

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
July 8, 2024

Present: Steve Gendreau, Grant Spates, Brian Smith, Lindsay Brainard.

Others: Loraine Limlaw, Matt Wilson, Tom Pratt, Paul Prue, Ed Barber, Faye Morin, Bob DeRoehn, Mark McBride, Diane McBride, Margaret Leavens, Gary Leavens, Nancy Moore, Ben Batchelder, Sean Ryan, Emily Cromie, Glenn Ingalls, Bob Kelley.

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

Warrants #14A in the amount of \$24,772.54 and #14B in the amount of \$85,136.70 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of June 10, 2024 as written, with Lindsay seconding. Unanimous.

PUBLIC HEARING FOR ZONING BYLAW AMENDMENT:

Brian moved to recess the meeting to go into a Public Hearing for a proposed zoning bylaw amendment to add “Private School” as a Conditional Use in the Village Commercial Derby Center (VCDC) zoning district, seconded by Steve. Unanimous. Sean Ryan spoke that New School of Montpelier’s Glover campus is too small for the needs of the area and they are looking at the former Derby Pond Animal Hospital as an alternate location. They are a for profit school and would be renting the property, so the property would still pay taxes. Margaret & Gary Leavens and Ben Batchelder asked questions about New School. They operate normal school hours and serve students ages 6 to 22. All their students have special needs and are referred to New School by the Public Schools which do not have the resources to deal with the students. They are anticipating around 15 students. Payment for the students comes from State and Federal funds. After all the questions were answered Brian moved to close the Public Hearing, seconded by Lindsay. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Consider Bylaw Amendment – Brian moved to approve the proposed zoning bylaw amendment to add “Private School” as a Conditional Use in the Village Commercial Derby Center (VCDC) zoning district, seconded by Steve. Unanimous.

Diane & Mark McBride and Ben Batchelder – Discontinuance of Roads – Diane & Mark McBride, Ben Batchelder, Margaret & Gray Leavens, and Loraine Limlaw expressed their concerns regarding the closing of Batchelder Drive, Robillard Rd and Willard Drive. The Board listened to all the concerns and explained the process for closing a road. An official Public Hearing is required and all abutting property owners must be notified. The Board listens to all public comments at the Public Hearing and physically inspects the roads that are proposed to be closed prior to making a decision.

Errors & Omissions – Listers – There were 5 properties with corrections resulting in a \$49,200 decrease in the Grand List. Brian moved to approve the Errors and Omissions as submitted, seconded by Lindsay. Unanimous.

NEK Broadband Terminal – The Board reviewed the design. Tom has reviewed and approved the location for the new power pole. Brian moved to approve the proposed easement location for the Broadband Terminal, seconded by Lindsay. Unanimous.

Review & Sign Excess Weight Permit – Beacon Sales Acquisition –The permit was reviewed and signed by Steve as Road Commissioner.

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

Review & Sign – Cannabis License - Kushies LLC – At 6:45 PM Brian moved to go into a Cannabis Control Board Meeting, seconded by Lindsay. Unanimous. This is a renewal of an existing license. At 6:48 PM Brian moved to come out of the Cannabis Control Board Meeting, seconded by Lindsay. Unanimous. Brian moved to approve the license for Kushies LLC, seconded by Lindsay. Unanimous.

Review & Sign Appropriations – Non-Arbitrage Borrowing Anticipation Note – After reviewing, Steve moved to sign the Non-Arbitrage Borrowing Anticipation Note, seconded by Brian. Unanimous.

TA/ZA Update – DRB/PC: The DRB has no permits pending next week. The PC will be meeting next week. **Permits:** There have been 70 permits submitted year to date. **Grants: New Park** – Construction of the new ball courts has begun. **Highway Structures Grant** – Still trying to resolve the easement with Sachs. **Better Roads Grant:** Culvert replacements along Darling Hill Road near Poulin Farm Rd should be starting tomorrow. **FEMA:** Trying to work out the culvert replacements on Hayward Rd. because the upstream culverts were not damaged FEMA might not pay for replacing them. **Kids Pond:** Rick Joyal has been keeping an eye on the water level and is taking out boards in the dam when he can. **Fire Station Siding:** Still no bids. We are advertising in the Chronicle this week. **Recycling Electric:** An inline meter has been installed on the Recycling Center.

OLD BUSINESS:

Legislative Update – None.

ROAD REPORT:

All the paving is completed. Replacement of the culverts on Darling Hill Rd will begin tomorrow and should be completed on Wednesday.

RECREATION COMMITTEE:

Grant has a used set of swings and basketball backboards from a job he is working on that the Town may be able to reuse.

OTHER BUSINESS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, July 22, 2024. Brian made a motion to adjourn the meeting at 7:03 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*