

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

**Board Members Using Microsoft Teams:** Alison Low

**Board Members Present:** Eric Bach, Janice Ouellette, and Glenn Herrin

**Board Members Absent:** Peter Griffin

**Others Present:** Audrey DeProspero, Wendy Somers, Toby Balivet, Ellen Gold, Jonathan Baker, Michael Hogue, Kate Whitehead and Mary Cote

**Others Present Using Microsoft Teams:** Greg Prior

**Meeting called to order** by Chair Eric Bach at 6:00 pm.

1. **Additions to the agenda:**

- Calex Ambulance Appointee

2. **Approve minutes:**

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

3. **Visitors**

- **Toby Balivet, Town Attorney – Legal Matter (Executive Session 1 VSA 313 (a)(1)(E))**

Discussion is on appeal to Environmental Court of a Zoning Appeal to which the Town is a party.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Janice Ouellette to enter Executive Session under 1 VSA 313 (a)(1) after making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage: (E) pending or probable civil litigation or a prosecution, to which the public body is or may be a party; and to invite Audrey DeProspero, and Wendy Somers. Vote 4-0-0. All in favor.*

Selectboard entered Executive Session at 6:07 pm.

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

Action taken: committee formed and another Executive Session to be held on 4-11-23 at noon.

Selectboard returned to Public Session at 6:35 pm.

- **Ellen Gold, Danville Town Band – Request to Use Green** – on two dates: Sunday, June 18 and Sunday, August 20, both to present two concerts and free ice cream socials. Use of bandstand from 6-8:00 pm and banners placed on the Green the previous Mondays for advertisement is required.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Alison Low to approve use of the Green on both Sunday, June 18 and Sunday, August 20 from 6-8pm and use of the bandstand for two concerts and free ice cream socials with banners advertising the concert placed on the Green the previous Monday. Vote 4-0-0. All in favor.*

- **Jonathan Baker, NEK Broadband Representative – Resolution for Annual Appointment** – NEK Broadband is comprised of 50 towns in the Northeast Kingdom and was formed in 2020. There are 9 full time employees. As much as 50 miles of broadband is being put in monthly. Construction has started in the Concord/Lunenburg area and they are heading to North Danville in summer. Jonathan Baker discussed providing a WIFI hotspot near the LVRT near Joes Pond but was not sure if that was the best siting.

Selectboard suggested pond, beach, park n' ride near Hasting's store and train station.

Jonathan Baker noted the Annual Appointment for Representative to NEK Broadband Governing Board is up for renewal and he would also like to continue as Danville's Rep.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Janice Ouellette to approve Jonathan Baker as Representative to NEK Broadband Governing Board and for Eric Bach to sign the Resolution paperwork. Vote 4-0-0. All in favor.*

- **DTSC – Apply for Grant**

Michael Hogue discussed where the Danville Train Station currently was: \$334,000 for construction, \$78,000 operations, not firm construction number yet and needing between \$500,000-550,000

Kate Whitehead discussed applying for:

- Agency of Commerce and Community – Better Places Program grant has no Town match. Grant would help with local fundraising. Fundraising goal of \$20,000 and state match. Grant could provide technical assistance and set up crowd funding code. 25% of funds raised could go to soft costs.
- VT Arts Council – Cultural Facility grant. Grant amount \$30,000 with Town match – dollar for dollar match. Application due in May and decision by end of summer. When award is made you can tap into funds. Funds can be used for plumbing, electrical, and heating for energy efficiency. Funds can be used for historical displays on passenger side or lighting for displays.

Michael Hogue noted if grants received this would bring them to approximately \$435,000.

Town Building fund discussed: \$185,000 in building fund, \$50,000 earmarked for train station, leaving \$135,000.

