per ton for paving and \$2.20 per

square yard for reclaiming. J Hutchins was the low bidder. The Road Foreman and Road Commissioner will review which road to do to stay within budget.

Review & Sign - Excess Weight Permits – AmeriGas, Austin Construction, Beacon Sales Acquisition, Blevins Inc, Calkins, Camp Precast Concrete Products, Casella Construction, Desrochers Excavating Inc, Fabian Earthmoving, Harrison Redi Mix Corporation, The Fort Miller Service Corp, and Vaillancourt Transport– Steve reviewed and signed all as Road Commissioner.

Review & Sign – Liquor Licenses – Blissrite Pizza Co, Border Motel LLC, Circle K, Derby Cow Palace, and Walmart– At 7:13 Brian moved to go into a Liquor Control Board meeting, seconded by Karen. Unanimous. At 7:14 Steve moved to come out of the Liquor Control Board meeting, seconded by Brian. Unanimous. Brian moved to approve all the license requests, seconded by Karen. Unanimous.

TA & ZA Update – DRB/PC: The DRB has one permit pending for next week. The PC finished word on Article 6: Flood Hazard and River Corridor & Article 8: Limitations and Variances regulations at their last meeting and will be holding a public hearing in 3 weeks. They will begin review of Article 9: Administration and Enforcement next week. This is the last section of the bylaw for them to review. **Permits:** There have been 26 permits submitted year to date (see attached). **Storm Damage – FEMA:** This is finally closed out. The Town has received the final reimbursements. **Dailey Library:** The library would like to use the Green again this year for their Big Truck Day on Saturday, May 20th. The Board approved the use and suggested that the Library contact the soccer league to see if there are games going on at the Junior High at the same time. **10 Acre Town:** I just receive this from Kirsten Sultan “Bob, I just met with NRB counsel Jenny Ronis about this, and she is now forwarding the information internally, for next processing steps. I anticipate the NRB list of 1 acre – 10 acre towns, as published on the NRB website, will be updated shortly, please stay tuned for email verification. Thank you for your patience. All best, Kirsten” Hopefully this will not take much longer. **Highway Grants-in-Aid Program:** The letter of intent to participate in the program was submitted today. **New Park:** The State in all their wisdom as concluded that we need an Archeological Resource Assessment for the park. I have contacted UVM Consulting Archaeology Program and Crown Consulting Archaeology LLC. It looks like it will be in the range of \$2,000 – \$5,000. Both should be submitting proposals. Initial take is Crown Consulting Archaeology sounds the most promising. **PILOT - Eagle Point Wildlife Management Area:** We received a PILOT payment of \$2,031 last year.

OLD BUSINESS:

Legislative Update – House bill H.31 pass by the House without a moratorium on ProcellaCor, but they do want a study. S.5 The Affordable Heat Act will be having hearing all week.

ROAD REPORT:

Everything is going good.

RECREATION COMMITTEE:

The Committee has a meeting scheduled for April 22nd at 9:00 AM.

OTHER BUSINESS:

Because Karen in on the Broadband Board it was decided to have Brad take over for her on the NVDA Board.

EXECUTIVE SESSION:

Brian moved to go into executive session for a personnel matter at 7:29, seconded by Brad. Unanimous. Out of executive session at 8:08, Karen move to approve the pay rates proposed by the Road Foreman and to put a cap on new hire pay at \$21.75, seconded by Steve. Unanimous.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, April 17, 2023. Steve made a motion to adjourn the meeting at 8:09 p.m., with Brad seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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 22nd 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.*

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.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
May 15, 2023

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

Others: Maureen Badger, Graham Rae, Nancy Rae, Erin Spaerl, Allyson Howell, Johanna Hux, Tyler Hux, Heather Webster, Peter Alexander, Jeanne Alexander, Lisa Boskind, Scott Boskind, Carol Sawyer Matthews, Matt Wilson, George Terterian, Ed Barber, Gwen Bailey-Rowe, Ginette Provost, Miriam Tatum, Effie Brown, Joe Profera.

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

Warrants #10A in the amount of \$22,319.42 and #10B in the amount of \$68,369.90 were signed.

APPROVE MINUTES:

Karen moved to approve the minutes of May 1, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Fire Station – Craig Ellam – Repairs to the Fire Station are going slow. Everything is torn apart and they found mold, more sheetrock had to be removed. The sprinkler is going to cost \$30,000. Restoration company is doing a good job and are waiting on the insurance company to give them the go ahead. The insulation replacement is going to cost about \$5,000. It is probably going to be \$70,000 total. Craig has estimates for everything, he will email them to Bob Kelley. An efficiency audit is needed for the fire station and grants need to be looked into. The new truck should be here in a couple of weeks.

NEK Broadband Equipment Shed – Tabled until next meeting.

Coin Drops – The only requests are from DAV, Dailey Memorial Library, Salem Lakes Association, and Derby Line Fire Department. Brian moved to approve coin drops for DAV, Salem Lakes Association, Dailey Memorial Library, and Derby Line Fire Department, seconded by Brad. Unanimous.

Review & Sign Listers Extension Letter – Brian moved to sign the Listers Extension Letter, seconded by Brad. Unanimous.

Declaration of Inclusion – Last meeting was a tie vote and it was tabled until tonight. Karen moved to bring it off the table, seconded by Brad. Unanimous. A petition to sign the Declaration of Inclusion signed by 96 people was submitted. Multiple people spoke up in favor of signing the declaration and several letters were submitted in favor of signing the declaration. Karen moved to sign the Declaration of Inclusion, seconded by Grant. Ayes – Karen, Grant. Nays – Brian, Steve, Brad. The motion was denied.

Review & Sign Excess Weight Permits - Review & Sign – Andrew Lawrence, Darrell Matthews/DBA Matthews Excavation – Steve reviewed and signs all as Road Commissioner.

Liquor Licenses – Deborah Bianchi, Eden Ice Cider Co, Highland Country LLC, Shelburne Vineyard LLC– At 7:04 Karen moved to go into a Liquor Control Board meeting, seconded by Brad. Unanimous. Highland Country is for a tobacco license, Shelburne Vineyard and Eden Ice Cider is for an event on Herrick Road for outside consumption, Deborah Bianchi is for an event at Sticks & Stuff on 400 Quarry Road that has already happened, it was an appreciation BBQ for contractors. At 7:12 Karen moved to come out of the Liquor Control Board meeting, seconded by Brian. Unanimous. Karen moved to approve all the license requests except Deborah Bianchi, seconded by Brad. Unanimous.

