

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

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

Others: Bob DeRoehn, Lindsay Brainard, Mark Linton, Paul Prue, Matt Wilson, Joe Profera, Tom Pratt, Bob Kelley.

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

Warrants #26A in the amount of \$24,891.98, #26B in the amount of \$6,608.77, #26C in the amount of \$879,277.79 and #1B in the amount of \$14,800.59 were signed.

APPROVE MINUTES:

Karen moved to approve the minutes of December 11, 2023, with Brad seconding. Unanimous.

PUBLIC HEARING FOR ZONING BYLAW AMENDMENT:

Karen moved to recess the meeting to go into a Public Hearing for a proposed zoning bylaw amendment, seconded by Brad. Unanimous.

The proposed bylaw amendment is to make Parcel TRD41008G3T (479 Crawford Rd) entirely in the Commercial (COM) zoning district and to make TRD41008G3T2 (553 Crawford Rd) entirely in the Shoreland (SD) zoning district by changing the portion of TRD41008G3T currently in SD to COM and by changing the portion TRD41008G3T2 currently in COM to SD. Currently both parcels have portions each in both the COM and SD zoning districts.

The Board asked for and received clarification of the locations of the properties and the portions being changed. There were no comments from the public.

Karen moved to close the Public Hearing and return to their regular meeting, seconded by Brad. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Consider Bylaw Amendments – Karen moved to approve the proposed zoning bylaw amendment to make Parcel TRD41008G3T (479 Crawford Rd) entirely in the Commercial (COM) zoning district and to make TRD41008G3T2 (553 Crawford Rd) entirely in the Shoreland (SD) zoning district by changing the portion of TRD41008G3T currently in SD to COM and by changing the portion TRD41008G3T2 currently in COM to SD. Currently both parcels have portions each in both the COM and SD zoning districts as submitted, seconded by Brad. Unanimous.

Road Hire – Set Rate of Pay – This will be discussed in Executive Session.

Recycling Hire – Set Rate of Pay – Jimmy Almazan and Kameron Coe are both gone. Steven Shelta has been hired and the Board needs to set his pay rate. Recommended rate - \$14.18 (same as the other recycling attendants). Brad moved to hire Steven Sheltra at a pay rate of \$14.18/hour, seconded by Steve. Unanimous.

Park Update – The tennis/pickleball/basketball courts have gone out to bid. I contacted one of the companies that specializes in tennis courts and they thought Jan 8th would be pushing it to get bids in. I set the date for Jan 22nd at 5:00 PM so they will be ready for your next meeting.

Review & Sign – Liquor License – DVS (Derby Village Store) – At 6:10 p.m. Karen moved to go into a Liquor Control Board meeting, seconded by Brad. Unanimous. At 6:11 p.m. Karen moved to come out of the Liquor Control Board meeting, seconded by Brad. Unanimous. Steve moved to approve the license for DVS, seconded by Brad. Unanimous

Certificate of Highway Mileage – There were no changes from last year. Steve moved to approve the Certificate of Highway Mileage, seconded by Brad. Unanimous.

Excess Weight Permit – Larry Letourneau – Steve signed as Road Commissioner.

Review & Sign Appropriations Requests – Derby Pond Milfoil & Orleans County Citizens Advocacy – The Board reviewed all and the requests are for the same amount as last year. Karen moved to approve the requests to go on the ballot for Town meeting, seconded by Steve. Unanimous.

TA/ZA Report – DRB/PC: The DRB does not have any permits pending for next week. The PC will not be meeting until February or March. **Permits:** There were 105 permits submitted last year. There have been 3 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** – Hinman Settler Road Engineering - Tyler Billingsley has completed the draft plans, etc... There are 3 permits required – Stream Alteration, Wetlands and Army Corps of Engineers. **Better Roads Grant** – The grant to replace 6 culverts on Darling Hill Rd near Poulin Farm Rd has been submitted. **Recreation Grant** - A grant for playground equipment at the Derby Green and walking paths for the new park has been submitted. **Salt Shed Grant** - Grant decisions are made late February to early March. **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.

OLD BUSINESS:

Legislative Update – Housing is a big agenda items. There is a big increase in the School property tax this year. Safe injection sites are coming up and could be controversial. A lot of Environment and Energy issues are coming up.

ROAD REPORT:

The road crew had a busy weekend, but everything has been cleaned up. Jacob Tice was hired on a provisional basis. He has been going around with Tom and he has his CDL.

RECREATION COMMITTEE:

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

OTHER BUSINESS:

The Town Clerk wanted Brian to put into the minutes that the Board signed a Listers Errors and Omissions along with the warrants on Dec 22nd. This was for Northeast Agricultural Trust LLC due to a change in their Current Use enrollment resulting in a \$125,500 increase in value to \$1,279,800.

The annual budget meeting has been set for 7:30 AM, Saturday, January 20th.

Paul Prue thanked the Town for the flyer included with the tax bills about plowing snow into the road. This has been an issue and the Board would like the Sheriff's Department to issue tickets if problems continue. The Board would like to include this with the tax bills every year.

Bob informed the Board that Steven Sheltra (the recycling new hire) would be interested in doing the mowing.

EXECUTIVE SESSION:

At 6:26 p.m. Karen moved to go into executive session for personnel and legal issues, seconded by Brad. Unanimous. Out of executive session at 6:40 p.m. Steve moved to hire Jacob Tice on a provisional basis for 90 days at \$20.00/hour, seconded by Karen. Unanimous.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, January 22, 2024. Brad made a motion to adjourn the meeting at 6:41 p.m.

Reminder: Annual Budget Meeting is 7:30 AM Saturday Jan 20th.

Submitted by Bob Kelley, *Unofficial until approved.*

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

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

Others: Christopher Baldwin, Ed Barber, Ken Lawson, Faye Morin, Matt Wilson, Joe Profera, Bob Kelley.

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

Warrants #2A in the amount of \$26,773.46 and, #2B in the amount of \$118,971.98 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of January 8, 2024, with Karen seconding. Unanimous.

PUBLIC COMMENTS:

Ken Lawson – Derby Historical Society – Ken reported that the Historical Society has created a 70-page historical document called “Derby in Distress: A Vermont Town Responds to the COVID-19 Pandemic, 2020-2023”. It records Derby’s history from the pandemic. They are asking if the Town would be willing to fund a small publication of the document. It will cost approximately \$500 for 50 copies and \$750 for 100 copies. Grant said Spates Construction would donate \$250. Karen moved to donate \$250 to the Derby Historical Society for publication of the document, seconded by Brian. Unanimous.

NEW BUSINESS:

Tennis Courts Bids – Three bids were submitted. Vermont Recreational Surfacing & Fencing - \$317,123.00, Isaacs Excavating & Construction - \$319,670.00, and J Fenoff Siteworks - \$210,427.00. J Fenoff Siteworks excluded Court Painting Premier Sports Coating, Court Striping, Nets/Accessories or Installation, Construction/Silt Fencing. Also their bid was submitted electronically and the Request for Proposals stated, “Electric submission will not be accepted.” The apparent low bid is \$317,123.00 by Vermont Recreational Surfacing & Fencing, but the Board wants to look over the bids in greater detail to insure that they are comparing apples to apples before awarding the contract.

Proposals Due – Field Design – The design has not changed. Bob has contacted Jeff Olesky, Catamount Consulting Engineers, about stormwater permitting. He was recommended by Tyler Billingsley. The Town needs clarification to find out if it needs to be put out to bid. The Town Purchasing Policy exempts engineering from the bid process, but grant restrictions may require something different.

Review & Approve Town Budget – The only change from Saturday’s budget meeting was the Lister’s training was lowered from \$3,000 to \$2,000. Brian moved to approve a 2024 Town budget of \$3,021,646.14 excluding appropriations, seconded by Steve. Unanimous.

Excess Weight Permits – Barrett Trucking, Bourne Inc, Bourne Propane, and Carroll Concrete – Steve signed all as Road Commissioner.

Review & Sign – Liquor License – Jolley Associates LLC and FA CAI Inc (China Moon) – At 6:24 p.m. Brian moved to go into a Liquor Control Board meeting, seconded by Karen. Unanimous. Both are renewals and there have not been any issues at either business. At 6:25 p.m. Brian moved to come out of the Liquor Control Board meeting, seconded by Karen. Unanimous. Steve moved to approve the licenses for Jolley Associates LLC and FA CAI Inc, seconded by Karen. Unanimous

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

Review & Sign – Mileage Rate – The rate is \$0.67/mile, the same as the IRS allows. The Board reviewed and signed the rate.

Review & Sign Appropriations Request – Haskell Free Library – The request is for the same amount as last year. Karen moved to approve the request to go on the ballot for Town meeting, seconded by Brian. Unanimous.

TA/ZA Report – DRB/PC: The DRB has one permit pending for next week. The PC will not be meeting until March. **Permits:** There have been 7 permits submitted year to date. **Grants: HSIP Small Scale Local Safety Grant** – No change, still waiting for the grant agreement to be signed by the State. **Highway Structures Grant** –Hinman Settler Road Engineering - Tyler has been told to proceed to get the construction out to bid. **Better Roads Grant** – Darling Hill Culvert Replacement. No change, waiting for the State to make grant award decisions. **Recreation Grant** - Playground equipment at Derby Green and walking paths for the new park. No change, waiting for grants to be awarded. **Salt Shed Grant** – New Salt Shed. No change, waiting for grant award decisions to be made in late February to early March. **MERS Grant** – Garage & Fire Station efficiency improvements. Craig and I are meeting with NVDA to go over the inspection reports and grant requirements tomorrow morning. **FEMA:** All the paperwork is in for the Category C project Derby Gore Rd, Fontaine Rd, and Bushey Hill Rd, and the Category A project for the debris removal on Hayward Rd. FEMA is reviewing them. **3155 Beebe Rd:** This is the property straddling the border. The State inspected the property on 1/2/24 and cited them will multiple violations. Faye emailed you a copy of the report. **Beebe Customs:** GSA is having a Beebe Plain Land Port of Entry Community Meeting at 6:00 PM, Wednesday, January 31, 2024 here in our meeting room to explain what they are doing and to get community input. A flyer should be in with your meeting materials. **Recycling:** We have received the Annual Reports from NEKWMD for both the Recycling Center and Stump Dump. A total of 93 tons of recycled materials were collected last year. **Beach House Roof:** The motion was to accept the bid with the condition that it be completed in 2023. We will need to put it out to bid again. When put out to bid it needs to be specified that it needs to be completed by May 16, 2024.

OLD BUSINESS:

Legislative Update – None.

ROAD REPORT:

Everything is going good.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

Faye reported that the Derby Line Water Bond is for 20 years and ends in 2035. The amount the Clerk can charge for processing DMV applications is \$3 and set by Statute. The amount of comp time that can be accrued can be increased, but the personnel policy would have to be amended.

