

Town of Danville  
Selectboard Minutes  
November 7, 2019  
Danville Town Hall (6:00 pm)

**Board Members Present:** Ken Linsley, Eric Bach, Henry Pearl and Kristin Franson

**Absent:** Kellie Merrell

**Others Present:** Wendy Somers, Keith Gadapee, Audrey DeProspero, Glenn Herrin, Jonathan Baker, Melissa Ramsey, Amy Hill, and Ray Young

1. **Meeting was called to order** by Chair Ken Linsley at 6:00 pm.
2. **Additions to the agenda:**
  - Calex generator
  - Chase & Chase
  - Ordinance training
3. *Motion by Eric Bach, 2<sup>nd</sup> by Henry Pearl to approve **minutes of Regular meeting of October 17, 2019** with spelling correction as noted. Vote 4-0-0. All in favor.*

*Motion by Eric Bach, 2<sup>nd</sup> by Henry Pearl to approve **minutes of Special meeting of October 30, 2019** with spelling correction as noted. Vote 4-0-0. All in favor.*

4. **Visitors**
  - Jonathan Baker – NEK Community Broadband – discussed the opportunity for towns to band together to form a communication union district for broadband at no risk to tax payers or town. Also discussed was the legislative information 30 V.S.A. § 3053 (d).

Consensus was to review the legislative information and revisit at their next meeting.

- Glenn Herrin – PC applicant, FEMA flood zone mapping, Zoning Bylaw progress, and Hazard Mitigation:

Mark Nicholson has applied for the open position on the Planning Commission.

*Motion by Henry Pearl, 2<sup>nd</sup> by Kristin Franson to appoint Mark Nicholson to the Planning Commission for the term 2019-2021. Vote 4-0-0. All in favor.*

Attended FEMA flood zone mapping meeting. Current maps are dated 1973. FEMA is contracted with government agency for more detailed mapping and to make them digital.

Zoning Bylaw is still in the review status. Hearings are scheduled for Planning Commission in February and Selectboard in March/April.

Local Hazard Mitigation Plan is expired. Discussion was on grants that are available for towns that have plans and reimbursement level increase from FEMA being higher after a storm. An updated plan would be good for five years. Glenn Herrin sought the Selectboard's opinion regarding the pursuit of updating the Hazard Mitigation Plan.

Consensus is that it is a good idea to update the Hazard Mitigation Plan.

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

- New liquor license for Rustic Haven, LLC (Goodfella's Restaurant) for Raymond Young and Amy Hill of North Danville.

*Motion by Henry Pearl, 2<sup>nd</sup> by Eric Bach to approve the liquor license for Rustic Haven, LLC (Goodfella's Restaurant). Vote 4-0-0. All in favor.*

- 2018 Audit Report.
- Spread Bid information for line of credit and deposit.
- Delinquencies of \$128,768.04 (\$800.61 from 2018 and \$127,967.43 from 2019) includes interest and penalties.
- Delinquent Tax Collector training scheduled for Tuesday, November 12<sup>th</sup> at Danville Town Hall.

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

- Grant work - has until June 2020 to complete the work. The paperwork for the uncompleted road work will look a bit unclear when it is listed in the budget.
- Wheelock Road grant work will not get done this year.
- Bruce Badger curb cut update – determined that if applicant cuts trees they would gain some site distance in one direction but not in the other direction.

Selectboard discussed preferred solution to lower speed limit in the area and for Keith Gadapee to look more into the situation.

- Capital Equipment Fund has the pickup scheduled for replacement. The money is in the budget. Keith Gadapee would like to put the pickup out to bid by reaching out to various dealers in the area.
- A new plow truck is due for replacement in 2021.
- Budget information discussed.
- Better Roads Grant needs to be applied for by November 22. He seeks Selectboard approval to apply however he does not have a specific site picked out as of yet.

Consensus is for Keith Gadapee to apply for Better Roads Grant both Structures and Highway under his discretion for location.

- His department no longer has a sidewalk person so he would like to hire a part time person for winter.

Consensus is to advertise for the open part time position.

- Request for permission to spend tool money to purchase a hydraulic hand tool and torque wrench.

*Motion by Eric Bach, 2<sup>nd</sup> by Kristin Franson to expend up to \$700 for a Porto Power Hydraulic hand tool and a four foot torque wrench.*

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

(a) **Fire Truck Bid Opening** – bids received:

Drew Mallett - \$1,003.00  
Gary Nelson - \$3501.99  
John Cookson – \$1,350.00  
Gary Goulette – \$3,500.00  
Nat Choiniere - \$5,000.00

John Jones – \$10,000.00  
David Bedor – \$2,500.00  
Jonathan Knights – \$6,531.00  
Jamie Rivers - \$4,002.50  
Tom Cariano – \$2,500.00  
Howard Remick – \$3,501.00  
Nathan Temple – \$1,652.52

*Motion by Henry Pearl, 2<sup>nd</sup> by Kristin Franson to accept the highest bid from John Jones in the amount of \$10,000.00, if the highest bidder refuses then go to the next highest bidder and money received to be deposited into the Fire Department Capital Equipment Fund. Vote 4-0-0. All in favor.*

- (b) **MOU with WDCC** – Memorandum of Understanding has been reviewed by Town Attorney.