*Motion by Alison Low, 2<sup>nd</sup> by Glenn Herrin to support Better Places Grant. Vote 4-0-0. All in favor.*

*Motion by Alison Low, 2<sup>nd</sup> by Glenn Herrin to complete grant app to apply for VT Arts Council Cultural Facility Grant for \$30,000 with Town match of \$30,000 for Danville Train Station. Vote 4-0-0. All in favor.*

- **Mary Cote, Chair of the Danville Fair Committee – Danville Fair** – requested use of Green on behalf of Chamber of Commerce and Danville Fair Committee for the following:

- 92nd Annual Danville Fair on Saturday, August 5<sup>th</sup>. Use of the Danville Green and road closure. This is a one-day event, like last year, with additional time allotted for set up before and clean up after. Theme: Supporting Danville's History. Citizens of the Year: Danville Historical Society and Train Station Committee. Danville Chamber of Commerce would like to request the following:
- Closure of the Danville/Peacham Road starting Friday, August 4<sup>th</sup> at noon, continuing into Saturday, August 5<sup>th</sup> to midnight. This is specific for the intersection of the Post Office to Route
- The State has been contacted regarding the traffic light and will make the appropriate adjustments to the controller to run as it has in the past based on the State's criteria to keep traffic flowing on Route 2 with green light, but also allowing for access from Hill Street due to site restrictions. 2. Access to water/electricity on the Green for lights, bands, food vendors, etc.
- Permission to put up a sign on the Green publicizing the event along Route 2 starting in July to the day after, August 6<sup>th</sup>.
- Use of green starting Wednesday, August 2<sup>nd</sup> (after Farmers Market) to set up, continue to midnight Saturday, August 5<sup>th</sup> evening, both sides of the Green and use of bandstand. Clean up is usually completed by Sunday early afternoon, with the exception of a few vendor tents.
- Access and use of the roads Friday, August 4<sup>th</sup> starting at noon and Saturday, August 5<sup>th</sup>. Parade will start at 10:30 with the line up prior. The parade route-The parade will line up on Mountain View Ave and Finley Drive. The route goes onto Brainerd Street then turns onto Route 2, then onto Park Street where it will disband past the Post Office.
- Allow open containers (alcohol consumption) for August 5<sup>th</sup>. Security will be provided to monitor the crowd and grounds during the event. Historically, we have not had any issues.
- Permission to utilize the Town's property next door to the Town Hall on Route 2, for additional parking for the event.

- Permission to place no parking signs (provided by the Chamber) down one side of Brainerd Street to Mtn. View Drive, down one side of the Danville Peacham Road just past the school driveway and around the green. Also, Handicap parking signs near the Masonic Hall.
- We utilize the services of the Sheriff's department to ensure traffic control during the parade. Event Ahead and Event Parking signs are placed appropriately to direct drivers.

Mary Cote also discussed set up would start after Farmers Market on Wednesday, Sheriff would be present day of fair for traffic control and open container detail patrolling the Green, lights, power and water is needed for vendors, sign will be put on Green in July advertising the event, access to roads for parade, posting of no parking signs and handicap signs, and use of parking area next door to Town Hall, Peacham Road would open up after midnight and by Sunday all would be cleaned up with the exception of the larger tents.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to approve list of requests for Danville Chamber of Commerce for Saturday, August 5<sup>th</sup> for the Danville Fair. Vote 3-0-1.*

*(Janice Ouellette = for, Glenn Herrin = for, Alison Low = for, Eric Bach = abstain). Motion carries.*

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

- 6 liquor licenses:  
3<sup>rd</sup> class, 1<sup>st</sup> class and Outside Consumption for Rustic Haven LLC DBA Goodfellas.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Janice Ouellette to approve the 3<sup>rd</sup> Class, 1<sup>st</sup> Class and Outside Consumption liquor licenses for Rustic Haven LLC DBA Goodfellas. Vote 4-0-0. All in favor.*

- 1<sup>st</sup> Class, 3<sup>rd</sup> Class and Outside Consumption for 3 Ponds LLC.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Alison Low to approve the 1<sup>st</sup> Class, 3<sup>rd</sup> Class and Outside Consumption for 3 Ponds LLC. Vote 4-0-0. All in favor.*

