

Town of Danville
Selectboard Minutes
May 2, 2019
Danville Town Hall (6:00 pm)

Board Members Present: Ken Linsley, Kellie Merrell, Henry Pearl and Kristin Franson

Absent: Eric Bach

Also Present: Audrey DeProspero, Wendy Somers, Keith Gadapee, Tennyson Marceau, Ruth Rubin, Guy Pearce, Glenn Herrin, Chelsea Hewitt, Allie Beliveau, Kylie Cadieux, Zoe Crocker, Liza Morse, Buddy Mundinger, Clayton Cargill, Mike Smith, Anna Berg, Kathrin Lawlor, and Paul Weaver

1. **Meeting was called to order** by Chair Ken Linsley at 6:00 pm.
2. **Additions to the agenda:**
 - Request from Danville Band for Green usage
3. *Motion by Kellie Merrell, 2nd by Henry Pearl to approve **minutes of Regular meeting of April 18, 2019** as written. Vote 4-0-0. All in favor.*
4. **Visitors**
 - Danville School OVX Club (Our Voices eXposed) – follow up to April 4th meeting

OVX is seeking a no substance ordinance for Danville Town Field.

Kellie Merrell summarized OVX's suggestion for more explicit signage at the Town ball field for substance free zone to keep young people from smoking by not promoting around recreational area. Other towns and cities have done this in their parks and public places already.

Henry Pearl inquired if a legal review was needed before the document was enacted.

Ken Linsley noted it would be inappropriate to issue an ordinance without a legal review however a policy could be done by the Selectboard.

Consensus of the Selectboard is to contact VLCT to see if they have a draft policy.

- Glenn Herrin – Interim Zoning Bylaw

Ken Linsley inquired if there was a consensus with the language between the Planning Commission and the Development Review Board.

Glenn Herrin noted no, but this was a Selectboard process and his recommendation was to incorporate the submitted comments into the bylaws.

Ken Linsley noted he would like to see the language agreed upon by both parties.

Mike Smith noted the Waiver Bylaw has been a request and a concern of the Development Review Board (DRB) for some time. It will streamline their process, however the DRB would like a lawyer to review the wording.

Glenn Herrin reviewed Kellie Merrell's suggested changes and comments received from NVDA (Northeastern Vermont Development Association). He will implement the changes and then forward to the Selectboard for further review.

Consensus is seek a no cost review and to possibly use NVDA, VLCT or Town Counsel depending on financial aspect.

- Michael Wright – CALEX – absent
- Buddy Munding - Events on the Green – requested use for the following events:
 - Danville Methodist Church Yard Sale - May 18 from 9am - 2pm.
 - Ecumenical Vacation Bible School - July 8 – 12 with a BBQ on Friday 5-7pm and music in the band stand.
 - Farmers Market Association will start the 2nd Wednesday in June (June 12th) and go until Columbus Day weekend. Hours will be 9am - 1pm with an hour for set up, before and after.
 - Senior Meal Site BBQ benefit drive - June 20th, 11am-1pm. Donations accepted.

Motion by Henry Pearl, 2nd by Kristin Franson to approve the use of the Green for the above dates. Vote 4-0-0. Motion carries.

- Ruth Rubin – Animal Situation – Cows entered her property as they have in years past. Both ACO and owner of the cows were contacted. She is distressed by ACO response and the owner’s haphazard attitude. She thought more could have been done by both. She wanted the owner to fix the property after the cows trampled it but owner did not. She wondered if the Town had a responsibility or ordinance for this type of issue. She presented the Selectboard with a letter and pictures for them to review. Her concern is her yard and gardens being ruined. She discussed her concerns with the neighbor who owns the cows but received no positive response and seeks Selectboard suggestions.

Consensus of Selectboard is to look into enforcement of VSA 3345, Title 20, Chapter 191.

- Chelsea Hewitt – Movie on the Green – requested additional movie night on the Green for September 28, 2019. Time will be determined later. She would also like to have a port-o-potty placed on the Green for each of her movies. The port-o-potty would stay overnight as the delivery person would not be able to pick them up until the next morning. The organizer will be covering the cost of the port-o-potty.

Motion by Kellie Merrell, 2nd by Henry Pearl to approve the September 28th movie night on the Green and to allow port-o-potties during movie nights. Vote 4-0-0. Motion carries.

5. **Town Clerk** (Wendy Somers)

- 2 Liquor licenses for Three Ponds – indoor and outdoor consumption.

Motion by Kellie Merrell, 2nd by Henry Pearl to approve Three Ponds Liquor License, one Indoor and one Outdoor Consumption. Vote 4-0-0. Motion carries.

- Highway Cut Permit for 89 Grandview Avenue, Joncas residence.