OLD BUSINESS:

Legislative Update – The budget passed and the Governor will probably veto it and the Governor also vetoed the Affordable Heat Act. There will be a veto session on June 20th and there are probably enough votes to override the Governor's vetoes. Legislators voted themselves a pay raise double their pay effective 2025. Brian's Environmental Committee was a good group this year.

ROAD REPORT:

Executive session for personnel. Ed Barber complained the Town is not maintaining the last 200 feet of the class 3 section of the Glover Road. There are 4 residences on the class 4 section of the road that the residents maintain in better condition than the class 3 road that the Town is supposed to maintain. Steve will look into it.

RECREATION COMMITTEE:

Meeting on Saturday to talk about the July 4th parade. They still need a Grand Marshall.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

At 7:29 Steve moved to go into executive session for a personnel issue, seconded by Brian. Unanimous. Out of executive session at 7:53. No action taken.

ADJOURNMENT:

There will not be a meeting in 2 week due to Memorial Day. The next regular meeting is scheduled for 6:00 p.m. Monday, June 12, 2023. Brad made a motion to adjourn the meeting at 7:54 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

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 4th 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 10th. **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 3rd. 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:

4th 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 4th.

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 – 4th 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.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
June 26, 2023

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

Others: Nancy Moore, Betsy Bumps, Curt Brainard, Jim Buchanan, Emily Jankowski, Linda Kiser, Scott Bianchi, Scott Cianciolo, Theresa Cianciolo, Tracey Shadday, Larry Shadday, Jason Nye, Matt Wilson, Ed Barber, Joe Profera, Bob Kelley.

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

Warrants #13A in the amount of \$26,324.11 and #13B in the amount of \$99,740.67 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of June 12, 2023, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Cemetery Board – Possible Land Acquisition – Members of the Cemetery Board explained about the possibility of the land abutting the cemetery coming up for sale. It is owned by Agape Ministries and they are thinking about splitting off 2 lots, 1.9 ac and 4.35 ac. The 1.9 ac lot would abut the cemetery. The Selectboard would like more information on how long they anticipate it will be before the current cemetery is full.

E911 Sign – Serene Dr – Off Darling Hill Rd – Nancy Moore has contacted the property owners that will be accessed off this private Right of Way and they selected Serene Drive for a name. There are currently 2 residences on this road, but the Mannings have subdivided 2 more lots for a total of 4 lots that will use this for access. Brad moved to approve Serene Dr as the new name for this road, seconded by Steve. Unanimous.

Emily Jankowski – Slow/Children at Play – Residents in the area have submitted a petition for signage to slow traffic down at the blind corner on Lindsay Road near the bike path, just below the turn to Lakewood Dr. The Board agreed and will install appropriate signage.

Beach House Roof – It was decided to go with a green heavy gauge metal roof. The old shingles are to be removed. Grant will get some specs together for contractors to bid on.

Review & Sign Liquor License – Blissrite Pizza Co. – At 6:27 Karen moved to go into a Liquor Control Board meeting, seconded by Brad. Unanimous. There were 2 permits one for outside consumption at Vt Pie & Pasta and one for a one time occasion festival at the Barn at Top of the World. At 6:33 Karen moved to come out of the Liquor Control meeting, seconded by Brad. Unanimous. Karen moved to approve the Blissrite Pizza Co one time Festival permit for the Barn At Top Of The World site, seconded by Steve. Unanimous. Brad moved to approve the Blissrite Pizza Co Outside Consumption permit for the Vt Pie & Pasta location, seconded by Steve. Unanimous.

TA/ZA Report - DRB/PC: The DRB does not have any permits for next week. The Planning Commission is also taking next week off. Now that they have completed review of the Bylaw, they are considering meeting once a month. **Permits:** There have been 63 permits submitted year to date. **Sewer Allocation:** I have contacted the Village and asked them for a little more detail as to where the increase in usage has been. The Shattuck Hill Mobile Home Park has been connected to the sewer system.

OLD BUSINESS: Legislative Update – None.

ROAD REPORT:

Paving is completed. Roadside mowing will be starting soon. The State has been informed it is okay to paint the centerlines. The Bushey Hill culvert replacement project should start around July 17th. The powder coat paint on the body of Truck #2 is peeling off, it is under warranty but will take 2-3 months to complete. The body needs to be taken off and shipped to Canada for the work to be done. The paint was not applied correctly and started to peel off in sheets not long after it was delivered. The Board would rather not have the truck out of service for that length and have looked into having the body sandblasted, primed and painted locally rather than putting on another powder coat. The cost is in the \$8,000 range. The Board felt that Tenco should reimburse the Town for the cost. VLCT needs to be contacted to see if they can help with this and if other Towns are having the same problem.

RECREATION COMMITTEE:

\$1,600 was raised at the coin drop. Everything is pretty much ready for the 4th of July Parade.

OTHER BUSINESS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, July 10, 2023. Karen 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
July 24, 2023

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

Others: Bob DeRoehn, Laurie Sanville, Sheila Driver, Robert Guyer, Paul Chambers, Mark Linton, Jason Nye, Matt Wilson, Ed Barber, Joe Profera, Bob Kelley.

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

Warrants #15A in the amount of \$25,720.94 and #15B in the amount of \$407,507.85 were signed.

PUBLIC HEARING ZONING BYLAW AMENDMENTS:

Steve moved to recess the meeting to go into a Public Hearing for proposed bylaw amendments, seconded by Brad. Unanimous.

Article 9: Administration

- §901 Administrative Officer (Zoning Administrator)
- §902 Establishment of the Planning Commission
- §903 Establishment of the Development Review Board
- §904 Zoning Permit Administrative Review
- §905 Certificates of Occupancy
- §906 Penalties
- §907 Public Notice

Article 10 : Amendments, Interpretation and Effective Date

- §1001 Changed references to §4403 and §4404 of the Act to §4441 and §4442.
- §1003 Changed reference to §4404 of the Act to §4442.

Change Parcel #RT005055B6T from Residential Medium Density to Commercial

There were no comments from the Public. Karen moved to close the Public Hearing and return to their regular meeting, seconded by Brad. Unanimous.

