

Town of Danville  
Selectboard Minutes  
April 15, 2021  
Danville Town Hall (6:00 pm)

**Board Members Present Using Zoom:** Eric Bach, Peter Griffin, and Kristin Franson

**Board Members Present:** Ken Linsley

**Board Members Absent:** Kellie Merrell

**Others Present Using Zoom:** Beth Hibshman, Hannah Morris, Keith Gadapee, Mildred LaBeur, Greg Prior, Craig Morris, Jenni Lavoie, Rob Balivet, Tim & Jenness Ide, Thomas Vogel, Tasha Cochran, Jonathan Austin Shortt, Ginny Incerpi, Jo Henderson-Frost, Sam Bromberg, Clayton Cargill, and Wendy Somers

**Others Present:** Audrey DeProspero, Troy Cochran, and Roldan Heath

1. **Meeting was called to order** by Chair Ken Linsley at 6:00 pm

Chair deferred the Selectboard meeting to after the Zoning Bylaw Hearing.

2. **Open Public Hearing**

*Motion by Eric Bach, 2<sup>nd</sup> by Peter Griffin to open the Public Hearing on the Proposed Draft of the Danville Zoning Bylaw of August 27, 2020 at 6:01 pm. Vote 4-0-0. All in favor.*

Rob Balivet noted it was an excellent organized revision and was in support of the document.

*Motion by Peter Griffin, 2<sup>nd</sup> by Eric Bach to approve and accept the Proposed Draft of the Danville Zoning Bylaw of August 27, 2020. Vote 4-0-0. All in favor. Motion carries.*

*Motion by Eric Bach, 2<sup>nd</sup> by Peter Griffin to close the Public Hearing at 6:05 pm. Vote 4-0-0. All in favor.*

Chair Ken Linsley called the Selectboard meeting to order at 6:05 pm.

3. **Additions to the agenda:**

- Troy Cochran and Roland Heath – Fire Department – Options for replacement of Fire Truck
- NEK Broadband Rep Reappointment

4. *Motion by Peter Griffin, 2<sup>nd</sup> by Eric Bach to approve **minutes** of the **Regular meeting of April 1, 2021** with changes to pages 2 & 5. Vote 4-0-0. All in favor.*

5. **Visitor**

- Tim Ide – Lister – Reappraisal Update – NEMRC is finished with field work and the Listers have finished their two week review of values. The information will go to press on April 19<sup>th</sup>. The official notice of Change of Appraisals will be mailed to property owners in Danville and will have the old value, new value and description. Informational Hearings will be held May 10, 11 and 12 to discuss reappraisals, correct errors and answer questions. May 17, 18 and 19 Formal Hearings will be held by the Listers and then after that the Board of Civil Authority will hold any needed hearings. NEMRC has done a good job even if they could not enter people's homes due to COVID. NEMRC spoke to about 75-80% of property owners. The Grand List will have a 5% increase.
- Mildred LaBeur, Treasurer on Caledonia Democratic Committee sought use of the Town Green with the Gazebo on the second Saturday in May, June and July from 9am until

10:30 am. The committee used to use Town Hall in winter months but thought being outside would be better.

Kristin Franson spoke of political signs and postings on the Green.

Eric Bach noted political groups were permitted if persons were without signs.

Mildred LaBeur noted there would be no signs or banners.

Ken Linsley noted he looked at the gathering as if it was just a group of citizens coming together.

*Consensus was to permit usage of the Green at no charge.*

- Beth Hibshman of Studio Fitness sought use of the East side of Town Green on May 1, 8, 15, 22 & 29 from 8:30am until 9:30 am for work out classes for about 10 to 20 persons.

Peter Griffin inquired if there would be amplified sounds.

Beth Hibshman noted there would be a Bose speaker which was not very loud.

Ken Linsley spoke of insurance requirement in the amount of one million dollars and naming the Town of Danville as Additional Insured.

Beth Hibshman noted she would supply the Town with proof of insurance.

Eric Bach spoke of previous commitments on the Green such as Green Up Day, Fair and Autumn on the Green.

Discussed was #16 of the Criteria for Town Property (a cost for space(s)/security deposit will be paid to the Town of Danville for all for-profit individuals or organizations).

Peter Griffin suggested a \$5 usage fee.

