

Town of Danville  
Selectboard Minutes  
March 2, 2023  
Danville Town Hall (6:00 pm)

**Board Members Using Microsoft Teams:** Peter Griffin

**Board Members Present:** Ken Linsley, Janice Ouellette, and Kellie Merrell

**Board Members Absent:** Eric Bach

**Others Present:** Audrey DeProspero, Wendy Somers, Keith Gadapee, Adam Kane, Brian Henderson, Toby Balivet, Sally Fishburn and Michael Hogue

**Others Present Using Microsoft Teams:** Ginny Incerpi

**Meeting called to order** by Vice Chair Peter Griffin at 6:07 pm.

- **Additions to the agenda:** Thanks to Ken Linsley and Kellie Merrell as this is their last meeting.

1. *Motion by Ken Linsley, 2<sup>nd</sup> by Janice Ouellette to approve **minutes of Regular meeting of February 16, 2023** as written. Vote 4-0-0. All in favor.*

*Motion by Ken Linsley, 2<sup>nd</sup> by Janice Ouellette to approve **minutes of Public Informational meeting of February 21, 2023** as written. Vote 4-0-0. All in favor.*

2. **Visitors**

- **Toby Balivet, Town Attorney – Legal Matter (Executive Session 1 VSA 313 (a)(1)(E))** - Toby Balivet Attorney for Town is present to discuss zoning appeal in environmental court.

*Motion by Kellie Merrell, 2<sup>nd</sup> by Janice Ouellette to enter Executive Session under 1 VSA 313 (E) pending or probable civil litigation or a prosecution, to which the public body is or may be a party and to invite Town Clerk Wendy Somers, Highway Foreman Keith Gadapee, DRB Chair Brian Henderson and Assistant to Selectboard Audrey DeProspero. Vote 4-0-0. All in favor.*

Selectboard entered Executive Session at 6:11 pm.

*Motion by Ken Linsley, 2<sup>nd</sup> by Janice Ouellette to leave Executive Session. Vote 4-0-0. All in favor.*

No action taken.

Selectboard returned to Public Session at 6:37pm

- **Adam Kane, Executive Director Fairbanks Museum – Greenbanks Hollow Acreage** – discussed Fairbanks Museum received a donation of land from the Matsinger family of 515 acres just south of Greenbanks Hollow which they plan to turn into a publically accessible nature preserve. The area will be known as Fairbanks Museum Nature Preserve at Matsinger Forest. Fairbanks Museum is gathering materials to apply for a State of Vermont Community Recovery and Revitalization grant to support infrastructure improvements. The plan is to build an access driveway, parking lot, restrooms, and trails. The area is for non-motorized vehicles. The property includes a house and barn which need renovations. The barn is to be turned into an outdoor classroom. Trails will be restored and others will be built. All items are subject to Act 250 and Danville Zoning Bylaws. The project is a \$700,000 project and will be partially funded by \$357,000 which is in the bank and/or in funds coming in. In a couple of weeks they will apply for a \$286,000 grant through the State but in order to apply for the grant a letter of support is required from the Selectboard.

Ken Linsley inquired about the maximum population on a daily basis.

Adam Kane noted the area would not be Kingdom Trails, it would be similar to Devils Hill in Peacham and would be low impact. Community access would be at a maximum of maybe 30 person on one day.

Kellie Merrell inquired if outreach had been done to the Conservation Commission.

Adam Kane noted they reached out to just neighboring persons.

Ken Linsley thought this was a big plus to the Town.

*Motion by Kellie Merrell, 2<sup>nd</sup> by Janice Ouellette to support the Fairbanks Museum's application to the Vermont Community Recovery and Revitalization Program to fund the development of public access facilities at the Fairbanks Museum Nature Preserve at Matsinger Forest. Vote 4-0-0. All in favor.*

- **Alison Low – Dog Park** - presented the Selectboard with a proposed dog park community survey and sought Selectboard input.

*Consensus was the survey looked good.*

Alison Low noted they were researching funding and had a meeting scheduled with the Derby Dog Park which is maintained through sponsorship, donations and fundraising. The Mad River Valley Dog Park is funded by grants. The committee is still looking for a location which has three acres. The area would need to have mulch put down so that it did not need to be mowed. Shelburne has a dog park in the village however it is in wetland area and the dogs come out looking as if they have just gone through a tough mudder run, so they are seeking a new location.

- **Michael Hogue – Train Station Lead Paint Testing**

Sally Fishburn discussed the hazardous material testing required at the Train Station. The committee believes there is lead paint in the building but no other material. The test is required so the building can be remediated. The proposed cost is \$1,295

*Motion by Ken Linsley, 2<sup>nd</sup> by Kellie Merrell to approve to contract with Clay Point Associates, Inc. for \$1,295 subject to the number of samples that need to be collected. Vote 4-0-0. All in favor.*

Michael Hogue discussed the survey that was going to be handed out at Town Meeting to get some general comments from the public regarding general town planning/zoning issues such as short term rentals. The survey will not be ready for Town Meeting and will be done at a later date.