- Warning for Town Meeting needs signature for files by Janice Ouellette and Eric Bach.
- Certification of Compliance for Town Road and Bridge Standards and Network inventory requires Selectboard signature. This is done yearly and is a best management practice with roads and bridges.
- May 10<sup>th</sup> is Annual Muni Show. The Highway Crew would like to attend as they have done in the past.
- Week of April 17<sup>th</sup> the Highway Crew will go to 10-hour days and will stop two weeks earlier in October, the week of October 16<sup>th</sup> they will return to 8-hour days.
- Curb Cut for Jon and Donna Freeman of 426 Lemay Road – driveway is just being moved. The form requires Selectboard signature.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to approve the Curb Cut for Jon and Donna Freeman of 426 Lemay Road. Vote 4-0-0. All in favor.*

- The Orange Book has been updated. There are three copies: Highway Department, Town Clerk Office and Selectboard Assistant's office. The book is updated every 2-3 years.

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

- (a) **Danville Representative for NVDA Board** – Alison Low – discussed need for a Representative to be on the NVDA Board. Person can be either an elected official or appointed by Selectboard. Ken Linsley has been doing it for years and would like to continue.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to appoint Ken Linsley as Representative for NVDA Board. Vote 4-0-0. All in favor.*

- (b) **Board Organization & Goals** – Janice Ouellette – discussed finalizing categories for Selectboard organizations.

Glenn Herrin inquired if there should be a lead and a backup in case the lead is not available.

Eric Bach thought it was good idea to have two persons or for it to fall back on the Chair.

Goals – Janice Ouellette discussed Selectboard setting yearly goals.

Janice Ouellette noted her goal is to finish up Personnel Plan and pay scale for office workers and to apply for grants.

Alison Low noted her goal was the Train Station and to continue to support it. She would also like to continue to support the parking lot next door to Town Hall. Alison Low discussed Town Meeting and the extensive engagement process about why people can't or won't come to Town Meeting.

Glenn Herrin agreed with Alison Low.

Janice Ouellette suggested holding a brain storming session about hosting a Saturday event to get more engagement and trying different dates and times.

Glenn Herrin discussed looking at date and rules to see what they can change and do.

Alison Low suggested to put out a survey on FPF for a month or so to get feedback. She noted she could draft a survey for their next meeting for review.

Eric Bach noted his goal was to work on the pay scale, parking lot, and sidewalks.

Alison Low inquired as to what happen with the advisory lanes on Peacham Road.

Eric Bach noted it was not well received by people. There was struggle with the middle lane, as people were not accustomed to driving in the middle of the paved road as they do on dirt roads and had difficulty with moving over when they approached another vehicle. He would like to see the demographics of who filed out the surveys.

Alison Low noted NVDA could do volume and speed counts on that road and experiment over a longer period of time.

- (c) **ARPA Funds** – Janice Ouellette – discussed time commitment of December 2024 and spending by end of 2026. She discussed setting up reserve fund so it is no longer associated with time constraint. The Selectboard would have to approve a motion to move ARPA funds to General Fund for the purpose of paying for salaries and benefits. By doing this a surplus would be created. As there is no fund balance policy, the second step would be to have voters approve two articles at Town Meeting. The first article would be to create a reserve fund for the purpose of capital expenditures. The second article would be to fund the reserve fund with the budget surplus.

Eric Bach thought it sounded great.

Alison Low wondered if there was a risk if article was voted down at Town Meeting.

Janice Ouellette thought there was a small risk however the number of people who want project funded would see the benefit.

Eric Bach wondered if there would be any benefit of holding Special Town Meeting where they could focus specifically on this.

Janice Ouellette was not sure.

Wendy Somers noted they could however she did not think many would show up.

Janice Ouellette noted Katie Buckley did not express urgency to do before Town Meeting but a motion is required to move monies so they could have surplus at end of year for salaries and benefits.