EXECUTIVE SESSION:

At 6:50 p.m. Karen moved to go into executive session for a personnel issue, seconded by Brian. Unanimous. Out of executive session at 7:01 p.m. No action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, February 5, 2024. Karen made a motion to adjourn the meeting at 7:02 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
February 5, 2024

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

Others: Tom Pratt, Bruce Muir, Paul Prue, Irene Dagesse, Fran Batchelder, Doug Spates, Vivian Spates, Ed Barber, Ken Lawson, Matt Wilson, Joe Profera, Bob Kelley.

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

Warrants #3A in the amount of \$28,450.68 and, #3B in the amount of \$73,926.11 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of January 22, 2024, with Karen seconding. Unanimous.

PUBLIC COMMENTS: None

NEW BUSINESS:

Shattuck Hill Property Update – Doug & Vivian Spates – The purchase date has been extended to March 27th. They have almost \$500,000 in the bank. The purchase price is \$750,000 and site improvements for the scenic overlook are an additional \$200,000 - \$250,000. They have between cash and additional commitments the full \$750,000 for the purchase. They are working to raise the \$200,000 to \$250,000 for the site improvements. They have at least 2 donors that would like to make stock donations. The Town will need to open a special account to receive the stocks and then sell them. Passumpsic Bank has said they will set up the account at no cost and any other bank would probably do the same. It should be set up to require 2 signatures. It was decided that Grant as Selectboard Chair and Faye Morin as Town Clerk/Treasurer would be the ones to sign. Brian moved to open a special account to receive and sell stocks with Passumpsic Bank, seconded by Karen. Unanimous. Bob Chimileski has come up with restrictive covenants and deed restrictions for the Shattuck Hill Project that will have to be reviewed by the Town Attorney. The cost will come out of the funds raised so that it does not cost the Town anything. Lastly, they gave the Board a draft of a Shattuck Hill Oversight Committee purpose and duties. It calls for a 5 member committee plus a Select Board non-voting ex officio member to be appointed by the Select Board.

Derby Line Community Day – Bruce Muir & Karen Jenne – Bruce was present to update the Board on the event and ask for a donation from the Town. Instead of 20 vendors they are hoping for 75 – 100. They will have a better variety of music and food vendors. Last year the Town donated \$1,500 and they were hoping for the same this year. Also last year after the fireworks it poured and it was an extremely dangerous situation. They need better traffic control this year and will have to hire someone. They have been talking to the Sheriff's Department and are hoping they will have the funds for this, if not they are hoping that the Town may be able to help out. The Board was receptive to this. Grant told them that Spates Construction can probably increase their donation. Brian moved to donate \$1,500 for Derby Line Community Day, seconded by Karen. Unanimous.

Discuss Recycling Center – Fran Batchelder & Irene Dagesse were present for the discussion. They do not like the idea of single sort because there is too much that gets wasted. Derby is the location in the area for electronics recycling. The Town does not pay anything extra for the electronics, the fee the Town is charged to pick up recycling does not include electronics. It is paid for by the district. Moving the recycling center to the Stump Dump was discussed as a long range goal.

Award Ballcourt Contract – Vermont Recreational Surfacing & Fencing – is the apparent low bidder at \$317,123.00 Reference checks were excellent and they have vast experience installing ballcourts. Isaacs Excavating & Construction was the second low bidder at \$319,670.00 They submitted a letter highlighting their experience. J Fenoff Siteworks' bid was not complete. Karen moved to award the contract to Vermont Recreational Surfacing & Fencing for \$317,123.00, seconded by Steve. Unanimous.

Review & Sign Fax & Emailing Policy – The proposed policy is to charge a \$3.00 fee per page. Brian moved to approve the Fax & Emailing Policy, seconded by Steve. Unanimous.

Review & Sign Auditor Understanding of Service Letter – This is something that has to be done annually. Steve moved to sign the Auditor Understanding of Service Letter, seconded by Brian. Unanimous.

Excess Weight Permits – CSE Inc, Gosselin Water Wells, RG Gosselin – Steve signed all as Road Commissioner.

Review & Sign Personnel Policy – Change to Comp Time – The change is to increase the amount of comp time to be accrued to a maximum of 80 hours from the current 60 hours. The Board would like to check what other towns are providing. Also the highway regular work day hours needs to be update to what they are currently working. Winters 6:30 – 2:30 Monday – Friday and summers 6:00 – 4:00 Monday – Thursday. Bob will make the changes for the Board to review at their next meeting.

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

Review & Sign – Cannabis Applications – The High Country & Medi Leaf Farms LLC – At 7:14 p.m. Karen moved to go into a Cannabis Control Board meeting, seconded by Steve. Unanimous. Both are renewals and there have not been any issues at either business. At 7:15 p.m. Steve moved to come out of the Cannabis Control Board meeting, seconded by Karen. Unanimous. Steve moved to approve the application for The High Country & Medi Leaf Farms LLC, seconded by Karen. Unanimous

TA/ZA Report – DRB/PC: The DRB has two permits pending for next week. The PC will not be meeting until March. **Permits:** There have been 12 permits submitted year to date. **Grants:** **New Park** – Bob has contacted Jeff Olesky of Catamount Consulting Engineers to help with the stormwater permitting for the new park. Tyler Billingsly recommended him. Jeff submitted an estimate of \$12,765. Karen moved to hire Catamount Consulting Engineers to assist with the Stormwater permitting for the new park, seconded by Steve. Unanimous. **HSIP Small Scale Local Safety Grant** – No change, still waiting for the grant agreement to be signed by the State. **Highway Structures Grant** –Hinman Settler Road Engineering - Tyler has been told to proceed to get the construction out to bid. **Better Roads Grant** – Darling Hill Culvert Replacement. No change, waiting for the State to make grant award decisions. Decisions are typically made in April or May. **Recreation Grant** - Playground equipment at Derby Green and walking paths for the new park. No change, waiting for grants to be awarded. Decisions are typically made in March. **Salt Shed Grant** – New Salt Shed. No change, waiting for grant award decisions to be made in late February to early March. **MERP Grant** – Garage & Fire Station efficiency improvements. Craig and I met with NVDA to go over the inspection reports and grant requirements. The inspection report for the Fire Station has not been completed. A new roof on the garage could qualify if we were installing solar panels on the roof. **FEMA:** All the paperwork is in for the Category C project Derby Gore Rd, Fontaine Rd, and Bushey Hill Rd, and the Category A project for the debris removal on Hayward Rd. FEMA is reviewing them. FEMA wants to split off the Hayward Rd road work that has been completed as a separate project and have the culvert replacement project separate. **3155 Beebe Rd:** The State has fined them \$2,150 for various violations. **Beebe Customs:** The Beebe Land Port of Entry is going to be renovated. GSA held a

meeting here last Wednesday night to get input from residents on concerns with the existing layout. **Recycling:** Steven Sheltra has quit for health reasons. **Beach House Roof:** The job will be advertised again with a due date of March 18th. **Derby Historical Society:** They would like to set up a table at Town Meeting, to promote the group. They would have literature for folks and answer any questions. The Board was fine with this provided they set up out in the hall and not in the gym.

OLD BUSINESS:

Legislative Update –.

ROAD REPORT:

The crew has been filling pot holes and working on things in the shop during good weather. A new truck for 2025 should be ordered soon. Tom is getting quotes and should have them for the next meeting. If it is ordered soon it would arrive in early 2025 and the body could be installed later in the year with expected delivery in the summer of 2025.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

At 7:24 p.m. Brian moved to go into executive session for a personnel issue, seconded by Steve. Unanimous. Out of executive session at 7:50 p.m. No action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, February 19, 2024. Steve made a motion to adjourn the meeting at 7:51 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
February 19, 2024

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

Others: Tom Pratt, Kevin Simoneau, Michele Jones, Richard Jones, Jason Sevigny, Holly Converse, Megan Maclure, Lindsay Brainard, Ben Scherer, Monica Bingham, Raymond Jones, Matt Wilson, Joe Profera, Bob Kelley.

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

Warrants #4A in the amount of \$27,316.73 and, #4B in the amount of \$33,044.64 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of February 5, 2024, with Steve seconding. Unanimous.

PUBLIC COMMENTS: None

NEW BUSINESS:

Derby Line Mutual Aid Agreement – Kevin Simoneau – Kevin explained that last summer Derby Line attempted to help Holland after the July storm, but because of insurance issues they were not able to. A Mutual Aid Agreement would resolve this issue. They used a template from VLCT as the basis for the draft agreement. The Board would like to look into this more before signing an agreement. In the past the Town has helped out other towns and essentially just traded services. With Derby Line being part of the Town, the Town would be more inclined to just give the Village whatever they needed in an emergency. Steve moved to table this issue, seconded by Brad. Unanimous.

Soccer Field Discussion – Wildcat Board of Directors – Representatives from the Wildcats explained the need for additional fields and thought the land where the Town's new park is going would be a nice site for additional soccer fields. They thought that underneath the electric transmission lines would be a suitable location because it is relatively flat and the Town would not be able to build anything underneath the transmission line or plant any trees. Jason Sevigny gave the Board a rough draft of a possible location of the fields. Karen moved to support the Wildcat's effort for additional soccer fields, seconded by Brad. Unanimous.

Stump Dump Issues – Richard & Michele Jones – Richard & Michele were upset that their emergency access through the Stump Dump is not available any more. They stated that Emergency vehicles are sent through the Stump Dump, but cannot get to the mobile homes and have to go back out and come down Jones Drive. Bob said that it should not be a problem correcting an error in the E911 maps and the issues started because the Jones' put in an access through the Stump Dump without any permission. There is also an ongoing feud between Richard & Michele Jones and Raymond Jones that the Board was not going to get in the middle of. Bob reported that Richard/Michele have sent me over 40 short videos, mostly of snowmobiles and ATVs going through the Stump Dump. Bob talked to a Sheriff's Deputy and he thought that we cannot restrict Raymond from going on the right of way with whatever type of transportation he wants to use because the right of way is for access from Beebe Rd to his property.

New Truck - Highway – Tom would like to order a dump truck for 2025. He explained that they are running out of time to get one delivered before fall of 2025. If it is ordered soon the truck should arrive January 2025, we could be on the schedule to get the body work done starting in May 2025 and take delivery in late summer 2025. The truck that will be replaced will be 9 years old next year. The board was unsure if the budget would support a new truck next year. There would be no money down until the truck arrived in January. The Board was okay with ordering

the truck now with the stipulation that if it didn't work for next years budget they could back out of the deal. Steve moved to order the truck with the stipulation that the Town can back out of the deal if there are budgeting problems, seconded by Brian. Unanimous.

Park Update - Jeff Olesky is about a month out before he can start the Stormwater permitting for the park. VT Tennis sent us their Certificate of Insurance. The Road Crew will cut the trees between the existing tennis courts and the field when they get a chance.

Review & Sign ADA Traffic Control LTD – The Board reviewed and signed the agreement.

Excess Weight Permits – Demag Crane & Rigging Service Inc, NA Manosh Inc, Structures RBR Inc, & VT Transco - VELCO – Steve signed all as Road Commissioner.

