

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
July 22, 2024

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

Others: Faye Morin, Elijah Capron, Frank Davis, Tom Pratt, Doug Spates, Peter Alexander, Paul Prue, Craig Ellam, Bob Kelley.

MEETING CALLED TO ORDER - 6:20 P.M.

Warrants #15A in the amount of \$31,030.05 and #15B in the amount of \$525,499.89 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of July 8, 2024 as written, with Lindsay seconding. Unanimous.

PUBLIC COMMENTS:

Paul Prue commented on the delay in getting the Hinman Settler culvert replaced caused the washout. Both Paul Prue and Peter Alexander praised the Road Foreman and Road Crew for getting the temporary culvert installed and the road reopened so quickly.

NEW BUSINESS:

Town Health Officer – Elijah Capron – Elijah updated the Board on the 3155 & 3145 Beebe Road rat infestation. Doug Spates said that his crew is licensed for extermination and has treated 3145 Beebe Road. Elijah is not getting any response from 3155 Beebe Road and would like to issue a health order. The Board agreed.

Discontinuance of Roads Discussion – The Board approved the following roads be warned for discontinuance: TH-70, 0.05 mile of TH-62, TH-46, 0.05 mile of TH-39, TH-55, TH-65, TH-98, and 0.14 mile of TH-6 be warned for discontinuance. The Board also approved the following road be warned for discontinuance and declared a Legal Trail: 0.90 mile of TH-37. The Board approved the following roads that are currently Not Up To Standards (NUTS) on the Town Highway map be warned for discontinuance: 0.21 mile of TH-7, 0.05 mile of TH-9, 0.35 mile of TH-59, and 0.02 mile of TH-98.

Review & Approve Tax Rate – The Board reviewed the proposed tax rate of \$1.9424 for Homesteads and \$2.2681 for Non-Homestead. This is an increase of \$0.1843 and \$0.2436 respectively. The schools account for over 70% of the increase. Brian moved to approve a Homestead Tax Rate of \$1.9424 and a Non-Homestead Tax Rate of \$2.2681, seconded by Lindsay. Unanimous.

Review & Sign Financial Management Questionnaire – The Board reviewed and signed.

Review & Approve Liquor Licenses – Eden Ice Cider Company & Newport VT Elks Lodge #2155 – At 7:40 PM Brian moved to go into a Liquor Control Board Meeting, seconded by Brad. Unanimous. Both licenses were reviewed. At 7:42 PM Brad moved to come out of the Liquor Control Board Meeting, seconded by Brian. Unanimous. Lindsay moved to approve the licenses for Eden Ice Cider Company & Newport VT Elks Lodge #2155, seconded by Brad. Unanimous.

TA/ZA Update – DRB/PC: The DRB has nothing pending for next week. The PC will not be meeting next week. **Permits:** There have been 78 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. We have everything except their SS# for the property transfer. **Better Roads Grant:** Culvert replacements along Darling Hill Road near Poulin Farm Rd is completed except for the mulching. **FY24 Budget Adjustment Act:** The town will be receiving a

grant of approximately \$60,000 to be used for projects which were not eligible for public assistance from the July 2023 flooding. One project that comes to mind is the Andrew & Wanda Gosselin property on the corner of Route 105 and Bushey Hill. They had a lot of debris that ended up on their property and no financial help in removing it. **FEMA:** FEMA has agreed to replace both sets of culverts on Hayward Road. **Kids Pond:** Rick Joyal is still keeping an eye on the water level, but because of the rain he has not been able to take out any more boards. **NEK Broadband Board:** NEK Broadband is working on a draft easement. **Derby Line:** Derby Line will be submitting a permit for 2 storage containers. One is for the skating rink and one is for their Village Garage. They are asking that the Board waives the fee. The Board agreed to waive the permit fee.

I-91 Ramp Closures: Hutchins has given us a schedule for when the ramps will be closed for the repaving project. The Board asked that the schedule be posted on the Town's website. **Zoning Violation:** David Fletcher 2893 Salem Derby Road. I inspected the property last Thursday and he has cleaned up some. I plan to inspect it again at the end of this week to see if he continues to clean up. Byron Wright wants things done faster. The Board authorized Bob to send it to the Town Attorney Sara Davies to bring it to the Environmental Court. **Beach House:** Bob would like to get the internet installed at the Beach House. The speed at the Town Garage is not adequate and the Town can switch the free service to the Beach House and upgrade the internet at the Garage. The phone service is going to be switched soon and the savings will pay for the internet service.

OLD BUSINESS:

Legislative Update – None. This needs to be taken off future agendas.

ROAD REPORT:

Only one bid was received for the Hinman Settler Road Culvert replacement. Steve opened the bid from Goodhue Excavation Inc. The Bid was for \$202,300. Lindsay moved to approve the bid from Goodhue Excavation Inc of \$202,300, seconded by Steve. Unanimous.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

Craig Ellam said the trees on Private Roads around Lake Salem need to be trimmed. It is making emergency access difficult. Lake Salem Association will be notified.

Craig also gave the Board a heads up that VOSHA/OSHA are looking at all emergency services in Vermont. This has the potential to create hardships for many communities with volunteer fire departments like Derby. Across the Border Canada has consolidated departments and it is not working out very well. The Town needs to contact VLCT to make sure they stay on top of this and keep towns informed.

EXECUTIVE SESSION:

At 8:04 p.m. Brian moved to go into executive session for a legal issue regarding the right of way through the Stump Dump, seconded by Brad. Unanimous. Out of executive session at 8:20 p.m., no action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, August 5, 2024. Brian made a motion to adjourn the meeting at 8:21 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*