

Town of Danville
Selectboard Minutes
September 21, 2017

North Shore Road (TH#106), Danville

Board Members Present: Doug Pastula, Ken Linsley, Angelo Incerpi (5:34 arrival North Shore Road), Kellie Merrell (Town Hall only 6:15) and Eric Bach

Also Present: Keith Gadapee (both locations), Wendy Somers (Town Hall only), Jamie Stewart (North Shore Road only), Mark Smith (North Shore Road only), Ted Chase (North Shore Road only), George Baxter (North Shore Road only), Henretta Splain (North Shore Road only), Gary & Barb Fontaine (Town Hall only), and Walter J. McNeil, Jr. (Town Hall only)

Meeting was called to order by Chairman Doug Pastula at 5:15 pm.

1. Site visit North Shore Road – to gather information

Ted Chase discussed property owners and locations, serving the public good by having extra parking, plowing enough to move snow further back to extend parking for cross country skiers on lake or rail bed, ice fishermen and snowmobilers. When the parking area at Hastings gets full, people can park on North Shore Road so the road will be used in the public sense. When the snow is pushed back there is ample parking but when it is not maintained people drive around and over lawn areas of owners. The North Shore Road area has improved over the years.

Jamie Stewart noted there was a correction to the information presented to the Selectboard previously regarding the tennis courts. The tennis courts are open to Joe's Pond and guests, it is not opened to the public like they originally thought, however the rule is not enforced and they have never had an issue with someone using it.

Henretta Splain noted the playground was not enforced either and children who are not from Joe's Pond use the area.

Ted Chase discussed the winter residents noting there were seven full time residents, an eighth person lives elsewhere but comes and goes periodically in the winter months but there is a lot of activity with others in the area.

Doug Pastula discussed plowing and maintaining down to the intersection split and inquired how many others live all year on the other roads.

Ted Chase noted there were five people who lived year round on the attached road (to the left). He thought more people would be inclined winterize and to consider to occupy yearly.

Henretta Splain noted five others to the right come up in the winter every now and then.

Doug Pastula noted the addition of the road to the Town would only add a small amount to the budget. He thought the real question was would others want their section of the lake road upgraded as well.

Ted Chase noted the lawyer he spoke to informed him that every issue stands on its own merit, you are not setting precedence, if you do one you do not have to do all.

Keith Gadapee noted Selectboard and residents would have to agree on specs. The road is part of the hydraulically segmented roadway so the specs/design would not change. No new structures are needed because there is one new culvert near the rail trail, however they residents would need to cut back the trees. There is no Class 3 standard of width, there is only a Class 2

which is 11 feet and there is nothing in the Town's adopted standards but his recommendation was to extend the road to 18-20 feet.

Ted Chase noted he plowed the area for fifteen years for free however, they now pay a contractor to plow. If it is not plowed wide enough people have issues, but if the Town takes care of it the road will be safer. He noted the residents were prepared to cut back the trees but if it became an issue for them, they would hire a contractor to do the work.

Doug Pastula noted accepting the road may create other issues.

Jamie Stewart thought the upgrade of the road would be for public good because there would now be an access for the people of the Town to the Rail Trail.

Ken Linsley noted they have to characterize the public good.

Ted Chase discussed a 2004 article from the North Star Monthly newspaper regarding the basis for a road reclassification being at least one resident per 1/10 mile.

Keith Gadapee spoke to the District 7 VTrans Rep regarding the next steps: Selectboard has to warn a hearing to get all information to make decision and then they have 60 days to make a decision.

Ken Linsley suggests setting specs before the Public Hearing to get a common agreement between the Selectboard and the residents.

Doug Pastula noted the public good would be that the emergency service access would be better.

Jamie Stewart noted he winterized his home even though he is not here in the winter months so the fuel truck and emergency vehicles will have better access to his home.

Eric Bach discussed ROW and having plenty of room for cars to park if the area was designated as a trail head.

Angelo Incerpi discussed culverts.