APPROVE MINUTES:

Steve moved to approve the minutes of June 26, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Consider Zoning Bylaw Amendments – Brad moved to approve the bylaw amendments as submitted, seconded by Steve. Unanimous.

Sheila Driver – Support Letter – Ms. Driver is requesting a letter of support for a Community Recovery and Revitalization Grant to replace her existing home. She currently has a Registered Home Child Care and wants to become a Licensed Home Child Care so that she will be able to have 12 children year round. A larger house is needed to meet State regulations for a Licensed Home Child Care Facility. Karen moved to write a letter of support for Sheila Driver, seconded by Steve. Unanimous. Karen moved to authorize Bob Kelley to draft and sign the letter of support on behalf of the Selectboard, seconded by Steve. Unanimous

Paul Chambers – Race Review 4th of July – Paul reported that the race went very smoothly and was well received. They had about 50 runners. There were no issues with parking and the race didn't interfere with the parade. Next year they will do more advertising.

Laurie Sanville – Derby Line Village Community Day Donation Request – The Town donated \$1,500 last year. Laurie reported that it is Baxter Park's 100 year anniversary. Community day is

Saturday August 12th. Karen moved to donate the same as last year, seconded by Brad. Unanimous.

Trees on Common by Skate Shack – A rotted tree was cut down. There are 3-4 trees that need to be replaced and Brian knows someone that might be willing to replace them with red maples. The Town needs to get quotes to replace them. The Board would like the Tree Warden to take a look at the trees to determine which need to be replaced. The proposed playground should be taken into account when replacing the trees.

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

TA/ZA Report - DRB/PC: The DRB does not have any permits for next week. Since the Planning Commission has completed review of the Bylaw, they are considering meeting once a month.

Permits: There have been 69 permits submitted year to date. **Grants:** The paperwork for the 4H Road Engineering Grant is all signed. The final reimbursement for Kids Pond has been submitted. They want a little more info which will be submitted this week. **FEMA:** The paperwork has been submitted to FEMA asking for help with the storm damage on Hayward/Fontaine/Derby Gore area. **New Park:** The Archaeology study has been completed and nothing significant was found. They did find one small sliver, dug more holes near it and didn't find anything else.

OLD BUSINESS: Legislative Update – None.

ROAD REPORT:

Hayward/Fontaine/Derby Gore Roads were extensively damaged with recent rains and eligible for FEMA funding. Fontaine and Derby Gore Roads are open, but still need more work. Hayward Rd is still closed. Jason Patenaude will start work on it soon. The 2 pairs of culverts are just not large enough to handle a large rain event and need to be replaced. Bushey Hill Road also received some damage and West Street has one spot that has sunk in and there is only has one lane open.

Bids for a new 10-wheel truck range from \$154,000 - \$158,000. The Town needs to get quotes for the trade in to determine the best deal. Quotes are for the truck only and do not include equipment. This will have to be budgeted in 2024.

RECREATION COMMITTEE:

Karen was thanked for all her work on the 4th of July parade. Desrochers did not allow the parade to use its lot next to the Elks Club which caused some issues. Louis Garneau is being sold and may not be available for staging the large trucks next year. If the Garneau and Desrochers lots are not available next year the parade may have to be canceled.

OTHER BUSINESS:

Listers Errors and Omissions – They have submitted a value change on the Karl Loukes property to \$30,600. Karen moved to approve the change, seconded by Steve. Unanimous.

EXECUTIVE SESSION:

At 6:46 p.m. Karen moved to go into executive session for a personnel issue, seconded by Brad. Out of executive session at 7:07 p.m. No action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, August 7, 2023. Brad 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
August 7, 2023

Present: Steve Gendreau, Brad Shattuck, Grant Spates.

Others: Kevin Chickering, Jason Nye, Mark Linton, Ed Barber, Joe Profera, Bob Kelley.

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

Warrants #16A in the amount of \$26,190.23 and #16B in the amount of \$98,325.99 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of July 24, 2023, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Grant read a letter from the Derby Historic Society about the historic sign to commemorate the 1814 British Raid in Derby as part of the War of 1812. The public dedication will be Oct 14th at 10:00 AM on Nelson Hill Road near the Derby Center Cemetery.

Kevin Chickering – Nelson Hill Road – Dirt & Dust – Mr. Chickering talked to the Board about the dust problem on the road. He has asthma and is unable to go outside or open windows due to the dust from the road. He showed the Board multiple pictures about the dust problem. He was told that the road would be paved either last year or this year and that did not happen. The Board understands his concerns and explained that the paving was a budgeting issue and ended up getting cut from the budget this year. It is still on the wish list for the future.

Road Job Interviews - Foreman – There will not be any interviews tonight, but the Board will discuss the Road Foreman position in executive session at the end of the meeting.

Review & Approve Local Emergency Management Plan – The plan is the same as last year with a few minor changes to resources, day cares and contact info. Brad moved to approve the Local Emergency Management Plan, seconded by Steve. Unanimous.

Review & Sign Tax Rate – The Tax rate is up approximately \$0.09 from last year. The School rate is up approximately \$0.07 and the Town is up approximately \$0.02. The 2023 Homestead Tax Rate is \$1.7581 and the Non-Homestead Tax Rate is \$2.0245. Brad moved to approve the Tax Rates, seconded by Steve. Unanimous.

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

Review & Sign Cater Permit – East Side Restaurant – At 6:44 Brad moved to go into a Liquor Control Board meeting, seconded by Steve. Unanimous. The permit is for an event at the Knoll Barn on Route 111. At 6:45 Brad moved to come out of the Liquor Control Board meeting, seconded by Steve. Unanimous. Brad moved to approve the Cater Permit for the East Side Restaurant, seconded by Steve. Unanimous.