Review & Sign Certificate of Compliance for Town Road & Bridge Standards – The Board reviewed and signed the Certificate of Compliance.

Review & Sign – Personal Policy – Comp Time – The Board reviewed the draft amendments to the Personal Policy with the changes that they requested at their last meeting. The changes will increase the maximum amount of comp time that can be accrued from 60 hours to 80 hours and clarified the Road Crew's regular summer and winter work hours. Brian moved to approve the amended Personal Policy, seconded by Karen. Ayes – Grant, Karen, Brad, Steve. Nays – Brian. The motion passes.

TA/ZA Report – DRB/PC: The DRB has 4 permits pending for next week. The PC will not be meeting until March. **Permits:** There have been 14 permits submitted year to date. **Grants: HSIP Small Scale Local Safety Grant** – No change, still waiting for the grant agreement to be signed by the State. **Highway Structures Grant** –Hinman Settler Road Engineering – The design is complete and Tyler is working on required permits, Stream Alteration, Army Corp, Wetlands. A permanent easement is needed on both sides of the road. The Board decided to use Attorney Sarah Davies for the legal work. **Better Roads Grant** – Darling Hill Culvert Replacement. No change, waiting for the State to make grant award decisions. Decisions are typically made in April or May. **Recreation Grant** - Playground equipment at Derby Green and walking paths for the new park. No change, waiting for grants to be awarded. Decisions are typically made in March. **Salt Shed Grant** – New Salt Shed. No change, waiting for grant award decisions to be made in late February to early March. **MERP Grant** – Garage & Fire Station efficiency improvements. We are still waiting for the efficiency report from the inspection last year for the Fire Station. **FEMA:** All the paperwork is in for the Category C project Derby Gore Rd, Fontaine Rd, Bushey Hill Rd, and Hayward Rd. They are being reviewed by FEMA. I am working on an Army Corp permit for the dredging we did on Coche Creek for the Category A project for the debris removal on Hayward Rd. Bob contacted Tyler Billingsley to do the design work for the Hayward Road culverts. Because they may be concrete box culverts we may not be able to get it done this year due to the delay time for getting box culverts. **3155 Beebe Rd:** Brian reported that all four of the State Fire Marshalls were at the property last week. **Beach House Roof:** The job will be advertised in the paper on Tuesday Feb 20th and Friday Feb 23rd with a due date of March 18th. A May 16th completion date was specified. The RFP is also on our website. Bob plans to call Crockett, CMD, Sanville, Marquis and Jack Degree. It was suggested to also call Richie Roberts and George Starr.

OLD BUSINESS:

Legislative Update

They have been working on changes to Act 250. The bill started out at about 60 page and now is over 100 pages. Brian is not in favor of the bill at this point.

ROAD REPORT:

There is an equipment show in Barre on May 3rd, the policy is if anyone wants to go they will have to take time off. A culvert under Derby Pond Road has sunk about 3-4 inches. The cause will

have to be investigated and signage will be installed to warn traffic of the dip in the road. Everything else is going fine.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Town Meeting is in 2 weeks. The next regular meeting is scheduled for 6:00 p.m. Monday, March 18, 2024. Karen made a motion to adjourn the meeting at 7:31 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
March 18, 2024

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

Others: Paul Prue, Tom Pratt, Jeremy Davis, Mark Linton, Karen Kotecki, Ed Barber, Matt Wilson, Joe Profera, Bob Kelley.

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

Warrants #6A in the amount of \$30,722.90 and, #6B in the amount of \$68,322.98 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of February 19, 2024, with Brian seconding. Unanimous.

PUBLIC COMMENTS:

Grant welcomed Lindsay Brainard as the newest Board member.

NEW BUSINESS:

Reorganize – Meeting of Board of Select Persons – Bob asked for nominations for Select Board Chair. Brian nominated Grant, seconded by Brad. Unanimous. Grant took over the meeting and asked for nominations for Select Board Vice-Chair. Brad nominated Brian, seconded by Lindsay. Unanimous. The Board Reviewed the other appointments:

One year appointment:

Town Administrator – Bob Kelley

Road Commissioner – Steve Gendreau

NVDA Representatives – Grant Spate & Brad Shattuck

Pound Keeper – Renee Falconer

Tree Warden – Joe Profera

Fire Warden – Craig Ellam

Energy Coordinator – Lindsay Brainard

E-911 Coordinator – Nancy Moore

Agent to sign deeds accepting or transferring property on behalf of Town – Grant Spates & Brad Shattuck

Civil Defense – Craig Ellam & Steve Gendreau

Water/Sewer Committee – Grant Spates & Brian Smith

Newspaper of Record – Newport Daily Express

Four year appointments:

Planning Commission – Bruce Penfield & Joe Profera

Development Review Board – Judy Nommik & Joe Profera

Brian moved to approve the above appointments, seconded by Steve. Unanimous.

Dave LaBelle has resigned from the Development Review Board because he is now a Florida resident. Brian moved to appoint Jeremy Davis to fill the one remaining year of Dave's term, seconded by Grant. Unanimous.

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

Reorganizational of Board – NEKWMD – Brian moved to approve Irene Dagesse and Fran Batchelder as NEKWMD members, seconded by Brad. Unanimous.

NVDA Record of Town Officers – The representatives were appointed above.

Jambash Peak Rd – Aaryn French – Mr. French was not present and the Board tabled this item.

NEK Broadband – Karen Kotecki explained their proposal for an Optical Line Terminal Site on the Town Garage property. A 30 ft by 53 ft area is need for the equipment (concrete shelter to house the electronics, concrete pads to hold backup power equipment, and bollards to protect their equipment. The location was proposed for just inside the gate. The Board thought their might be a better location on the lot. Brad moved to approve a 30 ft by 53 ft area for a NEK Broadband Optical Line Terminal Site with the location to be satisfactory to both parties, seconded by Steve. Unanimous.

Beach House Roof Quotes – Four bids were received. Sanville Construction - \$9,500. Jack Degre Contractor - \$13,450. Northern Woods Carpentry - \$11,500. Marquis Carpentry - \$13,000. Brian moved award the contract to Sanville Construction for \$9,500 provided the quote includes the 2 rows of new Ice and Water Shield, seconded by Lindsay. Unanimous.

Review & Sign – Pay Raises – The Board decided to review this in Executive Session.

Review & Sign – Mutual Aid Agreement – VLCT says it is best practice to have a formal, written mutual aid agreement instead of a verbal one. Derby’s equipment and labor prices would need to be added to the agreement before approving. The Board tabled this item.

Review & Sign – Excess Weight Permits - AmeriGas, Blanchard’s Oil Co., BSP Trans Inc., Desrochers, Inc., Ivan Maxwell Trucking, JBL Hauling LLC., Tetreault’s Maple Farms, &Tim Menard – Steve signed all as Road Commissioner.

Review & Sign - Liquor Licenses – Brockton Corp., Derby Cow Palace, Kinney Drugs, Larry Thibault Enterprises LLC., Newport Elks # 2155 Lodge, Smokin Joes, Thompson Redemption & Conv., Vermont Pie & Pasta, Walmart Stores LP, Wesco Inc – At 6:30 PM Brian moved to go into a Liquor Control Board Meeting, seconded by Brad. Unanimous. The Board was not sure about the Smoking Joes license and would like some more information. At 6:37 PM Steve moved to come out of the Liquor Control Board Meeting, seconded by Brian. Unanimous. Steve moved to approve all the licenses except Smokin Joes, seconded by Brian. Unanimous.

Review & Sign - Local Emergency Management Plan – The Board reviewed the plan. There were a few minor changes from last year. Brad moved to approve the Local Emergency Management Plan, seconded by Steve. Unanimous.

Review & Sign - Highway Annual Financial Plan – The Board reviewed the plan. Brain moved to approve the Highway Annual Financial Plan, seconded by Brad. Unanimous.

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

TA/ZA Report – DRB/PC: The DRB does not have any pending permits for next week. Jeremy Davis is interested in filling the one year left of Dave LaBelle’s term. Jim Bumps recommended him and I would recommend you appoint him. The PC will not be meeting next week. **Permits:** There have been 24 permits submitted year to date. **Grants: New Park** – Jeff Olesky begun some preliminary work for the Stormwater Discharge permit. VT Tennis plans to start construction the week after July 4th. Jeff is not sure if the Stormwater Discharge permit will be issued by then, but we should have no problem getting a Stormwater Construction permit, so VT Tennis should be good to go. **HSIP Small Scale Local Safety Grant** – The State has finally signed the grant agreement. **Highway Structures Grant** –Hinman Settler Road Engineering – The stream alteration and Army Corp permits have been issued. The Wetlands permit is in the works. Sara Davies and Tyler Billingsley are in contact and working on the easements. **Better Roads Grant** – Darling Hill Culvert Replacement. No change, waiting for the State to make grant award decisions. Decisions are typically made in April or May. **Recreation Grant** - Playground

equipment at Derby Green and walking paths for the new park were denied. **Salt Shed Grant** – New Salt Shed. No change, waiting for grant award decisions to be made any time now. **MERP Grant** – Garage & Fire Station efficiency improvements. The Draft Efficiency Report from the inspection for the Fire Station is complete. Craig and I need to set up a meeting with NVDA to go over it. **FEMA:** All the paperwork is in for the Category C project Derby Gore Rd, Fontaine Rd, Bushey Hill Rd, and Hayward Rd. They are being reviewed by FEMA. An Army Corp permit for the dredging we did on Coche Creek for the Category A project is not needed. **Recycling Survey** – The survey shows an average of 23 patrons per hour. 83% of the patrons were from Derby.

OLD BUSINESS:

Legislative Update

Changes to Act 250 and the bill seems to benefit larger towns. Brian voted against it. The House voted to ban menthol cigarettes and vaping.

ROAD REPORT:

Tom is getting ready to mark the roads to get paving bids. Part of the parking lot will be paved. Salt & sand are holding up good. The Western Star dump truck has been ordered and there was no down payment. The Stump Dump signs are up.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

At 7:03 PM Brian moved to go into executive session for personnel issue, seconded by Steve. Unanimous. Out of executive session at 7:29 PM. Steve moved to approve the wages as submitted, seconded by Brian. Unanimous.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, April 1, 2024. Brian made a motion to adjourn the meeting at 7:30 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
April 1, 2024

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

Others: Paul Prue, Mark Linton, Matt Wilson, Joe Profera, Maryann Tetreault, Karen Silvestri, Joseph Silvestri, Faye Morin, Vivian Spates, Doug Spates, Bob Kelley.

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

Warrants #6C in the amount of \$132.13, #7A in the amount of \$27,044.87 and, #7B in the amount of \$70,930.85 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of March 18, 2024, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Paul Prue asked if students could do their community service at the Recycling Center. He knows a student that would like to. The Board said it was okay.