Wendy Somers noted the money could sit in balance fund forever and use gradually. They could set up General Fund investment as CD. Town will have \$639,000 at end of year.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to move ARPA funds into General Fund for purpose of expending on salaries and benefits. Vote 4-0-0. All in favor.*

- (d) **Grant Opportunities** – Janice Ouellette – discussed webinar attendance on Monday. Northern Boarder Regional Commission. NBRC makes \$44,000,000 available for infrastructure and non-Infrastructure grants. The monies are divided up by four states NY-VT-NH and ME. She sought permission to do Letter of Interest which is due April 21. She would like to combine the sidewalk project, drainage on Hill Street and parking lot with solar canopy. Maximum grant of 3 million dollars which requires 20% match and would take most of the ARPA funds. Senator Sanders Committee has reached out for sidewalks but she does not know date of approval for money. The Bike Ped information was forwarded out today however she is not sure the Bike Peds can be used for grant match as it is also Federal money. Janice Ouellette has reached out to Sun Common for canopy and EV charger and there is rebate for municipalities. The Town will know by early May if they are eligible for grant after writing Letter of Interest.

*Consensus is for Janice Ouellette to follow through with Letter of Intent.*

Janice Ouellette noted VLCT has on their website a free webinar Municipal Energy Resilience Program (MERP) on Tuesday, April 18 from 10-11am. It is a new \$45 million state program designed to help communities most in need of improving their energy resilience. She has signed up for the webinar.

Alison Low suggested Janice Ouellette reach out to Alison Webster of NVDA about MERP program.

Alison Low met with Tom Brown along with Glenn Herrin, Jim Brimblecombe and Audrey DeProspero regarding Clean Water State Revolving Fund. The next step is to sit with firm and help them outline specific scope of work. The loan functions as a grant and becomes a loan when the Town goes to implementation. The terms are 20 years and sometimes up to 30 years and is zero percent interest.

- (e) **2023 State Hazard Mitigation Plan Update** – Alison Low – discussed survey to each town and recommends one person complete by April 28. As Glenn Herrin is updating the State Hazard Mitigation Plan, she thought he should do the survey.

*Consensus if for Glenn Herrin to do survey.*

- (f) **RFQ Certification Form** – Audrey DeProspero discussed Clean Water State Revolving Fund (CWSRF) form required to be signed by person that would be in charge of loan, signing pay request, and making financial sign off decision. The person is usually the Town manager/administrator, or chair of the Selectboard. It should be the person that would be the contact person for any financial calls.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Eric Bach to approve Wendy Somers to sign documents as authorized Representative for Clean Water State Revolving Fund. Vote 4-0-0. All in favor.*

- (g) **Personnel Plan Addendum B: Agreement by Independently Elected Officer to be Bound by Personnel Policy** –

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to approve Addendum B: Agreement by Independently Elected Officer to be Bound by Personnel Policy. Vote 4-0-0. All in favor.*

- (h) **Microsoft 365 Space** – Glenn Herrin – discussed Teams and location where documents could be stored for easy access.
- (i) **Calex Ambulance Appointee** – Eric Bach – discussed Michael Wright not seeing appointed Rep to Calex Board Gary Fontaine for several months. Generally, after three missed meetings they reach out to the Town. There are a couple of options: continue to reach out to Gary Fontaine or appoint

someone different. There is an interested person, a nurse practitioner at NVRH who lives in North Danville. Once the decision is made, they should lay out expectation for person of what Selectboard seeks from the person regarding reporting back to the Selectboard.

Greg Prior inquired if it was possible to have two persons on the Board.

Eric Bach noted no, they will not have alternate.

Glenn Herrin suggested to give it a couple of meetings to check in with the person.

Janice Ouellette inquired if the Rep should have some medical background.

Eric Bach noted that it is sometimes the case. He noted that Barb and Gary were constantly attending Selectboard meetings in the past. He has tried several times to reach out to Gary Fontaine but has been unable to make contact. Eric Bach hoped to have an answer for next Meeting.

Janice Ouellette thought it was a courtesy to check with Gary Fontaine and to make contact to see if not interested and to let him know there is another person interested.

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

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to authorize Eric Bach to review and sign the Financial Orders on behalf of the Selectboard. Vote 5-0-0. All in favor.*

**7. Adjourn - Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to adjourn at 8:34 pm. All in favor.**

Minutes taken by Audrey DeProspero submitted April 10, 2023 at 12:45 pm.