2. **Adjourn to Town Hall Conference Room**

Motion by Ken Linsley, 2nd by Eric Bach to adjourn the North Shore Road (TH#106) location at 5:44 pm and to reconvene the Selectboard meeting at Town Hall at 6:15 pm. All in favor.

3. **Meeting was called to order** by Chairman Doug Pastula at 6:15 pm.

4. Doug Pastula noted **additions to the agenda** from board members and the public.

- Approval of Public Hearing minutes from September 7, 2017.
- VLCT Training on Junk Yards

5. *Motion by Ken Linsley, 2nd by Angelo Incerpi to approve the Public Hearing minutes of September 7, 2017 as written. All in favor.*

6. *Motion by Angelo Incerpi, 2nd by Eric Bach to approve the Regular meeting minutes of September 7, 2017 with correction to the signature date (s/b September 8 not August 8). All in favor.*

7. **Visitors**

Walter McNeil Jr. – Position on Northeast Kingdom Waste Management District Board

Due to the passing of Jim Ashley, a vacancy position opened up on NEKWMD (Northeast Kingdom Waste Management District) Board for the Town of Danville. Walter McNeil Jr. has been the Alternate for the position and has now accepted the roll as a full time member if the

Selectboard approves.

Walter McNeil discussed his experience: Previously serving on the Waste District Board in 1990 while living in East Haven. He left the position when he moved to Danville 17 years ago and has served as Jim Ashley's backup for a long period of time. He noted his appointment to the position would open a vacancy for an Alternate position.

Audrey DeProspero noted Paul Tomasi informed her that some towns on the NEKWMD board do not have Alternates however, an Alternate is a good idea but it is entirely up to the Selectboard.

Selectboard inquired if Walter McNeil knew of anyone who wanted to fill the Alternate position.

Walter McNeil noted he did not but would keep his ears open.

Kellie Merrell inquired what motivated Walter toward this issue.

Walter McNeil noted he was passionate of the issue since serving in the Town of East Haven. He believes in having a place for both household hazardous waste and recycling.

Motion by Angelo Incerpi, 2nd by Kellie Merrell to appoint Walter McNeil, Jr. to the NEKWMD Board for an annual term. All in favor.

8. **Town Clerk** Wendy Somers reported the following:

- 2 Special Event Permits for Autumn on the Green which require Selectboard approval: North Branch Vineyards, LLC and Vermont Spirits Distilling Company.

Motion by Ken Linsley, 2nd by Angelo Incerpi to approve the liquor permit with the usual stipulations for Autumn on the Green for North Branch Vineyards, LLC. All in favor.

Motion by Ken Linsley, 2nd by Angelo Incerpi to approve the liquor permit with the usual stipulations for Autumn on the Green for Vermont Spirits Distilling Company. All in favor.

9. **Highway** Foreman Keith Gadapee reported the following:

- Line stripping - estimate received in the amount of \$3,000 with no traffic control. His suggestion is to budget for next season and research further.
- Resignation - Donald Lamont has taken a new job with VTrans starting September 27th. Ad has been put in the local newspaper and on VLCT and a schedule for rehire has been made. He hopes to have a candidate before the next Selectboard meeting and will reach out to the last four finalists from a previous opening. A gathering for Donald will be next Tuesday at the Town Garage.
- Contract with Cargill for salt – seeks permission from the Selectboard to sign a salt contract with Cargill. They have been buying from them for an extended period of time and he would like to continue to do so because they have good service. The estimate is for 800 tons for \$68.78 per ton which is a state contract. The amount is very close to what was paid last year.

Motion by Angelo Incerpi, 2nd by Ken Linsley to authorize Keith Gadapee to sign the contract in the amount of \$68.78 with Cargill per ton.

- Warranty for truck – seeks feedback from the Selectboard as to their opinion. They have not purchased an extended warranty in the past, he is considering an \$8,000 bumper to bumper extended warranty however, he can buy bits and pieces such as radiator and cooling system or AC and cabin. He is not ready to make a decision just seeks feedback from the Selectboard. The \$8,000 cost would be over 5 years.