NEW BUSINESS:

Shattuck Hill Rd Investments – Deed Draft – Vivian & Doug Spates reviewed the draft deed and deed restrictions with the Board. The restrictions will be added as part of the deed. The Board did not have any issues with the draft. The closing is set for Wednesday, April 10th here in the Town Offices. Brian moved to have Grant and Brad accept the property on behalf of the Town, seconded by Steve. Unanimous.

Delinquent Taxes – Maryann Tetreault – Maryann explained an issue with the Mark Effrig deed that the Town Attorney brought to her attention. The best way to proceed is to have prior owners added as owners and notified when it is put up for Tax Sale next year. The Board decided that was the best course of action.

NEK Broadband Board Appointment – Lindsay volunteered to be on the Board. Brian moved to appoint Lindsay Brainard as NEK Broadband Board member and Grant Spates & Bob Kelley as alternates, seconded by Brad. Unanimous.

Little Free Library – Bonnie Shattuck – Brad represented Bonnie. She would like to put a small box on a pole in front of the Town Offices in line with the trees at no cost to the Town. She would also take care of any maintenance. Steve moved to approve the request, seconded by Brian. Unanimous, with Brad abstaining.

Recycling New Hire – Bob reported that we have 2 new workers at the Recycling Center that need to be approved by the Board. They are Warren Raymond and Mandy Aubin. The Recycling Center is now fully staffed again. Steve moved to approve the hiring of Warren Raymond and Mandy Aubin as recycling attendants at a rate of \$14.63/hour, seconded by Brian. Unanimous.

Review & Sign – Excess Weight Permits – **Austin Construction Inc, Calkins, Camp Precast Concrete Products Inc, Consolidated Communications, Feed Commodities International Inc, Kris Bullock, Larry Letourneau Excavating Inc, Mark Fortin (MD Excavation), New England Quality Service Inc, Oil Supply Corp, and Structural Wood Corporation**– Steve signed all as Road Commissioner.

Review & Sign - Liquor Licenses – Thompson Redemption & Smokin Joes – At 6:25 PM Steve moved to go into a Liquor Control Board Meeting, seconded by Brian. Unanimous. The Silvestri's were present to explain the application for Smokin Joes. At 6:26 PM Brian moved to

come out of the Liquor Control Board Meeting, seconded by Steve. Unanimous. Brian moved to approve the licenses, seconded by Lindsay. Unanimous.

TA/ZA Report – DRB/PC: The DRB has 2 permits pending next week. The PC will also be meeting next week. **Permits:** There have been 28 permits submitted year to date. **Grants: New Park –** Jeff Olesky has drafted existing conditions, drafted a conceptual site plan, done preliminary stormwater modeling, and has begun to prepare the permit. He was hoping to get up here to survey this Thursday, but with the expected storm he may need to reschedule for next week. Jeff recommended Terry Krinsky, TK Landscape Architects and Bob has contacted him. He is semiretired and this is the type of project he is interested in. He is going in for cataract surgery, so Bob will talk to him after he gets back from vacation. Bob thinks he will be a good fit.. **Highway Structures Grant –**Hinman Settler Road Engineering –Sara Davies has drafted the easements and they have been sent to the property owners to review. **Better Roads Grant –** Darling Hill Culvert Replacement. No change, waiting for the State to make grant award decisions. Decisions are typically made in April or May. **Salt Shed Grant –** The salt shed grant was denied. There were 46 applications totaling \$15 million and only \$8.6 million available. **MERP Grant –** Garage & Fire Station efficiency improvements. The final report for the offices is done and another draft for the garage was received. **FEMA:** FEMA had Bob fill out a couple project certifications, so we are inching closer to getting reimbursed. **Fire Station Siding:** An RFP has been advertised with a due date of April 15th, so that should be on the Board’s agenda for the next meeting. **Vacation:** Bob reported that he is going on vacation starting April 8th and will be back in the office on April 18th. **Executive Session:** A copy of the State Statute is in Board’s mail as a refresher of what qualifies for executive session.

OLD BUSINESS:

Legislative Update

Brian reported that they are spending more money than he thinks they should. He also updated the Board on bills concerning river corridors, finding a new land fill, Fish & Game Board, and Act 250.

ROAD REPORT:

Roads have been graded a little, they do not want to do too much grading until after the storm later this week. The sign for Serene Drive is up. Dave Royston has resigned; his last day was Friday. Transmission oil is being changed in the trucks and the road crew is getting ready for the storm later this week.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, April 15, 2024. Brad made a motion to adjourn the meeting at 6:58 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
April 15, 2024

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

Others: Mark Linton, Matt Wilson, Joe Profera, Faye Morin, Tom Pratt.

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

Warrants #8A in the amount of \$25,055.41 and #8B in the amount of \$57,456.18 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of April 1, 2024, with Lindsay seconding. Unanimous.

PUBLIC COMMENTS: None

NEW BUSINESS:

Fire Station Bids – No bids were received. The ad needs to be rerun.

Sand, Gravel, & Equipment Bids – No equipment bids were received. Pine Hill Sand & Gravel, RG Gosselin, and IRD Sand & Gravel submitted sand and gravel bids that will need to be put in a spreadsheet.

Review & Sign – Orleans County Sheriff Dept Contract – The Board reviewed the contract. Grant moved to sign the contract, Seconded by Lindsay. Unanimous.

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

Review & Sign – Excess Weight Permits – Fred’s Plumbing & Heatin Inc, JP Sicard Inc, Kelley-View Farm Inc, & VT Outdoor Services– Steve signed all as Road Commissioner.

Review & Sign - Liquor Licenses – Brockton Corp, Charbo Campground, Derby Line Village Inn LLC, G & T Bliss, High Country LLC, Look & Eat Inc, NE Pizza Enterprise Inc – At 6:07 PM Steve moved to go into a Liquor Control Board Meeting, seconded by Brian. Unanimous. At 6:09 PM Steve moved to come out of the Liquor Control Board Meeting, seconded by Brian. Unanimous. Steve moved to approve all the licenses, seconded by Lindsay. Unanimous.

OLD BUSINESS: None.

ROAD REPORT:

The crew is working on grading, ditching, and picking up whips. Paving bids should be in for the Board’s next meeting in 2 weeks.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

NEK Broadband – The building for NEK Broadband cannot go where originally thought. Tom was thinking against the hedge row. The Board wants them to give us a design for it.

Garage Roof – Ed Barber asked about progress on a new roof. Grants are being looked into.

EXECUTIVE SESSION:

Brad made a motion to go into executive session at 6:19 PM for a personnel issue, seconded by Steve. Unanimous. Out of executive session at 6:25 PM. Steve moved to take Jacob Tice off of probationary status and give him a \$1.00/hr. raise, seconded by Brad. Unanimous.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, April 29, 2024. Brad made a motion to adjourn the meeting at 6:26 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
April 29, 2024

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

Others: Mark Linton, Matt Wilson, Joe Profera, Tom Pratt, Paul Prue, Norman Patenaude, Karen Chitambar, Doug Spates, Ed Barber, Steve Sheltra, Bob Kelley.

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

Warrants #9A in the amount of \$25,992.54 and #9B in the amount of \$55,590.00 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of April 15, 2024 with the correction that Brian Smith was not present, with Lindsay seconding. Unanimous.

PUBLIC COMMENTS:

Karen updated the Board about the 4th of July Parade. She suggested that they have Fran Batchelder as Grand Marshall. ADA Security will do the traffic control, Cars of Yesteryear will be helping out.

NEW BUSINESS:

Mowing Lawns – The Road Crew did not have any interest in doing the mowing. Steve Sheltra was present and said he would like the job and that he would also be willing to open and close the Beach House every morning and evening. Steve was working at the Recycling Center and stopped because of health issues, he is ready to go now. The Board will discuss this in executive session at the end of the meeting.

Paving Bids – Pike bid \$89.65/ton plus \$5,000 for the gravel shoulders. J Hutchins bid \$91.45/ton for all roads except Nelson Hill Road which was \$83.05/ton, the gravel shoulder was included in their per ton quote. Pike appears to be the low bidder. Steve and Tom will go over the bids to make sure and sign the contract with the low bidder.

Shattuck Hill Project – Doug Spates updated the Board on the project. The parking design is for 16 spaces and room for 2 buses. Impervious surface will remain under ½ acre to avoid having to get a stormwater permit.

Review & Sign – Excess Weight Permits – Blevins Inc, Harrison Redi-Mix Corp, Vaillancourt Transportation– Steve signed all as Road Commissioner.

Review & Sign – Liquor/Cannabis Licenses – Border Lounge, D G Retail LLC, Glass Fox LLC, Kingdom Boyz Alternatives – At 6:46 PM Brian moved to go into a Liquor/Cannabis Control Board Meeting, seconded by Brad. Unanimous. At 6:48 PM Brian moved to come out of the Liquor/Cannabis Control Board Meeting, seconded by Lindsay. Unanimous. Brian moved to approve all the licenses, seconded by Brad. Unanimous.

TA/ZA Update – DRB/PC: The DRB does not have any permits pending next week and the PC will also not be meeting next week. The PC is working on a bylaw amendment to allow private schools in the Village Commercial Derby Center zoning district. There is a vacancy on both the DRB and the PC because Joe Profera is moving to Pennsylvania. The Board thanked Joe for his decades of service. Gwenn Bailey-Rowe is interested in the PC position and Cynthia Adams and Paul Prue are interested in the DRB position. The Board will interview for the DRB position at their next meeting. Brad moved to appoint Gwen Bailey Rowe to the Planning Commission, seconded by Lindsay. Unanimous. **Permits:** There have been 37 permits submitted year to date. **Grants: New Park** – Jeff Olesky is hoping to meet with the Town and the VT Recreational about

the courts later this week. **Highway Structures Grant** – Hinman Settler Road Engineering – Sara Davies has drafted the easements and they have been sent to the property owners to review. **Better Roads Grant** – Darling Hill Culvert Replacement. No change, waiting for the State to make grant award decisions. Decisions are typically made in April or May. **MERP Grant** – Garage & Fire Station efficiency improvements. The final report for the offices is done and another draft for the garage was received. Craig and I need to meet with NVDA to go over the reports and discuss funding options. **FEMA:** Still waiting on FEMA. **Kids Pond:** Rick Joyal stopped by today and showed Bob a video of water still coming under the dam. Rick left a message with JP Sicard and is waiting to hear back from them. Bob also sent JP Sicard an email which he copied the Board with. Hopefully, the problem is resolved quickly. **NEK Broadband Board:** Tom said the site will be in the field off of Boucher Circle. It is Bob's understanding that NEK Broadband is to draft a site layout for the Town to review. **Fire Station Siding:** An RFP has been advertised again with a due date of May 13th, so will be on the Boards agenda for their next meeting. **Stump Dump:** Bob met with Deputy Gonyaw and Raymond Jones today. Deputy Gonyaw said anything concerning the Right of Way is a legal issue between the Town and Raymond. We can either work it out with Raymond or take him to court. The Deputy suggested that a fence between the Stump Dump and Richard Jones' property might solve the problem. Raymond is willing to pay for and install the fence. The Board agreed to allow Raymond to install a fence at a location approved by the Town. The Right of Way needs to be sent to Sara Davies to interpret what can and cannot be done within the Right of Way. Raymond would like to get the Right of Way straightened out.

