

TOWN OF DANVILLE
UNAPPROVED SELECTBOARD MEETING MINUTES
NOVEMBER 17, 2016
Danville Town Hall (6:00 PM)

BOARD MEMBERS PRESENT:

Michael Walsh, Douglas Pastula, Kenneth Linsley, Angelo Incerpi.

ALSO PRESENT:

Wendy Somers, Keith Gadapee, Virginia Incerpi, Gary and Barb Fontaine, Jeff Frampton, Lori and Bebo Webster, Chris Kirk, Jim Ashley, Kerry O'Brien, others.

(1) CALL TO ORDER: Michael Walsh, Chair, called the meeting to order at 6:00 PM.

(2) ADDITIONS TO THE AGENDA

- (A) Barb Fontaine asked to speak about the ATV topic; she said she felt that Kellie Merrell owes Mary Currier a public apology for how she spoke to her at the last meeting. Barb also questioned if the vote taken (for the ordinance) was legal and commented on the changes being made to the ordinance during the vote (Michael Walsh said he spoke to legal counsel and confirmed that, while how it was handled was very unusual, it was legal). Barb asked that her comments be entered into the minutes.
- (B) Two documents from Doug Pastula were addressed. Doug read one that expressed his concerns with the ATV ordinance vote on November 3, 2016. He asked to read his second letter in response to something that happened at the last Selectboard meeting and have it recorded in the minutes if that was acceptable to the rest of the board. Angelo Incerpi told him that Kellie Merrell should be present when the letter was read. That letter was deferred to the next meeting. (Michael Walsh then said he had similar concerns and had also prepared a letter and would defer his letter to the next meeting as well.)
- (C) Conflict of Interest material that Michael Walsh requested from Judy Corso was deferred to the next meeting as well.
- (D) Damage to the floor upstairs in the Town Hall after a rental was discussed. The group returned to clean and dry the floor afterwards and the consensus of the board was to return their security deposit in full.
- (E) The VOSHA violations were addressed after a re-inspection on Wednesday. The letter of abatement was read outlining the plan to address these violations by December 31st.
- *A motion was made by Doug Pastula and seconded by Angelo Incerpi to authorize Keith to purchase a proper push (panic) bar for the Town Clerk office south exit door to comply with VOSHA and to have assistance from the highway crew to install. All in favor.*
 - *A motion was then made by Ken Linsley and seconded by Angelo Incerpi to send the letter of abatement to VOSHA outlining the plan to address each violation and to have Michael Walsh sign the letter on behalf of the board. All in favor.*
- (F) An email from Alison Low (NVDA) was reviewed that addressed her thoughts and concerns regarding the Town Plan and pursuing grant funds.
- (G) A request for sewer allocation was discussed. The individual is not yet a property owner. The consensus of the board was to inform the individual that allocation is available.
- (H) New legal counsel was needed to review the Windswept Properties, LLC warranty deed because Judy Corso had a conflict of interest.
- *A motion was made by Doug Pastula and seconded by Angelo Incerpi to authorize Mary to contact Zuccarro and Willis Law Firm in St. Johnsbury to review the Windswept Properties, LLC deed on behalf of the board. All in favor.*

(I) Ken Linsley asked to speak on three things:

- Wastewater Treatment Facility Appeal – the DEC attorney has met with our attorney and the board will be informed as soon as any more information becomes available.
- Streetlight out on Finley Drive – *A motion was made by Ken Linsley and seconded by Doug Pastula to authorize Mary to contact CFW to have this streetlight repaired. All in favor.*
- Rules of Procedure for Municipal Boards, Committees and Commissions: Ken referred to the personal interaction of the board at the last meeting and stated that civility and decorum were not present at the November 3rd meeting and he recommends adopting the rules and procedures from VLCT and he would like that to be homework for the board to discuss at the next meeting.

(3) VISITORS

(A) Kerry O'Brien from Caledonia County Natural Resources Conservation District spoke about the TH78 Structure Replacement Construction planned for 2017 and the grant funds available for this project with local matches that would be no cost to the Town. She asked the board if they would support her putting this work out to bid, knowing that Tim Ruggles (Engineer) would be involved assisting with the bidding process.

- *A motion was made by Ken Linsley and seconded by Angelo Incerpi to allow Kerry O'Brien to put the construction of the TH78 structure replacement out to bid. All in favor.*

(B) Jim Ashley addressed the Selectboard to review the NEKWMD's amendment to its charter and 2017 draft budget. Amendments included a change in voting and assessing members with a head charge tax. The district budget figures include a stop charge and require Town budget allocation of a maximum of \$2,200. The consensus of the board was to allocate a maximum of \$2,200 for NEKWMD for the 2017 budget.

(C) Chris Kirk addressed the board with a procedural concern about following-up after an executive session and asked if the information shared during the last executive session could be shared with the public if it is thought to help resolve the issue. The consensus of the board was that information discussed during an executive session was not to be shared with the public.

(4) APPROVAL OF:

Addendum to October 20, 2016 Public Hearing Minutes: *A motion was made by Doug Pastula and seconded by Angelo Incerpi to approve the addendum and have it published on the website. All in favor.*

November 3, 2016 Emergency Meeting Minutes: *A motion was made by Ken Linsley and seconded by Angelo Incerpi to approve the emergency meeting minutes. All in favor.*

November 3, 2016 Regular Meeting Minutes: *A motion was made by Angelo Incerpi and seconded by Doug Pastula to approve the minutes with the following changes:*

- Page one, under Also Present, Dan Wyand is listed twice;
- Page one, under (2) Additions to the Agenda (d) should read, "Lee Beattie has closed the North Danville School Community Building gym and library to youth due to vandalism;"
- Page two under (4) Discussion of Plan for ATV Ordinance, second sentence should read, "...Michael Walsh later stated he did not want it to be distributed at that time because neither the NEK Wheelers nor their representative was present, nor was the Concerned Citizens' Group..."
- Page three, under (5) Town Clerk Report, the last three bullets should read (h), (i) and (j).

All in favor.

(5) TOWN CLERK REPORT (Wendy Somers)

(A) The increase in health insurance premiums was discussed.

(B) The computer corruption issue is being explored and Wendy will have a proposal for a new server in the near future.

(6) HIGHWAY REPORT (Keith Gadapee)

(A) An injury to a crew member was reported. He required stitches to a finger but lost no work time.

(B) A signature was required for the Better Back Roads grant paperwork.

- *A motion was made by Doug Pastula and seconded by Angelo Incerpi to sign the paperwork for the grant. All in favor.*

(C) Work is being done on the garage lights, inside and outside. Keith asked if the board would like the contractor to also take the sign off the north exit of the Town Clerk's office to be in compliance with that violation cited by VOSHA. The consensus of the board was to do so.

(D) SDS training is going on at the garage to be in compliance with remaining VOSHA violations.

(E) Keith asked that the Bike/Ped Scoping Study discussion be revisited at a meeting in the near future.

(F) A reminder that bid openings for the new truck will be on the agenda for the December 15th meeting.

(7) FINANCIALS -All orders were reviewed and signed.

(8) ADJOURNMENT

At 7:30 PM a motion was made by Ken Linsley and seconded by Angelo Incerpi to adjourn. All in favor.

Respectfully Submitted,

Mary L. Currier
Clerk of the Board