### 3. **Town Clerk** (Wendy Somers)

- Certificate of Compliance for Random Road (Three Ponds) need signature from Selectboard. The location has changed from a store to a restaurant. Jim Brimblecombe of H2O has signed off on the Certificate of Inspection to verify compliance.

*Motion by Ken Linsley, 2<sup>nd</sup> by Janice Ouellette to approve Certificate of Compliance for Random Road (Three Ponds). Vote 4-0-0. All in favor.*

- Invoice received from RAB Consulting Services (Randy Bean) for prep work and attendance to Selectboard meeting. The Selectboard previously approved expenditure in the amount of \$75 however the invoice amount is \$187.50 which is \$112.50 higher than the previously approved amount.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Ken Linsley to approve \$112.50 to RAB Consulting Services (Randy Bean). Vote 4-0-0. All in favor.*

- Liquor and Tobacco license for Marty's First Stop.

*Motion by Kellie Merrell, 2<sup>nd</sup> by Ken Linsley to approve both Liquor License and Tobacco License for Marty's First Stop. Vote 4-0-0. All in favor.*

- Line of Credit RFPs.

Wendy Somers reached out to various banks:  
M&T Bank who is new to area, however they passed on the bid submission;  
North Country, nothing received;  
Passumpsic Bank;  
Mascoma Bank;  
Union Bank; and  
Community National Bank.

Peter Griffin noted it looked like Community National Bank was the least cost to the Town, lowest interest on loan.

Wendy Somers agreed and noted the Selectboard needed to decide on whether to go with a straight line of credit or a spread bid.

Selectboard inquired as to recommendation of Town Clerk.

Wendy Somers recommended Community National Bank.

Kellie Merrell inquired which was easier to manage.

Wendy Somers noted the straight line of credit was easier to manage.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Kellie Merrell to approve the straight line of credit from Community National Bank. Vote 4-0-0. All in favor.*

- FYI – Town Clerk was alerted Tuesday from Town Clerk Muni Group that a group called CFA which does First Amendment Audits by entering buildings and filming persons are in Vermont. The individuals enter the buildings and film persons while antagonizing them. They were at the Sutton Town Clerk's office on Monday and then went to the Town of Concord and then to Newbury.

#### 4. **Highway Foreman** (Keith Gadapee)

- New truck arriving tomorrow.
- Applying for VTrans Paving grant. Will not do until next budget season. The area grant will be applied to would be Bruce Badger, top of hill towards Danville to Murray garage. It is a reclaim and pave project that will cost \$248,000. The grant is for \$200,000 and the Town has 2 years to do the work. Most of the work will be done by contractors.
- FYI – repair on Truck 2 is needed. It is a 2007 and the oldest truck the Town has. It is an in-house repair and not major dollars. The sander mechanism is rotted and needs fixing.
- FYI – the truck being traded needed a little work.
- Hank Ainley from VT ANR/DEC has reached out to Keith Gadapee and is looking for 15 municipalities who have interest in voluntary storm water municipal plan. Hank Ainley is looking at storm water hot spots. They will do planning and hire contractor to do work and introduce town to funding opportunities.

*Consensus was this is a good thing.*

#### 5. **Issues and Information** (All)

- (a) **Highway Pay Rate Changes** - Peter Griffin noted this subject related back to Personnel Policy that the Selectboard adopted along with pay scale for the Highway folks on February 2nd. Selectboard adopted Personal Plan which included pay structure with matrix that had skills/steps. Eric Bach had spoken with League of Cities and Towns who noted they did not think it needed to be warned and the Town adopted. Peter Griffin had a similar conversation with the League and other folks who had concerns for transparency and what was good for the Town. Peter Griffin did not believe the Selectboard needed to authorize people on the placement but thought they needed to put it out there to the public. If they wanted they could choose to change the policy moving forward. The concern on the Crew was to get this completed. Peter Griffin noted there was an inconclusive result from last time and he thought he should at least discuss it with the

Selectboard. He wanted to find a clear plan to see what was happening and what needed to be done to move it forward. Peter Griffin noted they should start paying folks like they had planned and approve.

*Motion by Ken Linsley, 2<sup>nd</sup> by Kellie Merrell to accept these rates for five people for 2023 Highway Pay Scale spreadsheet as presented by Peter Griffin. Vote 4-0-0. All in favor.*

Discussed was to approve grid as part of policy but a concerning factor was if they were giving Keith Gadapee authority to put persons on the grid as he saw fit. Concern was the Highway Foreman could not make this approval as he should be making a recommendation to the Selectboard, not approving unless the Selectboard specifically delegated this responsibility to the Foreman. Further discussion was step and grade will be recommendation of Highway Foreman and Selectboard would approve or not.