OLD BUSINESS:

Legislative Update – Energy and the environment have been hot topics. The changes to Fish & Game are moving along with opposition

ROAD REPORT:

The Road Crew has been grading and ditching. It was discussed about increasing the appropriation request for paving next year, it has stayed at \$200,000 for over a decade.

RECREATION COMMITTEE: None.

Karen updated the Board about the 4th of July Parade. She suggested that they have Fran Batchelder as Grand Marshall. ADA Security will do the traffic control and the jets will be there again this year. Cars of Yesteryear will be helping out with Vendors and will donate all proceeds to the Town. Booths will be \$25 for a small booth and \$30 for a large one. Poulin Grain and Desrochers need to be contacted about using their lot for staging. Brian will look into getting a marching band this year.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

Steve moved to go into executive session at 7:22 PM to discuss mowing wage, seconded by Brian. Unanimous. Out of executive session at 7:33 PM. Brian moved to have Bob negotiate the hours with Steve Sheltra for mowing and opening/closing the Beach House at a rate of \$20.00/hr, seconded by Lindsay. Unanimous.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, May 13, 2024. Steve made a motion to adjourn the meeting at 7:34 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
May 13, 2024

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

Others: Mark Linton, Matt Wilson, Tom Pratt, Paul Prue, Ed Barber, Faye Morin, Paul Chambers, Bob Kelley.

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

Warrants #10A in the amount of \$24,469.96 and #10B in the amount of \$89,308.32 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of April 29, 2024 as written, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

DRB Appointment – Paul Prue explained why he would like to be appointed to the DRB. Cynthia Adams may want to be appointed, but Bob has not heard back from her. Brian moved to appoint by Australian Ballot, seconded by Brad. Unanimous. Paul Prue won by a unanimous vote.

Paul Chambers – 4th of July Parade – Mile Race – The Board gave Paul the ok to have the Mile Race at the start of the parade again this year. It was suggested that the money they raise from entry fees be donated to the American Legion to help with the cost for the cemetery flags for Veterans.

Coin Drops – Dailey Memorial Library, Lake Salem Association, Derby Line Recreation Committee, DAV, and DLFD all requested coin drops. Steve moved to grant coin drops to DLFD, DAV, Dailey Memorial Library, and Lake Salem Association, seconded by Brian. Unanimous.

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

Review & Sign – Liquor License – Derby Line Village Inn LLC – At 6:22 PM Brian moved to go into a Liquor Control Board Meeting, seconded by Steve. Unanimous. At 6:23 PM Brian moved to come out of the Liquor Control Board Meeting, seconded by Brad. Unanimous. Brian moved to approve the license, seconded by Brad. Unanimous.

TA/ZA Update – DRB/PC: The DRB has 2 permits pending next week. The PC has a Public Hearing next week for a Bylaw amendment to add “Private School” as a conditional use in the Village Commercial Derby Center (VCDC) zoning district. **Permits:** There have been 50 permits submitted year to date. **Grants: New Park** – Jeff Olesky is working on the stormwater permit and VT Recreational still plans to begin after the 4th of July. Senator Welch is hopefully coming up for a ground breaking ceremony the week of June 26th, no definite date or time has been set. We will work around his schedule. **Highway Structures Grant** – Hinman Settler Road Engineering –Sara Davies has drafted the easements and they have been sent to the property owners to review. **Better Roads Grant** – Darling Hill Culvert Replacement. Waiting for the State to make grant award decisions. **FEMA:** Still waiting on FEMA. **Kids Pond:** Bob called JP Sicard (Sean Guyette) today and left a message, he has not called him back yet. Bob will call again tomorrow. **NEK Broadband Board:** Waiting on NEK Broadband to draft a site layout for the Town to review. **Fire Station Siding:** No proposals have been submitted. The Town will have to advertise again.

OLD BUSINESS:

Legislative Update – The Fish & Game bill is dead in committee. Brian announced that he will not be seeking reelection. Richard Nelson announced that he will run for Brian’s vacant seat.

ROAD REPORT:

All the roads are graded and the road crew is working on ditching. Paving will be the end of May or beginning of June.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Memorial Day is May 27th; therefore the next regular meeting is scheduled for 6:00 p.m. Monday, June 10, 2024. Steve made a motion to adjourn the meeting at 6:46 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
June 10, 2024

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

Others: Mark Linton, Matt Wilson, Tom Pratt, Paul Prue, Ed Barber, Faye Morin, Rick Joyal, Nancy Moore, Jason Sicard, Kevin Chickering, Byron Wright, Sharon Tarbox, Mike Judd, George Racicot, Maryann Tetreault, Bob Kelley.

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

Warrants #12A in the amount of \$26,554.84 and #12B in the amount of \$72,797.58 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of May 13, 2024 as written, with Brad seconding. Unanimous.

PUBLIC COMMENTS:

Nancy Moore commented on the water going under the Kids Pond dam and that her driveway needs repair from the dam project.

NEW BUSINESS:

Byron Wright – Neighbors Junk Yard – Mr. Wright complained about the junk in his neighbor's yard and also that they are burning trash. Bob reported that he has issued a Notice of Violation for the junk yard. The penalty can be up to \$200/day.

Disc Golf Update – Peter Auclair – The course is up and running. There is a total of 12 holes. Peter has a couple of people that have been helping him this year which has made things easier. A couple of holes are very muddy due to the rain, but otherwise things are looking good. He has bush hogged it twice and is looking into signage for the course. This winter he is thinking about chaining all the baskets together in the Town Forest instead of bringing them back to his house.

NEK Broadband Representation – David Barlow – David would like to represent the Town on the NEK Broadband Board. He moved here from Coventry and was on the Board for Coventry. He has an extensive professional background in broadband communication. Lindsay is the current representative and is willing to resign. Lindsay moved to appoint David Barlow as the Derby representative on the NEK Broadband Board, seconded by Brian. Unanimous. Steve moved to appoint Lindsay as an alternate to the NEK Broadband Board, seconded by Brad. Unanimous.

Nelson Hill Road – Kevin Chickering – Kevin and neighbors complained about the dust on the road and were upset that they have been told ever since the pavement was removed in the 90's that the road would be repaved. They believe that this should be high on the priority for paving as the road is known as the dustiest road in Derby. Farm equipment is a factor in the dust issue. It used to be small farms and their equipment would go from field to field with little use of the roads. Now with the large farms, roads are heavily used. The Board cited budget restraints and the need to maintain existing paved roads. The Board is considering increasing the paving budget next year and will get an estimate on the cost to pave Nelson Hill Rd.

Town Road Discontinuance Discussion – Tom asked the Board about discontinuing short roads that only access one or two properties. These roads included an unnamed 0.05 mile section of TH62 off Missionary Acres, Ledgewood Dr TH70 0.06 mile off Missionary Acres, Tice Rd TH46 0.10 mile off Salem Derby Rd, a 0.05 mile section of TH39 off Birch Dr, a 0.90 mile section of Robillard Rd off of Bates Hill Rd (0.15 is class 3 and 0.75 is class 4), Willard Rd TH55 0.10 mile off of Bushey Hill Rd, Batchelder Dr TH65 0.17 mile off Bates Hill Rd, and an

unnamed 0.14 mile section of TH6 off Eagle Point Rd. The Board agreed and would like to begin the discontinuance process using Attorney Sara Davies. There is also a small spur off West St going to the McDaniel residence and Village pump stations that the Town will no longer be plowing. McDaniel and the Village will have to be notified.

Review & Sign Excess Weight Permits – Andrew J Lawrence, Darrell Matthews/DBA Matthews Excavating – All were reviewed and signed by Steve as Road Commissioner.

Review & Sign – Retention Disposal, ADA Traffic Control Contract-4th of July, Resolution-Delinquent Taxes– All were reviewed and signed by the Board.

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

Review & Sign – Liquor Licenses – Eastside Restaurant, VT Pie & Pasta – At 7:03 PM Brian moved to go into a Liquor Control Board Meeting, seconded by Steve. Unanimous. At 7:05 PM Steve moved to come out of the Liquor Control Board Meeting, seconded by Brian. Unanimous. Steve moved to approve the licenses, seconded by Brad. Unanimous.

TA/ZA Update – DRB/PC: The DRB has no pending next week. The PC is not meeting again until July 15th. **Permits:** There have been 61 permits submitted year to date. **Grants: New Park** – Senator Welch will be here on Tuesday, June 25th at 12:00 for a ground breaking ceremony. **Highway Structures Grant** – Sachs is asking to be listed as an additional insured and wants the contractor to have more insurance than we usually require. Sara Davies is not in favor of this and is trying to contact Sachs' attorney to discuss it. **Salt Shed Grant** – The scope of the grant has been changed to design and construction of a salt shed which means that we can get the engineering done so that we can have a more competitive application for grants. We can either send out a Request For Proposal or we can use the At-the-Ready Procurement Process where we can select 3 firms from their approved list and select the one we think would do the best job and negotiate a price with them. We did this for the Johns River Bridge Construction Inspection and it worked out well. **Better Roads Grant:** We have received \$20,000 for culvert replacements along Darling Hill Road near Poulin Farm Rd. **FEMA:** We received payment for the work we have completed. Tyler Billingsly is working on the design for the culvert replacements. **Kids Pond:** Brian has talked to Jason Sicard and can fill you in on what he said. All the water is currently going under the dam. The water is down a couple of feet. The Board will discuss this in executive session. **NEK Broadband Board:** NEK Broadband has submitted a draft site layout for the Town to review. **Electric Service to Garage:** VEC would like to reroute the service to the Garage at no cost to the Town to prevent future issues with trees coming down on the line. **Fire Station Siding:** Still no bids. We are advertising in the Chronicle this week. **Clothing Drop:** Apparel Impact would like to place clothing drop bins at the Recycling Center and at the Municipal Building. Steve moved to allow the clothing drop bins at both the Recycling Center and the Municipal Building, seconded by Brad. Unanimous. **Recycling Electric:** A meter has been installed on the Recycling Center building to measure our usage. We will pay them VEC's per KW rate for what we use. **Dog Park Committee:** Julie Elwell, Ally Kelley, Mark Linton and Laura Smith are off the Committee. Sidney Fogg, Adele Kelley, Elaine Lockwood and Tracy Becken would like to be members. A motion is needed to do this. Steve moved to appoint Sidney Fogg, Adele Kelley, Elaine Lockwood and Tracy Becken to the Dog Park Committee, seconded by Brad. Unanimous. **Beach House:** Bob gave the Board a list of the Beach House rentals so far this year to keep them informed of the usage. The number of rentals has been increasing year to year.

OLD BUSINESS:

Legislative Update – None.

ROAD REPORT:

Paving should be completed tomorrow.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

A new bench for Derby Green is needed because the current one is rotted. The Road Crew will dispose of the rotted bench.