TA/ZA Report - DRB/PC: The DRB does not have any permits for next week and the Planning Commission will not be meeting. **Permits:** There have been 77 permits submitted year to date. **Grants:** Chris Brunelle looked at the stream crossing on Salem-Derby Rd while he was up here last week and a permit is not needed from him for the Better Road Grant. The Bushey Hill Culvert has been pushed back because of all the rain. If the water ever goes down they will get started. **FEMA:** Jason Nye, Steve Gendreau, Eric Pope, Jason Patenaude and I met with Chris Brunelle, the State River Management Engineer, last week and he has issued the permit to fix the stream. We are allowed to open up the river channel up to 300 ft on either side of the buried culverts. The

Board needs to sign limited releases for us to get the landowners permission to enter onto their land to do the work. I have talked to both Tyler Hux and Reg Abbott and neither have a problem with it. The Town should also consider getting one from Jonathan & Elizabeth Hussey for the ditching work on the south side of the road. Grant signed the Limited Releases on behalf of the Board. Andrew Gosselin is wondering if there is anything the Town can do to help get rid of the dirt washed onto his land from the rain at the corner of Route 105 and Bushey Hill Rd. Attached are pictures from his land and one of his neighbors back yard. It does not look like FEMA will help because it is not his house. Also the stream needs a little work. Chris Brunelle looked at it and a permit is not required. The Board felt there was nothing they could do to help as it is all on private property and they do not want to set a precedent for doing work on private property that is not for the benefit of the Town as a whole. **Birch Dr:** Jackie Young called and was complaining about speeding on Birch Dr and people turning around in her drive way. She was wondering if the Town would put up a speed limit sign and a dead end road sign. There is a "No Outlet sign $\frac{3}{4}$ the way down the road. The Board agreed to move it to the beginning of the road. **Zoning Violation:** The notice of violation finally went out to Therrien/Coburn at 2804 Beebe Rd. Bob talked to Ms. Coburn a month ago and someone was doing a go fund me to help get rid of the junk, but so far only a minor amount has been cleaned up.

OLD BUSINESS: Legislative Update – None.

ROAD REPORT:

Everything is going fine, except for Hayward/Fontaine/Derby Gore Roads and Nelson Hill Rd. The Grader needed repairs. Due to the cost of new graders, the Town is better off repairing the existing grader even if the motor needs replacing at some point. The Town is still waiting on trade-in quotes to replace a dump truck.

RECREATION COMMITTEE:

Karen has made out Thank You cards for the 4th of July Parade.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

At 7:04 p.m. Brad moved to go into executive session for a personnel issue, seconded by Steve. Out of executive session at 7:20 p.m. No action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, August 21, 2023. Brad made a motion to adjourn the meeting at 7:20 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
August 14, 2023

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

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

PUBLIC COMMENTS: None.

NEW BUSINESS:

Interview Candidates for Road Foreman – Interviews will be done in Executive Session.

EXECUTIVE SESSION:

At 6:01 p.m. Brian moved to go into executive session to interview candidates for Road Foreman, seconded by Brad. Out of executive session at 7:30 p.m. Brian moved to offer the job of Road Foreman to candidate B, seconded by Brad. Unanimous.

ADJOURNMENT:

Brian made a motion to adjourn the meeting at 7:36 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
August 21, 2023

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

Others: Mark Linton, Craig Ellam, Doug Spates, Vivian Spates, Faye Morin, Matthew Wilson, Patrick Hurley, Peter Emerson, Paul Patenaude, Candy Patenaude, Joe Profera, Bob Kelley.

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

Warrants #17A in the amount of \$26,756.51 and #17B in the amount of \$64,377.45 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of August 7, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Route 5 Land – VT Fish & Wildlife – A sticking point on the sale is the dry hydrant on the property. Fire Chief, Craig Ellam says they need this dry hydrant because of Fred's Fuel depot on the other side of the road. This dry hydrant has been used multiple times. The State would like to remove the dry hydrant to restore the stream to its natural flow. Also the pond is ready to fail, water is running around the outlet culvert. Installing a dry hydrant in Kids Pond was discussed, but that location will not work for the Fire Department. The State is willing to keep the dry hydrant until another suitable location can be found. Another site visit will be scheduled to look at this issue. The State is also purchasing a 1.8 acre site from Paul Patenaude off of Beebe Rd. and would like a letter of support from the Town. Brad moved to write a letter of support for the State's purchase of the Patenaude property, seconded by Brian. Unanimous.

Ratify Road Foreman – This will be discussed in Executive Session.

Errors & Omissions - Listers – The property is owned by Stephen & Amy Wheeler and the change is due to land size error. Brian moved to approve the Listers Errors & Omission, seconded by Steve. Unanimous.

Land Donations to the Town – Doug & Vivian Spates are starting a project to buy 25 acres at the top of Shattuck Hill from Andrew Delabruere in order to preserve the view. It is acknowledged that this spot has one of the most beautiful views around. They are hoping to work with Vermont Community Foundation and after the land is purchased they want to donate it to the Town. The purchase price is \$750,000 and the Spates' have committed a minimum of \$100,000 to the project and are in hopes of finding like-minded individuals and businesses to contribute. They will be asking for a minimum donation of \$50,000 and it is a tax write off. The goal is to raise enough for the purchase of the property and extra to build a scenic pull-off with signage and funds for the perpetual upkeep of the property. The fields will need to be hayed and the trees cut as needed to preserve the view. They are asking if the Town is willing to accept the property at no cost with details to be worked out. Brad moved that the Town of Derby get behind the project and support it in any way they can, seconded by Brian. Unanimous.

Update on Welch Grant Funds for New Park and Other Grant Application – New Park – The grant is for \$517,750 and so far \$8,150 has been spent on the Environmental Assessment. The Environmental Assessment should be completed, we are waiting on the State to confirm this. Next step is to hire an architect to design the park so that we can put it out to bid. It looks like work will begin next spring. There is a group of Pickleball players led by Al Loukes that want to discuss the new courts with, possibly at your next meeting. **Better Roads** – The Town has a \$20,000 grant to replace 4 culverts on Salem-Derby Rd and associated ditching & road resurfacing. 20% match

required. **Grants-In-Aid** – The Town has a \$15,000 grant to do work on hydraulically connected road segments. Location has not been determined yet. 20% match required. **HSIP Small Scale Local Safety Grant** - The Town has a \$20,300 grant for signage on N Derby Rd, Nelson Hill Rd, Hayward Rd, Cross Rd, Shattuck Hill Rd, Darling Hill Rd, and Elm St, tree removal on Crawford Rd and Fontaine Rd, and pavement markings on West St. There is no match required. **Highway Structures Grant** - The Town has a \$19,800 grant for engineering to replace a culvert at the end of 4H Rd. The design work has been completed and the only thing left to do is the construction inspection when it is built. 10% match is required. The Town has been told that we will get funding for the construction next year. **Highway Structures Grant** - The Town has a \$10,629 grant for engineering to replace a culvert on Bushey Hill Rd. The design work has been completed and the only thing left to do is the construction inspection when it is built. 10% match is required. **Highway Structures Grant** - The Town has a \$132,283.80 grant to replace a culvert on Bushey Hill Rd. Expenditures so far is \$53,380 for the purchase of the box culvert. 10% match is required.