Peter Griffin discussed authorized payroll and budget for this year and recommended to look at policy before next round of wage consideration.

- (b) **RFQ Engineering Study** - Audrey DeProspero discussed two RFQs received, one from Aldrich and Elliott Water Resource Engineers and another from Dufresne Group Consulting Engineers. An independent scoring sheet was used to decide on applicant. The scoring sheet was a suggestion by Jim Brimblecombe, H2O and Tom Brown ANR/DEC. The information was based on submission and was done by non-biased persons. Jim Brimblecombe did not take part in the scoring sheet as he was named as a reference on one of the submissions, however he did help provide criteria sheets for determination and explanation of process.

Selectboard reviewed submissions and scoring sheets.

*Consensus was to enter into contract discussion with Dufresne Group Consulting Engineers.*

- (c) **Wood Dump Schedule/Directions** - Ken Linsley discussed how he lined up volunteers for the Wood Dump. He would make sure Volunteers showed up and the gate was unlocked. As he will not be returning as a member of the Selectboard, another person is needed to take over this task.

Peter Griffin proposed putting this on the agenda in two weeks to see how to handle in future.

- (d) **ARPA Funds** - Janice Ouellette discussed attendance to webinar on Congressional Spending. She noted it looked promising. An application is required to be filled out and a project will need to be pitched. This could be done on both Sanders and Welch's websites. Janice Ouellette and Wendy Somers had a webinar with Katie Buckley who suggested they reach out to other congressionalist. They are looking at sidewalk, Hill Street and parking lot as one project however those fall under three different funding streams in Congress. Janice Ouellette is looking to set up a meeting with Doug Morton of NVDA however they have been unable to work out a meeting time. Katie Buckley suggested the Town could create a new reserve fund which they could put the ARPA funds in. The thought is to wait until next year to put this information on a warrant instead of having a Special meeting this year. The Town has until 2024 to do this.

Wendy Somers discussed the Article which would be to establish the fund and fund the fund. There would be a long range capital improvement plan for the Town to have the availability to use the money and not restrict the Town from its use.

Peter Griffin inquired about putting the monies in the current Capitol Fund.

Wendy Somers noted the current Capital Fund is just for Town buildings owned by the Town and nothing else and would restrict the use of funds.

- (e) **Radar Speed Signs** – Audrey DeProspero discussed resident Christy Burns being in contact with her about radar speed signs for the West Danville area. Christy Burns was not available to attend this evening and asked Audrey DeProspero to share information. Noted was in September of last year the Selectboard discussed the reduced speeds and the next step being a radar speed sign before construction started in the West Danville area. Resident Christy Burns is seeking Selectboard to authorize the start of the process for the installation of a radar speed back sign.

As this project will cost the Town money, it is being requested that Federal grant money (ARPA funds) be authorized for the radar speed sign or signs as the Town designated a small portion of the ARPA funds to the school's garden project.

Audrey DeProspero reached out to VTrans looking for the Marshfield-Danville NH PS19(1) project plans to see if a radar speed back sign was included and was informed that the plans do not carry a radar speed back sign.

Kellie Merrell noted she attended the meeting that approved the reduced speed going into West Danville and noted there will be traffic calming exercises and then after construction is done then it would be the time to think of where to put radar speed signs.

Peter Griffin suggested folks should be present to discuss their requests.

Ken Linsley suggested to go back to Christy Burns with what they were told by VTrans. He noted he was not sure what calming devices would be put in place.

- (f) **Thank You** - Peter Griffin thanked Ken Linsley and Kellie Merrell for all their years of service to the Town. He noted they would be missed.

A certificate of appreciation was presented to both Ken Linsley and Kellie Merrell. Ken for his 11 years of service and Kellie Merrell for her 7 years of service.

6. **Financials: Orders to review and sign** – Chair Eric Bach was out of Town and Vice Chair Peter Griffin was not present due to Covid and unable to come in and sign orders, so a motion was required to authorize a present person to sign.

*Motion by Ken Linsley, 2<sup>nd</sup> by Janice Ouellette to authorize Kellie Merrell to review and sign the Financial Orders on behalf of the Selectboard. Vote 4-0-0. All in favor.*

7. **Adjourn** - *Motion by Ken Linsley, 2<sup>nd</sup> by Janice Ouellette to adjourn at 8:19 pm. All in favor.*

Minutes taken by Audrey DeProspero submitted March 3, 2023 at 11:38 am.

Employee	Step	Grade	Rate-2023
Road Crew 1	Step 7	Grade 6	\$26.99
Road Crew 2	Step 3	Grade 6	\$23.29
Road Crew 3	Step 3	Grade 6	\$23.29
Road Crew 4	Step 2	Grade 5	\$22.02
Road Crew 5	Step 1	Grade 4	\$20.94

## Highway Department Pay Scale