EXECUTIVE SESSION:

At 7:30 PM Brian moved to go into executive session for a contractual issue, seconded by Lindsay. Unanimous. Out of executive session at 7:45 no action taken.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, June 24, 2024. Steve made a motion to adjourn the meeting at 7:46 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

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.*

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.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
August 5, 2024

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

Others: Faye Morin, Frank Davis, Tom Pratt, Paul Prue, Melissa Mosley, Greg Tatro, Tyler Hacking, Michael Conley, Russ Ingalls, Lila Bennett, Meagan Blake, Matt Wilson, Bob Kelley.

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

Warrants #16A in the amount of \$24,572.95 and #16B in the amount of \$117,832.82 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of July 22, 2024 as written, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Lila Bennett – Derby Green Nursing Home – Lila explained that Journey to Recovery wants to purchase the property for a substance abuse rehabilitation facility. She explained the need for a facility in our area. They will be following Jenna’s Promise model that has worked well in Johnson. This is not a detox facility, clients have to go through a detox program prior to entering their program. Journey to Recovery is a for profit company. The property is currently nonconforming and the proposed use will be nonconforming. A permit will be required and will need Development Review Board approval. Brad moved to support the proposal, seconded by Lindsay. Unanimous.

Bryon Wright – Neighbors Junk Yard – Mr. Wright was not present. The neighbor’s zoning violation was sent to Sara Davies. She is too busy to do this and recommended another attorney.

Review & Sign Municipal Response to Reappraisal Order – The Board reviewed and signed.

NEK Community Broadband Highway Access Work Permit – They want to bury a broadband line from Holland Rd down Nelson Hill Rd, over 1,700 ft total. Tom will work with their engineer on the exact design. They will have to bore under Holland Road and the pipe will have to be buried at least 4 ft.

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

TA/ZA Update – DRB/PC: The DRB has 2 permits pending next week. The PC will be reviewing fencing, parking, and flood plain regulations at their meeting next week. **Permits:** There have been 80 permits submitted year to date. **Grants: New Park** – Construction is coming along with the ball courts. The first layer of asphalt is completed. **Highway Structures Grant** – Still trying to resolve the easement with Sachs. We have everything except their SS# for the property transfer. **FY24 Budget Adjustment Act:** The paperwork has been submitted to get the money for things that didn’t qualify for FEMA funding from the 2023 storm. **FEMA:** Nothing new to report. **Kids Pond:** Nothing new to report. **Road Discontinuances:** I am working on the notices for all the roads. A separate notice is needed for each road. **Beach House:** Internet service to the Beach House is scheduled to be installed Wednesday. **Fire Dept OSHA/VOSHA:** Attached is an email from VLCT regarding the rulemaking. **Zoning Violation:** The violation at the intersection of Beebe Rd and Darling Hill Road needs to be sent to the attorney.

OLD BUSINESS:

Frank Davis is a liaison with Border Patrol and is following up on discussions from last year. Homeland Security buying up properties in Derby Line and is affecting their Grand List. He has

talked with our Congressional delegation about legislation for PILOT payments and wants to continue to work on this with our Congressional delegation. The Board is in agreement with PILOT payments and gave Frank their blessing to continue working on this.

ROAD REPORT:

The chassis for the new truck is in. The Road Crew will be focusing on issues from the recent storms. They will upsize new culverts if there is any question about size. The damaged North Derby Rd culvert is scheduled for replacement next Wednesday. The Road Crew has been helping Morgan with road damage from the last storm and expect to be done this week. Something needs to be done with the garage roof because of leaks.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

Steve Carpenter needs to be thanked for donating a bench for the Derby Green.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, August 19, 2024. 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
August 19, 2024

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

Others: Faye Morin, Nancy Moore, Frank Davis, Tom Pratt, Paul Prue, Renee Falconer, Ed Barber, Matt Wilson, Bob Kelley.

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

Warrants #17A in the amount of \$32,636.78 and #17B in the amount of \$215,009.53 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of August 5, 2024 as written, with Steve seconding. Unanimous.

PUBLIC COMMENTS:

Frank Davis thanked the Road Crew for the timely repairs to the storm damaged culvert on North Derby Road.

NEW BUSINESS:

Listers Reappraisal Request – The Town has been using Bill Krajieski, New England Municipal Consultants, for the last 2 reappraisals and would like to contract with him again for this reappraisal. The State has said that we do not need to put it out to bid. The cost will be approximately \$100/parcel. The Board agreed to allow the Listers to negotiate with New England Municipal Consultants for the Reappraisal.

Renee Falconer – Domestic Animal Ordinance – Renee informed the Board that VLCT has a model Domestic Animal Ordinance that the Town should consider adopting. This would be in addition to the Town’s Dog Ordinance which are considered domestic pets, not domestic animals. The model ordinance deals with Disturbing the Peace, Running At Large, Failure to Remove Waste, and Damage To, or Interference With, The Property of Another. The model can be modified to meet the Town’s needs. The Board agreed it would be a good idea to look at the ordinance and will have it on their next agenda.

Nabil Ibrahim - Taxes – Mr. Ibrahim was not present and this item was tabled.

Review & Approve – 2025 Orleans/Essex VNA Hospice Appropriation Request – The request is for the same amount as requested the last 3 years. Since this complies with the Appropriations Policy, the Board approved the appropriation to be added to the 2025 Town Meeting Warning.

Review & Sign Liquor Licenses – Eden Ice Cider Co. & Dirt Church Brewing Co. – At 6:25 PM Steve moved to go into a Liquor Control Board meeting, seconded by Brian. Unanimous. Both are for one-time events for a bike race. At 6:28 PM Brian moved to come out of the Liquor Control Board meeting, seconded by Lindsay. Unanimous. Brian moved to approve both Liquor Licenses, seconded by Steve. Unanimous..

TA/ZA Update – DRB/PC: The DRB has 1 permit pending next week. The PC will be reviewing fencing, parking, and flood plain regulations at their meeting next week. **Permits:** There have been 84 permits submitted year to date. **Grants: New Park** – Construction is coming along with the ball courts. The final layer of asphalt is completed. **Highway Structures Grant** – Still trying to resolve the easement with Sachs. We have everything except their SS# for the Property Transfer. **FY24 Budget Adjustment Act:** The paperwork has been submitted to get the money for things that didn’t qualify for FEMA funding from the 2023 storm. **MERP Energy Grant** – I talked with Carter Finegan NVDA today. There have been changes. The Town does not qualify

for the first round of grants, which has not opened up yet. They are using Efficiency Vermont's Energy Burden score and Derby scores too high for the first round. If there is money left, they may do a second round later in the year. Everything is still up in the air, and she hopes to have more information on Wednesday. Regardless of whether we get this grant or not we should get an engineer to look at the building and design a replacement roof and give us an estimate of what it will cost. **FEMA:** Tyler Billingsley has completed a draft design for the Hayward Road replacement culverts. We will need easements from the abutting property owners. **Kids Pond:** Nothing new to report. **Road Discontinuances:** I am working on the notices for all the roads. A separate notice is needed for each road. **Zoning Violation:** David Fletcher 2893 Salem Derby Road. I contacted Kristen Shamis, and she sent Mr. Fletcher a letter telling him by today to fix the violation or she will take him to court. I visited the property last week and there has been some improvement, but not much. I will go out there tomorrow to see if everything has been corrected and if not, I will tell Kristen to proceed with the court filing. **Beach House:** Internet service to the Beach House is scheduled to be installed Friday.

OLD BUSINESS: None.

ROAD REPORT:

Patenaude started roadside mowing last week. The North Derby Rd culvert repair is completed and the paving will be patched next Wednesday. The Road Crew cleaned up the large branch at Veterans Park that was knocked down during the last storm. The Road Crew is continuing with ditching and culvert work.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

A card was passed around for signatures thanking Steve Carpenter for donating a bench for the Derby Green.

ATVs have been going through the land for the new park and riding up and down the dirt pile. ATVs are not permitted on this land and the police have been called. Signage needs to be installed stating ATVs are prohibited.

EXECUTIVE SESSION:

At 6:52 PM Brian moved to go into executive session for a legal issue, seconded by Steve. Unanimous. Out of executive session at 7:06 no action taken.

ADJOURNMENT:

Labor Day is in 2 weeks, so the next regular meeting is scheduled for 6:00 p.m. Monday, September 16, 2024. Brian made a motion to adjourn the meeting at 7:06 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 16, 2024

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

Others: Peter Auclair, Terry Lucas, Sue Lucas, David French, Laurie Durivage, Deb Latta, Al Loukes, Jewell Loukes, Janice Lamoureux, Lucien Lamoureux, Theresa Fortin, Jim Campbell, Faye Morin, Tom Pratt, Ed Barber, Matt Wilson, Bob Kelley.

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

Warrants #18A in the amount of \$40,539.05, #18B in the amount of \$108,113.38, #19A in the amount of \$27,639.57, and #19B in the amount of \$106,200.67 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of August 19, 2024 as written, with Lindsay seconding. Unanimous.

PUBLIC COMMENTS:

Ed Barber asked about the work on Glover Road. The ditches were cleaned up and then seeded and mulched.

NEW BUSINESS:

Al Loukes – Pickleball Courts – Al asked if 2 of the old tennis courts could be preserved for overflow as there are sometimes 30 or more pickleball players and additional courts would be handy. He thought that the existing fence could be moved back and some cracks could be repaired. The Board has no plans to remove the courts immediately due to lack of funds and will be looking into additional funding for the park.

Domestic Animal Ordinance – The Board reviewed the draft Domestic Animal Ordinance. It is from a VLCT model ordinance and the Animal Control Officer has recommended penalty amounts. The Board would like more time to review the draft and will have it as an agenda item at their next meeting.

Review & Sign – Excess Weight Permit – Law Motor Freight – Steve signed as Road Commissioner.

Review & Sign Liquor/Cannabis Licenses – Phoenix House, VT Pie & Pasta and High Country – At 6:36 PM Brian moved to go into a Liquor/Cannabis Control Board meeting, seconded by Brad. Unanimous. The Liquor Licenses are for single day events and the Cannabis License is a renewal. At 6:38 PM Brian moved to come out of the Liquor/Cannabis Control Board meeting, seconded by Lindsay. Unanimous. Brian moved to approve both Liquor Licenses and the Cannabis License, seconded by Brad. Unanimous.

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

Review & Sign – Northeast Structural Engineering Proposal – This is for an engineer to come and look at the Town Garage roof. Grant has worked with this company before. The contract is for \$2,600.00 and includes up to two repair options for repair. It does not include cost estimates. Steve moved to approve the proposal, seconded by Brad. Unanimous.

Rodd Roofing is not able to do any temporary repairs this fall. It was suggested to possibly cover the roof with heavy-duty plastic for the winter. Steve mentioned that the Town may want to consider building a new garage rather than pumping a significant amount of money into the existing garage which is over 50 years old.