*Motion by Eric Bach, 2<sup>nd</sup> by Henry Pearl to approve the agreement between the West Danville Community Club and the Town of Danville and to authorize the Selectboard Chair to sign the agreement. Vote 4-0-0. All in favor.*

- (c) **Vermont Municipal Violation Complaints** – Municipalities can write tickets for violations of town ordinances, however a designated person needs to be assigned that ability and that person's information needs to be sent to the Judicial Bureau so that an official number can be assigned to that person and tickets can be written.

*Motion by Kristin Franson, 2<sup>nd</sup> by Eric Bach to request Audrey DeProspero to be identified as the person to be authorized to sign tickets of violation of town ordinance or statute.*

- (d) **Cemetery** – Ginnie Morse has given the Assistant to Selectboard six parcels that are deeded to the Town of Danville that the Danville Green Cemetery Association believe should be deeded to them.

Selectboard discussed request.

Consensus is for a formal request to be received from the Danville Green Cemetery Association requesting the land(s) be deeded to them and for Audrey DeProspero to contact the Danville Green Cemetery Association President.

Stanton Cemetery has a couple of stones that are tipped over.

Consensus is for an inventory of all cemeteries to be done and then to get a quote for fixing.

Little Acres aka Weaver Construction was approached in regards to the possibility for potential to Sexton position. Their response was not favorable.

Complaint received regarding roaming horses in the Pope Cemetery. Information given to the Animal Control Officer to follow up.

- (e) **Constable** – statutes: 17 V.S.A. § 2646 – at Annual Meeting, Town shall choose from among registered voters, who will serve until next annual meeting and 17 V.S.A. § 2651(a) – Town may vote by Australian ballot at annual meeting to authorize Selectmen to appoint Constable.

Discussion ensued of possibly doing appointment incorrectly in the past and the need to put a Warrant Article together for this March.

- (f) **Opioid Litigation** – letter received from attorney general regarding participation in the Negotiation Class for settlement opportunity without having to file a lawsuit.
- (g) **Calex Generator** – Michael Wright contacted Ken Linsley during the power outage regarding the generator at their building shutting down. Discussion ensued regarding Calex Lease and Catamount Electric being the servicing company of the generator.

Consensus is for Audrey DeProspero to contact Catamount Electric on behalf of the Selectboard as the generator is permanent and part of building and part of lease.

- (h) **Chase & Chase** – commitment on allocation on the sewer plant. Information was forwarded to Utility Partners to get input. Selectboard discussed Sewer System being self-sufficient with user fees collected. The last increase was in 2007. Selectboard also discussed system getting close to capacity and consulting Town Plan to seek information and goals of the Town Plan.
- (i) **Ordinance Training** – Wendy Somers and Audrey DeProspero have signed up for Ordinance Enforcement Training on December 4<sup>th</sup> in Montpelier for \$60 each.

*Motion by Eric Bach, 2<sup>nd</sup> by Henry Pearl to approve the expenditure of \$60 for Ordinance Enforcement Training on December 4<sup>th</sup> for Audrey DeProspero. Vote 4-0-0. All in favor.*

8. **Financials: Orders to review and sign** – Financials require signature on Friday.

*Motion by Eric Bach, 2<sup>nd</sup> by Henry Pearl to authorize Ken Linsley to sign the Warrant Article on Friday. Vote 4-0-0. All in favor.*

9. **Executive Session** – 1 V.S.A. § 313 (a)(1)(E) Legal and 313 (a)(3) Evaluation of Employee.

*Motion by Eric Bach, 2<sup>nd</sup> by Kristin Franson to go into Non Public at 8:15 p.m. and to invite Wendy Somers, Keith Gadapee and Audrey DeProspero. Vote 4-0-0. All in favor.*

*Motion by Henry Pearl, 2<sup>nd</sup> by Eric Bach to leave Non Public at 8:46 p.m. Vote 4-0-0. All in favor.*

No action taken.

10. **Adjourn** - *Motion by Henry Pearl, 2<sup>nd</sup> by Kristin Franson to adjourn at 8:49 p.m. Vote 4-0-0. All in favor.*

Minutes taken by Audrey DeProspero submitted November 12, 2019 at 2:00 pm.