Review & Sign Article for 2024 Warning – Orleans/Essex VNA & Hospice Inc – They are requesting a \$13,600 appropriation. This is the same as the last 3 years and does not need a petition. The Board approved adding this to the 2024 Warning.

TA/ZA Report - DRB/PC: The DRB has 2 permits for next week. The Planning Commission will be meeting to discuss zoning map changes for Prouty Drive and Crawford Rd. **Permits:** There have been 78 permits submitted this year to date. **FEMA:** I have a call scheduled with FEMA on Wednesday morning to go over our damage and what our next steps are. Most of the work has been completed. Jason has been very good about tracking the man hours, equipment hours and supplies for each location. **Beach House Roof:** Grant has drafted a request for proposal. Building dimensions, roof slope and pictures need to be added. It will be posted in the newspaper and on our website.

OLD BUSINESS:

Legislative Update – Brian's Committee had a tour of the Casella Landfill. The State keeps a close eye on the landfill. The landfill has 20 years left on their permit.

ROAD REPORT:

Most of the damage from the July storms has been cleaned up.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

At 7:08 p.m. Brad moved to go into executive session for a personnel issue, seconded by Brian. Out of executive session at 7:24 p.m. Steve moved to hire Tom Pratt as the new Road Foreman at \$30/hr, seconded by Brian. Unanimous.

ADJOURNMENT:

There will not be a meeting on Labor Day. The next regular meeting is scheduled for 6:00 p.m. Monday, September 18, 2023. Brad made a motion to adjourn the meeting at 7:25 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 18, 2023

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

Others: Doug Spates, Ed Barber, Matthew Wilson, Joe Profera, Tom Pratt.

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

Warrants #19A in the amount of \$25,468.55 and #19B in the amount of \$195,597.14 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of August 21, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Shattuck Hill Land Donation Update – Doug was thinking about working with the Community Foundation, but that is not going to work out. The 2 options left are to form a 501(c)(3) corporation or donate directly to the Town. Paperwork for a nonprofit corporation could be a pain in future years. The best option would be to donate directly to the Town. This would be similar to what was done for the Dog Park. The donors need assurance that the donations are tax deductible. Doug has \$300,000 in commitments so far. Bob checked online and believes the donations are tax deductible and he is checking with VLCT to confirm this. Also, the Town would need to set up a Committed Reserve Fund for the donations. If not enough money can be raised for the purchase, the Town will need to refund the donations. Karen moved to set up a Committed Reserve Fund to receive donations for the purchase and maintenance of the Shattuck Hill Land subject to VLCT confirming that the donations are tax deductible, seconded by Brad. Unanimous.

Errors & Omissions - Listers – The property is owned by Donald Racine ET AL and the change is due to a Veterans Exemption. Brian moved to approve the Listers Errors & Omission, seconded by Brad. Unanimous.

Review & Approve Liquor Licenses – Top of the World VT & The Quarry Kitchen – at 6:15 Karen moved to go into a Liquor Control Board meeting, seconded by Brian. Unanimous. Discussion centered around what the Top of the World VT license, it appears to be for year round. At 6:24 Steve moved to come out of the Liquor Control Board meeting, seconded by Brian. Unanimous. Steve moved to approve both applications as submitted, seconded by Brian. Unanimous.

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

TA/ZA Report – None.

OLD BUSINESS:

Legislative Update – None.

ROAD REPORT:

Steve introduced the new Road Forman, Tom Pratt to the Board. The culvert below Scott Warthin's house on Hinman Settler Road has a beaver problem. Matt is trying to get rid of them. The dam is inside the culvert and the road crew was able to bust it up by pushing a telephone pole through the culvert. It will be an ongoing battle until the beavers are taken care of. Also, the bottom of the culvert is rotted out and will need to be replaced sooner rather than later. A hydraulic study was done in 2021. Steve reported that they now make a plastic arc that is substantially less than a box culvert or large steel culvert. The garage roof needs to be repaired. Bob has the trade-

in quote for replacing one of the trucks that will have to be discussed at the next meeting. If the Town orders soon the chassis could be delivered in the first quarter of 2024 and the truck ready for fall. Roadside mowing is almost completed. Steve mentioned that it would be nice to have a roadside mower.

RECREATION COMMITTEE:

Karen is planning on drafting a letter about the new park to send out for donations.

OTHER BUSINESS:

Thank You Letters – The Town has received a thank you letter from Wednesday's on the Waterfront for the Town's support. Derby Line has sent 2 thank you letters for the Town's support for Derby Line Community Day, one from Laurie Sanville and one from Bruce Muir.

Derby Historical Society - They are planning a brief ceremony to unveil the Military Historic Marker on Nelson Hill Road commemorating a War of 1812 raid in Derby. The ceremony will be on Saturday, October 14th at 10:00 AM. After the event there will be open tours and refreshments at the Derby Historical Society building at 35 Junior High Drive.

ARPA Funds - Brian got an email about the Haskell Library getting \$35,000 and was wondering if it was from the Town or a separate fund from the State. The Board was also wondering if the ARPA funds for NEK Broadband have been paid yet.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, October 2, 2023. Karen made a motion to adjourn the meeting at 6:50 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
October 2, 2023

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

Others: David French, Mark Linton, Al Loukes, Mary Perkins, Ray Perkins, Alton Willard, Theresa Fortin, Sandy Madey, Marlene Maxwell, Jane Clark, Miguel Vasquez, Kim Klein, Paula Crouse, Deb Latta, Douglas Coutts, Jewell Loukes, Gary Laber, Bob McDowell, Larry Fortin, Kate Meachan, Ken Lawson, Matthew Wilson, Joe Profera, Tom Pratt, Bob Kelley.