TA/ZA Update – DRB/PC: The DRB doesn't have any permits pending next week. The PC will be continuing review of the Bylaw. **Permits:** There have been 90 permits submitted year to date. **Grants: New Park** – The new courts are completed and will be ready for use on Wednesday. **Highway Structures Grant** – We are getting a grant for the culvert replacement on 4H Road. **FY24 Budget Adjustment Act:** We have received a \$30,000 grant. Now we need to decide how we are going to use it. **MERP Energy Grant** – Grant applications are due 9/27. Bob will submit a grant, but priority goes to Towns with high energy burdens have an advantage. **FEMA:** Goodhue is scheduled to begin next Monday. Hinman Settler Road will probably be closed for 2 weeks. **Kids Pond:** All the boards are out of the dam. Last week you could see a whirlpool where the water is going under the dam. Both Rick and I have left messages with Sicard. **Road Discontinuances:** We have 10 roads total and all need to have a site visit. This is too many to do in one night and the Board would like to split them up into 2 hearings. **Zoning Violation:** David Fletcher 2893 Salem Derby Road. Our attorney is filing the paperwork with Environmental Court. **Beach House:** Internet service is now available at the Beach House.

OLD BUSINESS: None.

ROAD REPORT:

The Road Crew has finished ditching along Fontaine Road. Two of the Mac trucks have recalls and will be in the shop getting the recalls taken care of. The truck that is being traded is in need of kingpins to pass inspection and the repair will be completed soon. The price of salt is going up, the exact amount is not known yet.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

Grant mentioned that Governor Scott will be in Newport next Wednesday from 10:30 – 11:30 and suggested that Bob and Craig Ellam attend to express concerns with changes to VOSHA that would have a negative effect on volunteer fire departments.

EXECUTIVE SESSION: None

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, September 30, 2024. Brian made a motion to adjourn the meeting at 7:18 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
September 30, 2024

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

Others: Faye Morin, Nancy Moore, Mark Linton, Ed Barber, Matt Wilson, Bob Kelley.

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

Warrants #20A in the amount of \$26,746.33 and #20B in the amount of \$377,778.23 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of September 16, 2024 as written, with Lindsay seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Shattuck Hill Project – The Board discussed using the land strictly for a scenic overlook and that events would not be allowed. The Town should look into setting up a camera to monitor the property as a trash can and recycling can will be on site and people tend to abuse these by dumping household trash. The Town Road Crew will plow the parking area. When a Shattuck Hill Park Committee is formed, they will be responsible for drafting a park policy for the Board to approve.

Errors & Omissions – Listers – The listed value of the Ahearn property (SPAN #177-056-12730) was changed to \$642,400 due to an error on the size of the shed on the property. Steve moved to approve the change, seconded by Lindsay. Unanimous.

Domestic Animal Ordinance – The Board reviewed the draft Domestic Animal Ordinance and Grant read it into the record (see attached). The Board asked a few questions for clarification. Brian moved to approve the Ordinance Regulating Domestic Animals as written, seconded by Lindsay. Unanimous.

TA/ZA Update – DRB/PC: The DRB 1 permit pending next week. The PC will not be meeting next week. **Permits:** There have been 94 permits submitted year to date. **Grants: New Park** – Everyone likes the new courts. People have been using the crank to raise and lower the basketball hoop. Steve expressed a concern that they may hang off the rim and cause damage. The Board decided to put the hoops at regulation height and take the cranks off. **4H Road Structures Grant** – The grant is for \$200,000 with a 10% match. The grant agreement has been signed and returned and we just need the State’s signature now. **FY24 Storm Grant (non-FEMA):** Does anyone know someone that was affect by last year’s storm and the damages were not covered by FEMA? **MERP Energy Grant** – An application has been submitted for a \$373,871.30 grant for a new roof, engineering, insulation, programable thermostats, and door seals for the garage. **FEMA Hinman Settler:** Hinman Settler Road should be open by the end of the week. Tom reported that there was an issue with 4 wheelers going off the road and getting stuck on Sachs’ land. **Kids Pond:** Sicard is finished with the dam. Rick Joyal thinks it will hold water. They filled it 3 ft to test is and there were not any problems. They are waiting for new hemlock board to refill it. **Road Discontinuances:** A 30 day notice to abutting property owners is required. The Board decided to schedule the Site Visit for TH55 Willard Dr, TH37 Robillard Rd, TH65 Batchelder Dr, TH70 Ledgewood Rd and TH62 off Missionary Acres for Saturday, November 2, 2024 at 9:00 AM and the Public Hearing for Monday December 9, 2024 at 6:00 PM. **Garage Roof:** The engineer is scheduled to inspect the roof next Tuesday at noon.

OLD BUSINESS:

The Board had previously decided that Raymond Jones could relocate his driveway through the Stump Dump to follow the south and east boundary lines of the Stump Dump and Mr. Jones wants to know if he can use gravel from the stump dump to construct the new driveway. The Board said no. Bob will relay this to Mr. Jones.

ROAD REPORT:

Salt is \$96.25/ton. Steve signed a contract with Cargill for 1400 tons. The road crew has been working on ditches.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

Brad reported that the Village of Derby Line received a grant from Buildings and General Services for their skating rink and asked Bob to look into these grants for the Town.

Brad said people have asked him about extending the sidewalk from the Cow Palace to Veterans Park. The Village maintains the sidewalks and it is within the State highway right-of-way.

The posts on the sign in front of the Town Offices need to be replaced.

EXECUTIVE SESSION: None

ADJOURNMENT:

Indigenous Peoples' Day is Oct 14th, so the next meeting is scheduled for 6:00 p.m. Monday, October 28, 2024. 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
October 28, 2024

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

Others: Doug Spates, Maryann Tetreault, Andrew Gosselin, Wanda Gosselin, Tom Pratt, Ed Barber, Bob Kelley.

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

Warrants #22A in the amount of \$27,372.76 and #22B in the amount of \$8,421,632.03 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of September 30, 2024 as written, with Brian seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Update Shattuck Hill Project – Doug Spates – Doug asked the Board to approve himself, Kathy Delabruere, Terry Lucas, Laura Gobeil, Julie LaForce, and one member of the Select Board to the Shattuck Hill Committee. The Committee will be responsible for maintenance of the overlook. The Board agreed that Brad Shattuck should be the Board member on the Committee. The overlook has an E911 address of 914 Shattuck Hill. A little over \$1,000,000 was raised and an endowment can be started to pay for future expenses. The 2 signs at the overlook are temporary, permanent signs will be installed in the spring along with a sign recognizing donors who contributed over \$25,000. Brian moved to appoint Doug Spates, Kathy Delabruere, Terry Lucas, Laura Gobeil, Julie LaForce and Brad Shattuck to the Shattuck Hill committee members with Brad, seconded by Steve. Unanimous.

E911 Road Name – Nancy Moore – Nancy is proposing Ruff Drive as the name for a spur off of Dairninaka Drive. This is a private road and could potentially have 3 houses on it. Steve moved to name the road Ruff Drive, seconded by Brad. Unanimous.

Abandoned Mobile Home Taxes – Maryann Tetreault – There is a mobile home in the mobile home park off Route 5 that has been abandoned and ruled uninhabitable. The park owners are going to court to get possession of it so they can remove it. The Town Attorney doesn't think there is any way to collect the taxes and putting it up for Tax Sale would just cost the Town more money. Maryann would like to get the taxes abated. The Board agreed and a Board of Abatement hearing will be warned.

2023 Non-FEMA Grant Requests – There are 2 requests for the grant funds the Town has for damage from the 2023 storm that FEMA did not cover. Gisele Pion for \$9,006.83 and Andrew Gosselin for \$12,549.49. This would leave \$8,443.68 in the fund. Steve moved to approve both the grant requests, seconded by Lindsay. Unanimous.

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

Review & Sign – Liquor Licenses – Stewart's Shops Corp/Jolley #513 – At 6:30 Brian moved to go into a Liquor Control Board meeting, seconded by Brad. Unanimous. At 6:31 Brian moved to come out of the Liquor Control Board meeting, seconded by Steve. Unanimous. Brian moved to approve licenses for Stewart's Shops Corp/Jolly #513, seconded by Steve. Unanimous.

TA/ZA Update – DRB/PC: The DRB does not have any permits pending next week. The PC will not be meeting next week. **Permits:** There have been 104 permits submitted year to date. **Grants: New Park** – Senator Welch may be stopping by on Wednesday to see the new courts. **4H Road Structures Grant** – The grant for \$200,000 has been signed by the State. **FY24 Storm Grant (non-FEMA):** We have 2 requests for funds (see attached). I recommend granting both requests. **MERP Energy Grant** – Awards are expected to be announced this week. **FEMA Hinman Settler:** Paving is the only thing left to do. **Kids Pond:** The pond has been fixed. **Road Discontinuances:** Road inspections are scheduled for this Saturday starting at 9:00.

9:00 - TH62 Greenwood Lane (off Missionary Acres)

9:20 - TH70 Ledgewood Drive (off Missionary Acres)

9:50 - TH55 Willard Drive (off Bushey Hill)

10:20 - TH65 Batchelder Drive (off Bates Hill)

10:50 - TH37 Robillard Road (off Bates Hill)

Garage Roof: The engineer says to remove old roof, replace 2x4 strapping, fix any broken members, and install new roof. The Board reviewed a draft RFP. Bid will be due by November 11, 2024 and the project must be completed by January 20, 2025.

OLD BUSINESS: None.

ROAD REPORT:

The whips are installed and the road crew is ready for winter. Working on grading. The Road Crew will be closing up the Beach House for the Winter. The new truck is expected to arrive at the end of December or beginning of January. In the future new trucks will take approximately 2 ½ years to be delivered and the Town will need to plan accordingly.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

There are 2 dead trees on the Green in front of NCUJHS that need to come down. Because of the location they will have to be hired out. Bob will check with Vermont Electric Cooperative concerning the one near the power line.

EXECUTIVE SESSION:

Brad moved to go into Executive session for 2 legal issues, seconded by Lindsay. Unanimous. Out of Executive Session at 7:34, no action was taken.

ADJOURNMENT:

The next meeting is scheduled for 6:00 p.m. Monday, November 11, 2024. Brian made a motion to adjourn the meeting at 7:35 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
November 11, 2024

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

Others: Tom Pratt, Matt Wilson, Bob Kelley.

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

Warrants #23A in the amount of \$25,561.15 and #23B in the amount of \$69,349.46 were signed.

APPROVE MINUTES:

Brad moved to approve the minutes of October 28, 2024 as written, with Lindsay seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Garage Roof Bids – 2 bids were received. Maple Leaf Roofing LLC - \$82,000.00 and Ryan Kimball - \$79,960.23. For additional minor repairs to the rafters Maple Leaf has an hourly rate of \$65.00 per hour and Ryan Kimball is not charging for additional minor repairs to the rafters. Ryan Kimball's bid included a down payment and an option for the Town to purchase the materials. Brian moved to award the contract to Ryan Kimball with the condition that there is no down payment and the Town will purchase the materials, seconded by Brad. Unanimous.