Angelo Incerpi inquired the previous warranty history of their other trucks and would like to know what has been spent on repairs in the past. He does not favor warranties.

Keith Gadapee noted he didn't buy a warranty on the last truck and was going to look into this situation further.

Kellie Merrell inquired about the length of time (years) that they get out of a truck.

Keith Gadapee noted trucks are kept a long time, the Capital Plan says 10-12 years. He suggested the Selectboard email him their comments/questions.

Doug Pastula inquired if the warranty included a loaner truck.

Keith Gadapee noted it did not but some warranties included towing. He will print out information for the Selectboard to look at and they can decide in two weeks.

Angelo Incerpi inquired if Public Good for North Shore Road was going to be discussed.

Keith Gadapee noted the question is whether there is going to be a hearing or not on the issue.

Angelo Incerpi was unsure if the Selectboard was interested in it or not. He noted he personally was not unless they received a signed paper giving the Town the okay to use the recreation area and if not, then he saw no benefit to the Town or to the public.

Eric Bach thought the residents agreed to do the road down to the RR tracks. He thought the public good would be if they allowed the area to be used as a trail head for extra parking. He noted that area of residents does generate a lot of tax revenue for the Town.

Wendy Somers noted the previous work from the earlier request was never completed. The work that was supposed to be done was not done, so it became null and void.

Ken Linsley thought they needed to define the criteria regarding why they were doing it so they could apply it to others.

Keith Gadapee inquired if there was anything in the Town Plan about reclassifying Class 3 roads.

Ken Linsley noted he was not sure and would need to review.

Selectboard discussed their earlier meeting at 5:15.

Barb Fontaine thought the Selectboard would be setting a precedence if they did the reclassification of the road.

Doug Pastula noted he would like to wait until their next meeting to decide.

Ken Linsley suggested to establish criteria to have for the residents to tell them what they will need to do.

Wendy Somers suggested the criteria should include the old section as well as the new section.

Angelo Incerpi was okay with waiting until their next meeting but did not want to give the residents a false expectation.

Doug Pastula inquired how the road would affect the rail trail.

Keith Gadapee noted it was a State ROW.

Consensus of the Selectboard was to put North Shore Road on their next Agenda to decide whether to proceed forward.

Kellie Merrell noted she has recused herself from this discussion.

10. Issues and Information (All):

(a) Bill S.27 Municipal government; police; primary coverage – Ken Linsley – Governor Scott proposed a bill providing primary police coverage however primary police coverage has not yet been defined. The State wants municipalities to start picking up some of the cost. There is a meeting on October 10th from 9-11:30 am in St. Johnsbury at NVDA on 36 Eastern Avenue. He is unable to attend but thought someone from the Selectboard should attend.

(b) RFP Cemetery Maintenance – Eric Bach – Nothing received as of yet. Suggestion was to extend the deadline.

Selectboard agreed.

(c) Town Hall Repairs RFP – Audrey DeProspero – Copies of the RFP information was given to the Selectboard to review and send feedback.

(d) 60 Route 2 W – update – Audrey DeProspero – Everything went well with the collection of the samples, however they ended up collecting more samples than anticipated. A five day turn around has been requested on the analysis so the results should be forthcoming.

(e) Rock Farmer Records – update – Audrey DeProspero – The agreed filing fee and application has been received for the November 11th function. The information is on the website and we are just awaiting posters for posting.

(f) Revised Highway Department Work Manual – signatures – Audrey DeProspero – The Selectboard approved to add Section 7c Fire Department Leave at their September 7th meeting, now the Highway Department Manual has been updated and Selectboard signatures are required on the full document.

All Selectboard members signed the document.

11. **Financials: Orders to review and sign** – Financials signed.

12. **Executive Session** – Personnel Issue – Not required.

13. **Adjourn** - Motion by Ken Linsley, 2nd by Angelo Incerpi to **adjourn at 7:37 pm**. All in favor.

Minutes taken by Audrey DeProspero submitted 9/21/17 at 11:49 am.