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

Warrants #20A in the amount of \$34,612.95 and #20B in the amount of \$62,951.34 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of September 18, 2023, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Al Loukes – Pickleball – Recreation Grant – Mr. Loukes was upset with the length of time it is taking to get the new park built. He thought it would be better to rebuild the existing courts and put additional parking in the field. 4 pickleball, 1 tennis and 1 basketball court could fit where the existing courts are. It was explained to Mr. Loukes that with Federal funds there are a lot of strings attached and hoops to jump through. Mr. Loukes would like to get an update on the progress being made in 3 months. He was welcomed to come back anytime. The room was full of people in support having dedicated pickleball courts.

Truck Quotes – The Board reviewed the quote for a Mack and a Western Star. Tom reported that the Town can get an additional \$5,000 discount if the Town pays for the truck when it is delivered and prior to the body being installed. Viking had a better price for the body than Tenco. Expected delivery is late spring for the truck and late fall for the body. Steve moved to purchase the Western Star with the Viking Body contingent upon getting the additional \$5,000 discount in writing, seconded by Brian. Unanimous.

Review & Sign – Environmental Conservation Stump Dump Disposal Application – This is something that needs to be done every 10 years. NEKWMD handles all the paperwork for the Town for the Stump Dump and Recycling. Steve moved to sign the application, seconded by Brian. Unanimous.

State of Vermont – Request for Reimbursement – These are for the engineering grant for both the 4H Rd and Bushey Hill Rd culvert replacements and for the construction of the Bushey Hill Rd culvert. All were reviewed and signed.

TA/ZA Report – DRB/PC: Next Monday is Columbus Day, so the DRB & PC will not be meeting. **Permits:** There have been 94 permits submitted year to date. **Grants: New Park** – the grant is for \$517,750 and so far \$8,150 has been spent on the Environmental Assessment. The Environmental Assessment should be completed, we are waiting on the State to confirm this. As soon as the State approves the Environmental Assessment the next step is to hire an architect to design the park so that we can put it out to bid. It looks like work will begin next spring. **Better Roads** – The Salem-Derby Rd project has been completed. **Grants-In-Aid** – The Town has a \$15,000 grant to do work on hydraulically connected road segments. Location has not been determined yet. 20% match required. **HSIP Small Scale Local Safety Grant** – The pavement markings and tree removal have been completed and the signage has been ordered. **Highway Structures Grant** - The Town has a \$19,800 grant for engineering to replace a culvert at the end

of 4H Rd. The design work has been completed and the only thing left to do is the construction inspection when it is built. 10% match is required. **Highway Structures Grant** - The Engineering grant for the Bushey Hill Culvert Replacement project is complete. **Highway Structures Grant** – The Bushey Hill Culvert Replacement grant has been completed. **Hinman Settler Road Engineering** – Eric Pope said the State has the funds to give us a grant for the engineering this year. Tyler Billingsley is getting us a quote to submit with the grant application. The grant will require a 10% match from the Town. **Transportation Alternative Program (TAP) & Municipal Highway and Stormwater Mitigation Program (MHSMP)** - Grant applications are due for both on December 8th. I will begin working on a grant for a new Salt Shed. **FEMA:** Most of the work has been completed. The Road Crew is finishing up on Bushey Hill Rd and needs to put a final layer of crusher run on Derby Gore Rd. Hayward Rd is still remaining. Tyler Billingsley is getting me 2 estimates, one to replace the culverts and the other to reroute the brook. Bob has contacted the State River Engineer to see what they will allow and Bob needs to contact the State Wetlands people to get their approval. More than likely one of the departments will oppose the rerouting of the brook. **Beach House Roof:** The Town has not received any bids for replacing the Beach House roof. Bob will advertise again and also call some contractors. **Shattuck Hill Land Donation:** VLCT confirmed that donations for the purchase of the land are tax deductible and the IRS is sending us a letter to that effect also.

OLD BUSINESS:

Legislative Update – None.

ROAD REPORT:

Tom proposed being proactive with maintenance of the grader and wants to get a CAT representative to come and analyze our grader. It will cost \$1,500 and they will report on the health of the machine and give estimates for any work that needs to be done. The Board agreed and told Tom to get it scheduled. Salt is \$96/ton this year and the first load has been ordered in case we get an early snow.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

Ken Lawson – Ken lives on Wallace Rd and would like to see a sidewalk installed from Wallace Rd to the Cow Palace. Ken was informed the Village of Derby Center is responsible for sidewalks within the Village limits. Also, this is along a State highway and the State approval would be needed.

EXECUTIVE SESSION:

At 7:33 Karen moved to go into executive session for a legal issue, seconded by Brian. Unanimous. Out of executive session at 7:44, no action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, October 16, 2023. Karen made a motion to adjourn the meeting at 7:45 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
October 30, 2023

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

Others: Ed Barber, Joe Profera, Tom Pratt, Bob Kelley.

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

Warrants #22A in the amount of \$26,214.97 and #22B in the amount of \$7,480,987.76 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of October 2, 2023, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Updates on New Park – The Environmental Assessment should be complete. Bob emailed the State the signed checklist today. There is a 2 week notice period and then a 2 week appeal period before it is finalized. The Town can go out to bid for portions of the project, but cannot actually spend any money until everything is in order. Larry Fortin gave Bob a drawing of what the pickleballers would like to see. It includes 4 pickleball courts, 1 basketball court, 1 tennis court, and a space between the pickleball courts for a shelter for the players waiting to get on the courts. A tennis player stopped in last week and thinks the Town should build the same as there is now. The Board decided to go with 4 pickleball courts, 1 basketball court, and 1 tennis court, but not the extra space for a shelter. If a shelter is needed it can be built outside of the courts. The Wildcat Soccer Club have inquired about the possibility of using the park for soccer fields. The Board would like them to come to a meeting to explain what they need. This would be a change from the original park concept. Port-a-Potty vs bathroom vs compost toilets were discussed. The Town will get quotes for the courts and see how much is left for other things. Park discussion will be on the agenda for the next meeting.

Beach House Roof – The Town received one bid from Limlaw Building Construction for \$17,800. This was a little higher than expected. The roof will be paid for by the Recreation Fund that has around \$55,000 in it. Karen moved to accept the bid from Limlaw Building Construction with the condition that the work is done this year, seconded by Brad. Ayes – Karen, Brad, Steve, Grant. Nays – Brian. The motion passes.