Motion by Henry Pearl, 2nd by Kristin Franson to approve the Highway Cut Permit. Vote 4-0-0. Motion carries.

- Update on Spread Bid.

6. **Highway Foreman** (Keith Gadapee)

- New Grader coming in June.
- Roads are getting better.
- All other information will be discussed under Issues and Information.

7. **Issues and Information** (All)

- (a) **Joe’s Pond** – rocks/walkway – Carol Callanan and friends visit Joe’s Pond to swim. They find the access towards the right side near the pavilion a bit difficult to get to the water’s edge because of the retaining rock wall. She would like a smoother

transitional decent to the waterway for disabled persons and the elderly. Her suggestion is to add a step or stairs or railing of some sort for usage as they descend to the water.

Consensus is to explore legal liability and legal obligation for ADA (Americans with Disabilities Act).

- (b) **60 Route 2W** – abutting landowners meeting has been scheduled for Monday, May 6 at 8:30 am at Town Hall. Abutters have been invited. A reveal of the first draft print of the parking lot will be discussed. The meeting is to seek feedback from the abutters and to see if they know where their property pins are located.
- (c) **Bid Opening: Demo bids for 60 Route 2 W** – 4 bids received: Northwoods Excavating, Garren Calkins Excavating, Mathews Excavating, and JBL Logging & Excavating.

Noted was the selected bidder will comply with specifications of scope of work.

Northwoods Excavating - \$19,500
Garren Calkins Excavating - \$14,490
Mathews Excavating - \$11,250
JBL Logging & Excavating - \$12,200

Motion by Henry Pearl, 2nd by Kellie Merrell to accept bid submission from Mathews Excavating in the amount of \$11,250 for demo and removal of 60 Route 2 West. Vote 4-0-0. Motion carries.

- (d) **Bid Opening: Sand** – 3 Bids received: Simpson DirtWorx, Gingue Construction and Chief Crushing & Excavation.

Simpson Dirtworx – \$4.00 per yard, total \$30,000.
Gingue Construction – \$3.45 per yard, total \$25,875.
Chief Crushing & Excavation – \$6.00 per yard, total \$45,000.

Motion by Kristin Franson, 2nd by Kellie Merrell to award Sand Bid to Gingue Construction for 7,500 yards of winter sand run through crusher ½" minus and reloaded into Town trucks at the Olcott pit \$3.45 per yard, total \$25,875. Vote 4-0-0. Motion carries.

- (e) **Bid Opening: Mowing** – 3 bids received: Benoit Landscaping, Eliminator and Little Acres.

Benoit Landscaping - \$9,725
Eliminator - \$9,685
Little Acres - \$10,605

Motion by Henry Pearl, 2nd by Kristin Franson to award Benoit Landscaping the Mowing bid.

Discussion ensued regarding combining both Mowing and Care of the Gardens bid, if same parties submitted both, not yet voting on Mowing bid and moving on to open the Care of the Gardens bids.

Motion by Henry Pearl withdrawn and 2nd by Kristin Franson withdrawn.

- (f) **Bid Opening: Care of the Gardens** – 3 bids received: Benoit Landscaping, Eliminator and Little Acres.

Benoit Landscaping - \$1,550
Little Acres - \$1,625
Eliminator - \$1,575

Motion by Henry Pearl, 2nd by Kristin Franson to accept both Mowing and Care of Garden Bid from Benoit Landscaping in the amount of \$11,275 for one year. Vote 4-0-0. Motion carries.

(g) **Events on the Green**

- **Bike Blessing** – Washburn Lodge is hosting Blessing of the Bikes on Saturday, June 1 from 11am–2pm on the Green. Certificate of Liability has been received. Last year’s event was held at Marty’s. Selectboard discussed poster and wondered where the proceeds from the event were going. As a consensus for event to take place was previously given, it was decided to look into the information.
- **Guitarist** – Corey Calloway requested use of the Green and gazebo on May 24 from 5-7pm for a guitarist to play music and sing. The public is invited and a Certificate of Liability has been received.

Consensus of the Selectboard was for this event to take place.

- (h) **Danville Town Band** would like to reserve the use of the Green on Sunday, June 23 and Sunday, August 18 to host a free ice cream social and concert from 6-8 pm. Banners advertising the event will be displayed the previous week. Last year’s summer concerts were very well attended and they are requesting to do again.

Consensus of the Selectboard was for both dates to be granted.

8. **Financials: Orders to review and sign** – Financials signed.
9. **Adjourn** - Motion by Kellie Merrell, 2nd by Henry Pearl to adjourn at 8:41 p.m. All in favor.

Minutes taken by Audrey DeProspero submitted May 3, 2019 at 11:41 am.