*Motion by Peter Griffin, 2<sup>nd</sup> by Kristin Franson to authorize Beth Hibshman of Studio Fitness to use the East side of the Green on Saturdays in May with a charge of \$5 per event and with proof of insurance. Vote 4-0-0. All in favor.*

- Walter McNeil – NEKWMD
  - The Waste District held their monthly meeting this past Tuesday which was also their annual meeting. Officer positions were renewed and Walter McNeil is still the Vice Chair of the Waste District.
  - NEKWMD received an Organics Infrastructure Grant in the amount of \$250,000 to fund up to one to three entities to help with food scraps. They have three viable candidates however only \$110,000 was needed so ANR (Agency of Natural Resources) told the District to spend the money so the District is looking into different options.
  - Plastic film update – no market for film or bags. District is looking for market and is currently not accepting film and may have to stop accepting plastic bags. The District currently has 150,000 lbs. of baled materials that they need to get rid of.
  - Cardboard and plastic markets are up and doing well.
  - District has to pay to get rid of glass.
  - There is a bill in the House Committee to change the bottle bill to possibly put a redemption fee on wine bottles.
  - NEKWMD received a \$60,000 grant for a new truck.
  - Chittenden law suit for glass issue, had Chittenden looking for nonprofit programs which they thought they found but ANR rejected programs.

- Hannah Morris – Use of 60 Route 2 West – lease agreement discussed. Concern was with #4 (Maintenance and Care) which pertained to removal of building as the electricity will be attached to the ice-cream shop building.

Discussed was application to DRB being for a temporary building and the possibility of that needing to be changed due to length of time.

Craig Morris noted the state definition of temporary only allows for 14 days then it is considered a permanent structure.

Discussion regarding plowing was held.

Keith Gadapee noted there would be no issue with plowing around the building.

Hannah Morris noted the power company has put a stake in the ground where the pole will be placed.

Placement of building was discussed in relation to Route 2 and state requirements. State needs to be contacted as Route 2 is not a town road.

Rental figure will need to wait until a later date for determination due to Zoning approval and placement of building on lot. If building cannot be 25 feet from Route 2 then Hannah Morris will incur more of a cost due to extension needed from power company and water.

*Consensus was for the building to be left over the winter months.*

- Troy Cochran – Fire Department – Options for replacement of fire truck - Claims for accident have been processed through insurance company and checks are forthcoming. The truck was considered a total loss with the payout of \$131,950.00 which includes the tow bill minus the \$500 deductible. The portable equipment claim payout was \$12,631.22 minus the \$100 deductible. Plans were already in place before the accident to replace the tanker sometime in 2024-2025 but a replacement is required sooner. A search has begun to locate a truck that fits what the Fire Department wants. Pierce Fire Equipment has a few trucks however, the chassis will not fit into the North Danville Station. E-One Fire Equipment did not have any trucks the Fire Department was looking for. Fouts Fire Equipment will have six identical trucks at the end of May early June that are on Kenworth Chassis. The present pumper truck is similar to what Fouts has and the height requirement is a match. The Fire Department has 3 options: don't buy a truck and no longer have a truck in North Danville which is not advised by Barrett Insurance due to insurance rates, order a truck which will take about a year with the possibility that the chassis will not be available, or buy the spec truck that Fouts Brothers Fire Equipment has coming off the line in May/June which will arrive 90 days from then. Work will be required on the North Danville Station as the 10 foot doors of the building are too small for the vehicle and will need to be enlarged to 12 feet.

The recommendation of Fire Chief Cochran is to purchase the spec tanker from Fouts Brothers which is a 3,000 gallon wet side tanker for \$283,412.50 and to use the insurance money of \$130,000 and the Capital Fund amount of \$149,000.00 to pay for the vehicle.

Eric Bach discussed building, accommodations and future needs of department due to truck sizes. Suggested was to start a sub-committee to figure out where the Fire Department is headed.

Troy Cochran spoke of combining properties in North Danville (building and open lot).

Kristin Franson spoke of combining buildings and having minimal expense.

Ken Linsley spoke of modification under \$5,000 for doors noting the next generation will not fit into the current locations the Town currently has.

Troy Cochran spoke of work to be done on the North Danville Station and inquired if the Fire Department had to go out to bid.

Ken Linsley noted the Fire Department did in fact have to go out for bid before work could be done.

Troy Cochran spoke of allocation amount and requested authorization and commitment letter to purchase the vehicle.

*Motion by Eric Bach, 2<sup>nd</sup> by Peter Griffin to authorize a written letter of commitment for the Fire Department for Fouts Brothers for the new tanker to commit to purchase the vehicle and for Ken Linsley to sign the Letter of Intent on behalf of the Selectboard. Vote 4-0-0. Motion carries.*

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

- First Class and Third Class liquor license for Three Ponds.

*Motion by Eric Bach, 2<sup>nd</sup> by Peter Griffin to approve the First Class Liquor License for Three Ponds. Vote 4-0-0. Motion carries.*

*Motion by Kristin Franson, 2<sup>nd</sup> by Eric Bach to approve the Third Class Liquor License for Three Ponds. Vote 4-0-0. Motion carries.*

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

- MRGP Amendment Form – state made amendment and Town will not be in compliance unless completed.