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

TA/ZA Report – DRB/PC: The DRB has 1 permit on their agenda next week. The PC will not be meeting next week. They have completed a zoning map change which they have scheduled their public hearing for Nov 20th. **Permits:** There have been 96 permits submitted year to date. **Grants: Grants-In-Aid** – The Town has a \$15,000 grant to do work on hydraulically connected road segments. Location has not been determined yet. A 20% match is required. **HSIP Small Scale Local Safety Grant** – Still waiting for the grant agreement to be signed by the State. **Highway Structures Grant** – Hinman Settler Road Engineering has been submitted. Once the grant agreement is signed we can get Tyler Billingsley to start the design. The grant will require a 10% match from the Town. **FEMA:** Except for replacing the culvert on Hayward Rd, all the FEMA work has been completed. Tyler Billingsley has estimated the cost to be \$940,000.

OLD BUSINESS:

Legislative Update – None.

ROAD REPORT:

The grader has been inspected, but the report has not been completed. The garage roof is leaking like a sieve and needs to be repaired. It was thought that the cross members could be reinforced and new screws with larger washer installed. Grant will make some calls to see if he can get someone to do the work.

RECREATION COMMITTEE:

Karen has talked with Cars of Yesteryear and they would like to take over the 4th of July Parade. The Board thought this would be a good idea and Karen still needs to help out next year and see how things go. Staging for the parade may be an issue since Poulin Grain has bought the Louis Garneau property and their trucks take up a lot of room.

OTHER BUSINESS: None.

EXECUTIVE SESSION: None

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, November 13, 2023. Brian made a motion to adjourn the meeting at 7:00 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
November 27, 2023

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

Others: Jeffrey Johansen, Nancy Moore, Ross Ogilvie, Andrea Ogilvie, TJ Jackman, Nathanael Ogilvie, M Kohl, Brandon Phillips, Matt Wilson, Ed Barber, Joe Profera, Tom Pratt, Bob Kelley.

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

Warrants #24A in the amount of \$25,154.29 and #24B in the amount of \$33,129.44 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of October 30, 2023, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Drift Dusters – Permission Request – Brandon Phillips – This is the annual request for the snowmobile club to have their trails across Town land. There is no change from last year. Brian moved to approve the Permission Request, seconded by Steve. Unanimous.

Listers – Errors & Omissions – Nancy Moore explained that the Cable Holdco Exchange III LLC \$167,500 inventory was combined with their other property but the account was not deleted so they were being taxed twice on the inventory. This request is to correct it. Brad moved to approve the Errors & Omissions request to change the Cable Holdco Exchange III LLC inventory property from \$167,000 to \$0, seconded by Karen. Unanimous

Newport Ambulance – Budget Amount – Jeff Johansen – Mr. Johansen explained the budget increase. Derby's contract amount for 2024 will be \$183,068 plus \$19,310 for dispatching cost. This is approximately a \$14,000 increase from last year. Derby has had 522 calls year. Brian moved to approve the Ambulance Contract of \$183,068 and dispatch cost of \$19,310 for 2024, seconded by Brad. Unanimous.

Lake Salem Preservation Association – Milfoil Update – The ProcellaCOR treatment appears to have been very effective. A survey after the treatment only found one small patch remaining. They thanked the Town for the ARPA funds used for the project. It wouldn't have been possible without the Town's contribution. The chemical was undetectable in the lake after 48 hours and the native plants were not affected. Total treatment cost was \$112,000 and the annual survey required will be about \$7,000. The Association again thanked the Town for the ARPA funds.

Wednesdays on the Waterfront – They are requesting funding again for the 2024 Wednesday night concerts. The Town donated \$500 last year. Brad moved to donate \$500 again next year, seconded by Karen. Unanimous.

Park Discussion – Nothing new to report. The Board would like to see the Request For Proposal for the courts to go out.

Review & Sign – Liquor Licenses – Goof Stuff Newport – At 6:37 p.m. Karen moved to go into a Liquor Control Board meeting for a tobacco license, seconded by Steve. Unanimous. At 6:40 p.m. Brad moved to come out of the Liquor Control Board meeting, seconded by Karen. Unanimous. Brian moved to approve the tobacco license for Good Stuff Newport, seconded by Karen. Unanimous

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

Appropriations Request – NEK Council on Aging, NEKHS, Pope Memorial Frontier Animal Shelter, RCT & Salem Lake Preservation Association – All are the same amount as requested last year. Karen moved to approve to add all the above appropriations requests onto the Town Meeting Warning, seconded by Steve. Unanimous.

TA/ZA Report – DRB/PC: The DRB doesn't have any permits on their agenda next week. The PC will not be meeting until next year. **Permits:** There have been 100 permits submitted year to date. **Grants: New Park** – Nothing new to report. Bob has been working on grants and put this on the back burner until after Dec 15th. **HSIP Small Scale Local Safety Grant** – Still waiting for the grant agreement to be signed by the State. **Highway Structures Grant** – Hinman Settler Road Engineering has been approved and Tyler Billingsley has it on his schedule to do this winter. Eric Pope said that the Town will get a structures grant for the construction next year. Tyler plans on putting it out to bid this winter with a start date any time after July 1st. **Grants-In-Aid** – Bob is working on a grant to replace 6 culverts on Darling Hill Rd near Poulin Farm Rd. The application is due 12/15/23. **Recreation Grant** – Bob is working on a grant for the playground equipment at Derby Green and the walking paths for the new park. The application is due 12/15/23. **Salt Shed Grant** – Bob is working on a Transportation Alternatives Program (TAP) Grant for a new 40 x 60 salt shed. Tyler Billings is working on an estimate for us, but said he would not be bidding on the project as the TAP grants are too much of a pain. The application is due 12/8/23. The Board signed a letter of support stating that the Town is aware of the 20% match and is committed to maintaining it. **FEMA:** Bob has been working with FEMA to finalize the expenses for Derby Gore Rd, Fontaine Rd, and Bushey Hill Rd, and for the debris removal on Hayward Rd. **Light Up the Night Parade:** The parade is next Saturday, Dec 2nd. It starts in Newport at 5:00 p.m. and finishes at the Junior High at about 6:00 p.m. The Board was asked if the Town would put in a vehicle. Not this year but maybe next year. Ann Kelley has been organizing the parade and is frustrated with the Town's lack of participation and will not be doing it next year. **Jones Drive:** The Jones are upset that their access thru the Stump Dump has been closed off. They do not have legal access through the Stump Dump property, but have been using it. They recently rebuilt Jones Drive (private road), so now it can be used to access all three mobile homes. The Jones would like to have at least an emergency access thru the Stump Dump. The Board thought their legal access along Jones Drive is sufficient.