Review & Sign Appropriations – NKHS & RCT – Both requests are the same as previous years, NKHS - \$9,242 and RCT - \$2,500. Brian moved to approve both appropriations requests to be added to the Town Meeting Warning, seconded by Lindsay. Unanimous.

Review & Sign Request for Reimbursement – Hinman Settler Rd Engineering Grant – The Board Reviewed and signed the Grant Reimbursement Request.

TA/ZA Update – None.

OLD BUSINESS: None.

ROAD REPORT:

The Hinman Settler culvert is completed, the paving was done on Friday. A 3rd tree needs to be cut on the Green in front of NCUJHS.

RECREATION COMMITTEE: None.

OTHER BUSINESS:

There was a dog bite incident near the Catholic Cemetery on Elm Street. The dogs need to be licensed and vaccinated if they are not already. Bob will check with the Animal Control Officer on the status of the incident.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next meeting is scheduled for 6:00 p.m. Monday, December 9, 2024. Brad made a motion to adjourn the meeting at 6:22 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
December 9, 2024

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

Others: Ryan Abel, Jeff Johansen, Loraine Limlaw, Daniel Zheng, Jane Zheng, Ed Barber, Ben Batchelder, Gary Leavens, Margaret Leavens, Michael Koehler, Brandon Phillips, Mark McBride, Diane McBride, Jennifer Harlow, Richard Wells, Faye Morin, Tom Pratt, Matt Wilson, Bob Kelley, Roger Gosselin (remotely), Jason Nye (remotely).

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

Warrants #25A in the amount of \$22,315.50 and #25B in the amount of \$166,811.24 were signed.

APPROVE MINUTES:

Steve moved to approve the minutes of November 11, 2024 as written, with Lindsay seconding. Unanimous.

PUBLIC HEARING – ROAD DISCONTINUANCES:

The Board recessed their meeting for a Public Hearing for the discontinuance of the following roads: Town Highway # 37 (Robillard Road), Town Highway #55 (Willard Drive), Town Highway #62 (Greenwood Lane), Town Highway #65 (Batchelder Drive), and Town Highway #70 (Ledgewood Drive). Gary Leavens thought that the first 0.40 miles of TH #37 should be left as is and the remainder be changed to a Legal Trail. He stated that others on the road agree with this. Ben Batchelder and Mark McBride think that TH #65 should remain as is and agreed to deed the Town an easement for a turnaround at the end of the road and to pay for the required survey. Ryan Abel thinks TH #70 should remain as is. Evangeline Wood sent a letter that was read into the record and she is not in favor of changing the road. The Town would need a deeded turnaround at the end of the road surveyed. Mr. Abel didn't think that would be an issue. Jane & Daniel Zheng discussed TH #62 and agreed that their section of the road should be discontinued. Loraine Limlaw discussed TH #55 with the Board and it was thought that changing it to a Class 4 road would be the best course of action. A letter from Rebecca Washburn, Director, Lands Administration and Recreation Division for the Department of Forest, Parks & Recreation was read into the record. After all public comments

PUBLIC COMMENTS: None.

NEW BUSINESS:

Consider Road Discontinuances – Lindsay moved to change a 0.49 mile portion of a Class 4 section of Town Highway #37 (Robillard Road) to a Legal Trail beginning 0.41 miles from the intersection of the centerlines of Town Highway #38 (Bates Hill Road) and Town Highway #37 (Robillard Road) and extending in the westerly direction to the intersection of Town Highway #37 (Robillard Road) with Legal Trail #4, seconded by Brad. Unanimous.

Grant moved to discontinue a 0.05 mile portion of Class 3 Town Highway #62 (Greenwood Drive) beginning at the intersection of the centerlines of Town Highway #58 (Missionary Acres) and Town Highway #62 (Greenwood Drive) which is 0.08 miles from the intersection of centerline of Town Highway #58 (Missionary Acres) and Town Highway #4 (Darling Hill Road) thence proceeding in an southeasterly direction to the end, seconded by Lindsay. Unanimous.

Grant moved to change in its entirety Town Highway #55 (Willard Drive) from a Class 3 road to a Class 4 road, seconded by Lindsay. Unanimous.

Drift Dusters – Roger Gosselin – This is the annual permission for use of Town roads and property for the snowmobile trails. There is no change from last year. Brad moved to approve the permission, seconded by Steve. Unanimous.

Ambulance Service Agreement – Jeff Johansen – Derby’s share for the Ambulance Service is up \$15,501 from last year, this represents about a \$3/person increase. The total amount including dispatching is \$217,959. Lindsay moved to approve the Ambulance Service Agreement for \$217,959.00, seconded by Brad. Unanimous.

Orleans County Sheriff Department – Jen Harlow – Jen Harlow and Richard Wells explained their proposed budget for 2025. Their hourly rate increased from \$61/hour to \$65/hour. Call volume has remained about the same. They would like to see an increase from 40 hours/week to 55 hours/week in 2025 and 70 hours/week in 2026 to better serve the community. The Board will consider the number of hours/week during budgeting.

Wednesday on the Waterfront – The Board agreed to donate \$500 again for 2025.

Review & Sign Appropriations – NEKLS, Old Stone House, OEVNA, Orleans County Citizen Advocacy, Pope Memorial Frontier Animal Shelter, Umbrella – All appropriation requests are the same as last year, except for the Old Stone House. They are requesting an increase from \$1,600 to \$4,000 and the request is accompanied by a petition with the appropriate number of signatures.

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

TA/ZA Update – DRB/PC: The DRB has one permit pending next week. The PC will not be meeting next week. **Permits:** There have been 109 permits submitted year to date. **Grants: New Park** – Jeff Olesky is finishing up the Stormwater permit. With the flooding this summer our project got put on the back burner. Pat Daigle is doing some topographic work for the soccer field. **Recreation Grants** – A RTP grant was submitted last week for \$50,000 to help with the walking paths in the new park. Also, a LWFC grant will be submitted by the end of this week for a skating rink similar to Derby Line’s. **MERP Energy Grant** – The garage roof is almost complete and Ryan Kimball is also working with Craig Ellam to replace the siding on the Fire Station on Elm St. **4-H Rd Construction Grant** – Tyler Billingsley has updated his plans and the next step is to get temporary easements from the landowners, then the project can go out to bid. **Better Roads Grant** – Applications are due by the end of the year. Tom has identified 2 roads to fix up; Woods Farm Road (ditching and replace one culvert) and Bridge Street (ditching and replace one culvert). **FEMA:** A Recover Scoping Meeting is scheduled on Thursday for this year’s storm. **TextMyGov:** This is a company that offers a way to communicate with citizens. It is \$3,000/year and an initial \$800 setup fee. This is just something for you to take a look at to see if it is something that the Town might be interested in. This seems to be the way technology is headed and at some point the Town may want to consider a service like this.

OLD BUSINESS:

There is still one tree that needs to be removed from Derby Green.

ROAD REPORT:

The Road Crew is in winter mode with plowing. Truck #1 broke down. Worst case scenario the new truck will arrive in late January. Nelson Hill Road paving was discussed.

RECREATION COMMITTEE:

The Light Up the Night Parade is this Saturday, December 14th at 6:00 p.m. Chris Lowery has taken over organizing the parade. Ann Kelley is organizing a bonfire and hot chocolate.

OTHER BUSINESS:

Brad asked if there were any ARPA funds remaining because the funds need to be used by the end of the year. The last of the funds are for Broadband and will be in the warrants for the next meeting.

EXECUTIVE SESSION:

At 7:49 p.m. Steve moved to go into Executive Session for legal issues, seconded by Lindsay. Unanimous.

Out of Executive Session at 8:07 p.m., no action taken.

ADJOURNMENT:

The next meeting is scheduled for 6:00 p.m. Monday, December 23, 2024. Brad made a motion to adjourn the meeting at 8:07 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
December 23, 2024

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

Others: Mark Linton, Bob Kelley.

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

Warrants #26A in the amount of \$33,966.81 and #26B in the amount of \$934,164.04 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of December 9, 2024 as written, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

VT 250th Anniversary Resolution – Brian said he would like to be on a committee for the 250th Anniversary Celebration. Brad moved to approve the Resolution, seconded by Lindsay. Unanimous.

Review & Sign Appropriations – Dailey Memorial Library, Haskell Free Library, NEK Council on Aging, Salem Lakes Milfoil Preservation, Green Up Day, NVDA – All appropriation requests are the same as last year, except for the Dailey Memorial Library. They are requesting an increase from \$46,000 to \$49,250 and the request is accompanied by a petition with the appropriate number of signatures. The Board would like to look into having appropriation requests be on Australian Ballot rather than a floor vote. Green Up Day and NVDA are not appropriations, they are in the Town's Budget. All the above appropriations along with Green Up Day were reviewed and signed.

TA/ZA Update – DRB/PC: The DRB and PC will not be meeting next week. **Permits:** There have been 109 permits submitted year to date. **Grants: New Park** – Nothing new to report. **Recreation Grants** – The Town has been asked to submit full applications for the RTP grant for \$50,000 to help with the walking paths in the new park and for the LWFC grant for a skating rink similar to Derby Line's. **MERP Energy Grant** – The garage roof is almost complete, and Ryan Kimball is also working with Craig Ellam to replace the siding on the Fire Station on Elm St. **4-H Rd Construction Grant** – Nothing new to report. **FEMA:** The damage from this summer has been split up into projects, 1) Bushey Hill Rd, Glover Rd, Salem Derby Rd, Cross Rd. 2) Hinman Settler Rd emergency repair. 3) Hinman Settler Rd, N Derby Rd culvert replacements. 4) Debris removal, 5) Management. **Vermont Electric Coop:** VEC wants to install an electric line across Dairninaka Drive to serve lots off a private drive. The Board reviewed and signed the request.

OLD BUSINESS:

Skating Rink – With the weather patterns in the last few years, the Board decided not to have a skating rink this year. The money usually spent on maintaining a rink will be put toward purchasing a rink system like Derby Line has.

ROAD REPORT:

All the trucks are back in operation. The Board decided not to plow the small spur off West Street as this is not a Town road.

RECREATION COMMITTEE: None.

OTHER BUSINESS: None.

EXECUTIVE SESSION:

At 6:25 p.m. Steve moved to go into Executive Session for personnel issues, seconded by Lindsay. Unanimous.

Out of Executive Session at 6:34 p.m.

Steve moved to give Jacob Tice a \$2.00/hour raise effective immediately, seconded by Lindsay. Unanimous.

Brian moved to increase the Recycling Crew's hourly rate to \$15.00/hour effective immediately, seconded by Steve. Unanimous.

ADJOURNMENT:

The next meeting is scheduled for 6:00 p.m. Monday, January 6, 2025. Brian made a motion to adjourn the meeting at 6:35 p.m.

Submitted by Bob Kelley, *Unofficial until approved.*