*Motion by Eric Bach, 2<sup>nd</sup> by Kristin Franson to expend \$240 for the MRGP Amendment Form. Vote 4-0-0. Motion carries*

- Curb Cut application Hawkins Road new house with a driveway.

*Motion by Eric Bach, 2<sup>nd</sup> by Kristin Franson to approve Curb Cut on Hawkins Road subject to Keith Gadapee's review and approval. Vote 4-0-0. Motion carries.*

- Working with AOT as they are in the planning stage for ROW change in the area of West Shore Road and the Fishing Access.
- New hire starts Monday, April 19<sup>th</sup>.
- Bid Opening for Peacham Road Project will be on May 6<sup>th</sup>.
- Going to allocate gravel money to a drainage project on Walden Hill Road in the area near Cross Country Road.

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

(a) **Town Property Criteria document/policy**

*Consensus to adopt Version 7 from 4-1-21.*

(b) **IT** – deferred to a later date.

- (c) **Town Sewer Usage (Random Road, LLC)** – Ken Linsley – working with Jim Brimblecomb to get latest volumes from WWTF. Designed volume was 60,000 however when the Town gets to 80% a study is required and increased costs will occur.

Keith Gadapee inquired if entities that have commitments were paying for the future committed hookup.

Ken Linsley noted yes, commitments made require payments in lieu of sewer bill.

Increase to infrastructure discussed.

- (d) **HR Person/Town Hall paperwork** – Keith Gadapee – confused as to when HR information is required who is the person to go to. Should he be reaching out to Town Clerk or Assistant to Selectboard? There is duplication and he would like to eliminate the duplication.

Ken Linsley noted there should be one location for records and the location should be fire proofed.

Keith Gadapee wanted to streamline the process such as renewing medical cards.

Ken Linsley suggested he work it out between himself, Town Clerk and Assistant to Selectboard.

- (e) **Zoom Recordings** – request from Andrew McGregor of Caledonian Record to have all Selectboard meetings recorded.

Ken Linsley noted if recordings are done then they need to be kept in perpetuity. Selectboard meetings are open to the public so recordings do not have to be done. Selectboard is not required to record if meetings are held in person.

Eric Bach noted reporters can attend in person or via Zoom or wait for minutes which are posted on line.

Peter Griffin inquired how much longer would the Selectboard be on Zoom and if they would resume the non-zoom format.

Ken Linsley noted the Selectboard would have to make that determination.

Eric Bach noted there have been more attendees with zoom. Offering zoom as a possibility helps those out of town, on vacation, a more convenient way to attend meetings so they do not need to rush around. The accessibility is more of a convenience to persons.

*Consensus is not to record meetings and to continue to operate as they have.*

- (f) **Bulky Waste (Selectboard Volunteers) Saturday, May 1<sup>st</sup> at the Wood Dump.**

8-10 Ken Linsley  
10-12 Kristin Franson  
12-1:30 Eric Bach  
1:30-3 Peter Griffin

- (g) **Composting Hold Harmless** – tabled until information received.

- (h) **ARPA (American Rescue Plan Act)** – Ken Linsley noted Bernie Sanders' numbers were \$439,000. The Town Clerk Wendy Somers is to receive a check in the amount of \$106,000 for the Town somewhere between June 9<sup>th</sup> and 11<sup>th</sup> the base payment will be received. \$650,000 is the total the Town is to receive but it is still not known what the Town can spend the money on. Possibilities are broadband, water/waste water, and after school programs. Concern is that the check is coming to the Town and after school programs are for School. Bill H315 has passed and there is money there to establish an area of expertise to aid the towns in spending however the Treasury has not determined reasonable expenditures.

- (i) **MMIG Award (Materials Management Infrastructure Grant)**

Congratulations extended to Kellie Merrell and Keith Gadapee for getting the Town \$40,000 to help support the new recycling structure. The Town has \$100,000 set aside, but will have \$40,000 left in the Capital Building Fund to use elsewhere.

(j) **NEK Broadband Rep Reappointment** –

*Motion by Eric Bach, 2<sup>nd</sup> by Kristin Franson to appoint Jonathan Baker as Representative of Danville and to authorize Ken Linsley to sign Resolution. Vote 4-0-0. Motion Carries*

(k) **Resignation** – Zoning Administrator has submitted resignation effective June 30.

Ken Linsley noting posting duties for Part Time position would begin ASAP.

9. **Financials:** Orders to review and sign

*Motion by Eric Bach, 2<sup>nd</sup> by Peter Griffin to authorize Chair Ken Linsley to review and sign the Financial Orders on behalf of the Selectboard. Vote 4-0-0. All in favor.*

10. **Adjourn** – *Motion by Peter Griffin, 2<sup>nd</sup> by Eric Bach to adjourn at 8:24 p.m. All in favor.*

Minutes taken by Audrey DeProspero submitted April 16, 2021 at 12:52 pm.