OLD BUSINESS:

Legislative Update – There is a House Briefing on Friday.

ROAD REPORT:

The grader inspection report has been completed. Tom will come up with a budget for repairs he thinks are needed. Some items include changing all the fluids and hoses, also some cylinders need work. Tom could not find any indication that the hydraulic and transmission oils had ever been changed. There are 16,000 hours on the grader. Limlaw has not started the repairs to the garage or beach house roofs.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

Hope Well Studio LLC has donated \$721 to the Recreation Fund from a fund raising event they held.

Orleans County Judges sent the Town a notice for their County meeting. Their total budget for 2024 is \$608,964.

EXECUTIVE SESSION:

At 7:14 p.m. Brian moved to go into executive session for a personnel issue, seconded by Steve. Unanimous. Out of executive session. No action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, December 11, 2023. Karen made a motion to adjourn the meeting at 7:27 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
December 11, 2023

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

Others: Faye Morin, Michelle Jones, Richard Jones, Matt Wilson, David Bordo, Yvette Bordo, Elijah Capron, Joe Profera, Tom Pratt, Bob Kelley.

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

Warrants #25A in the amount of \$26,447.39 and #25B in the amount of \$107,764.93 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of November 27, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS:

Michelle & Richard Jones were in to discuss what Raymond Jones has been doing in the Stump Dump. Their property borders the Stump Dump and Raymond Jones'. Raymond has placed large boulders that he has taken from the Stump Dump and put them along the boundary between the Stump Dump and Michelle & Richard's property. Now Raymond has pushed snow and the boulders onto their property. Since this is being done from Town property, they feel that the Town is responsible and needs to remove the boulders and snow. They also reported that Raymond's family has been using the Stump Dump for snowmobiling, ATVing, and as a shooting range. The Town has asked VLCT to advise the Town on what authority the Town has to stop Raymond from plowing snow and putting boulders onto Michelle & Richard's property. The Board will also put up "No Trespassing, No ATVs, No Snowmobiles, and No Shooting signs on the property.

NEW BUSINESS:

Elijah Capron – 3155 Beebe Rd – Health Concerns – This is the property that straddles the border in Beebe and is owned by the same company that the Town has had problems with in Derby Line. David & Yvette Bordo live in one of the 5 units in the building and are having problems with rats, electrical, and mold. 3 units are rented and 2 units are vacant. The Town will try to get the State Fire & Electrical inspectors to look at the property. The State Attorney General should be contacted and maybe VLCT knows an advocacy group that can help.

Roads – Tom Pratt – Tom gave the Board a list of small roads that should be looked at to determine if it is in the Town's best interest to keep maintaining the roads.

Review & Sign – Orleans County Sheriff's Budget Amount – The budget request is for \$126,880. This for 2080 hours at \$61/hr. An increase from \$58/hr last year. Brian moved to approve the Orleans County Sheriff's Budget in the amount of \$126,880, seconded by Karen. Unanimous.

Review & Sign Appropriations Requests – NEK Learning Services, Umbrella, Orleans County Historical Society, Derby Pond Eurasian Milfoil Prevention – The Board reviewed all and the requests are for the same amount as last year. Steve moved to approve the requests to go on the ballot for Town meeting, seconded by Brad. Unanimous.

VT Electric Coop – Town Road ROW Occupancy Request – This is for service to a property owned by Teresa Nelson on Derby Pond Road. The request is not clear that the service is be underground. Karen moved to approve the request with the condition that the service is underground, seconded by Steve. Unanimous.

Park Update – Recreational Field Design – The Board reviewed the court design and specification. A Request For Proposals will be sent out with proposals due by 5:00 pm on January

8, 2024 in time for the Board's next meeting. John Gobeil is working on an estimate for the walking paths and this will be included in the Recreation Grant due this Friday.

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

Review & Sign – Liquor Licenses – Circle K Vermont, Price Chopper Operating Co – At 6:54 p.m. Karen moved to go into a Liquor Control Board meeting, seconded by Brian. Unanimous. At 6:56 p.m. Karen moved to come out of the Liquor Control Board meeting, seconded by Brad. Unanimous. Brian moved to approve the licenses for Circle K Vermont & Price Chopper Operating Co, seconded by Brad. Unanimous

TA/ZA Report – DRB/PC: The DRB has 1 permit on their agenda next week. The PC will not be meeting until next year. **Permits:** There have been 104 permits submitted year to date. **Grants:** **HSIP Small Scale Local Safety Grant** – Still waiting for the grant agreement to be signed by the State. **Highway Structures Grant** – No change. Hinman Settler Road Engineering has been approved and Tyler Billingsley has it on his schedule to do this winter. Eric Pope said that the Town will get a structures grant for the construction next year. Tyler plans to put it out to bid this winter with a start date any time after July 1st. **Better Roads Grant** – Bob is working on a grant to replace 6 culverts on Darling Hill Rd near Poulin Farm Rd. The application is due 12/15/23. **Recreation Grant:** Bob is working on a grant for the playground equipment at Derby Green in front of the Jr High and the walking paths for the new park. The quote for the playground equipment with installation is \$82,848.50 (equipment \$45,661.00 and installation \$37,187.50). The application is due 12/15/23. **Salt Shed Grant:** The grant was submitted last Thursday. Total project cost is estimated at \$600,000. Grant decisions are made late February to early March. **FEMA:** I have been working with FEMA to finalize the expenses for Derby Gore Rd, Fontaine Rd, and Bushey Hill Rd, and for the debris removal on Hayward Rd.

OLD BUSINESS:

Legislative Update – None.

ROAD REPORT:

Everything is going fine.

RECREATION COMMITTEE:

Karen thanked Ann & Bob Kelley for a successful Light Up the Night Parade.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

At 7:11 p.m. Brian moved to go into executive session for a real estate issue, seconded by Steve. Unanimous. Out of executive session. No action taken.

ADJOURNMENT:

There will be no meeting in 2 weeks due to Christmas. The next regular meeting is scheduled for 6:00 p.m. Monday, January 8, 2024. Steve made a motion to adjourn the meeting at 7:24 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*