

Town of Danville
Selectboard Minutes
June 1, 2023
Danville Town Hall (5:30 pm)

Board Members Present: Alison, Low, Glenn Herrin, Eric Bach, Janice Ouellette, and Peter Griffin

Others Present: Audrey DeProspero, Toby Balivet, Dawn Foy, Tim Ide, Jefferson Tolman (H2O), Dan Copp (H2O), Kelly Davison (H2O), Rodger Sheldon (H2O), Laura Doguen, Thomas Ziobrowski, Robert Ziobrowski, David Hare, Chelsea Hewitt, and Wendy Somers

Executive Session called to order by Chair Eric Bach at 5:30 pm.

- **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 Alison Low, 2nd by Glenn Herrin 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 Toby Balivet. Vote 5-0-0. All in favor.

Selectboard entered Executive Session at 5:30 pm.

Motion by Alison Low, 2nd by Glenn Herrin to leave Executive Session. Vote 5-0-0. All in favor.

No action taken.

Selectboard exited Executive Session at 5:52 pm.

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

1. **Additions to the agenda:**

- Hill Street Park Use request (Tom Ziobrowski)

2. **Approve minutes:**

Motion by Glenn Herrin, 2nd by Peter Griffin to approve minutes of Regular meeting of May 18, 2023 as written. Vote 4-0-1. (Allison Low abstained). Motion carries.

3. **Visitors**

- **Tim Ide – New Fence around Veterans Memorial on Green** – proposed was to replace the fence around the Veteran's Memorial on the Danville Green. The existing fence is constructed of wooden 4 x 4's, painted white and connected with a cheap hardware store chain. The posts are leaning, the paint is faded and the chain is rusted. The monument is to all war veterans since the Civil War. Dedication date unknown. The new fence would be 8' x 10', made out of aluminum and powder coated black. It is designed by Joe Hollowell and the cost is \$4,625. Assistance from the Town Crew is requested to remove the old fence. Suggested was payment be taken from the Town Hall/Green Trust Funds left by Marion Sevigny. Marion's husband, Paul was a career US Air Force veteran.

Motion by Alison Low, 2nd by Peter Griffin to approve the expenditure of \$4,625 for Joe Hollowell to design and replace the fence around the Veterans Memorial on the Green and to use the Marion Sevigny Trust fund money. Vote 5-0-0. All in favor.

- **Dawn Foy – Conservation Commission Appointment** – has been working on building trails in the Rodger's Lot. Enjoys being on the Conservation Commission and seeks a permanent position.

Per Conservation Commission minutes of 5/1/23 Vange Morse Conservation Chair noted Dawn Foy had filled out her intent to become a Conservation Member.

Motion by Glenn Herrin, 2nd by Peter Griffin to appoint Dawn Foy to the Conservation Commission for a term of three (3) years, expiration 2026. Vote 5-0-0. All in favor.

- **Chelsea Hewitt – Green Usage** – request to use Danville Green and electricity from the gazebo. She will take care of trash and bathroom. Certificate of Insurance is provided by the Danville Chamber of Commerce. Requested movie nights on the Green:
July 22nd 8:30 pm – Super Mario Bros.,
August 26th 7:30 pm – Monsters University,
September 30th 6:30 pm – Casper, and
October 14th 6:00 pm – Hocus Pocus (information copied and pasted from email 5/23/23 12:05 pm).

Motion by Peter Griffin, 2nd by Glenn Herrin to approve use of the Green as reflected in email dated 5/23/23. Vote 5-0-0. All in favor.

- **Jefferson Tolman, Rodger Sheldon, Dan Copp and Kelly Davison – H20** – Jefferson Tolman noted changes are happening to operations. Kelly Davison is now the operator for Danville as Stub Parker has retired last fall. Kelly Davison will have the support of Rodger Sheldon, Dan Copp and Jefferson Tolman. Rodger Sheldon and Kelly Davison will be the primary contacts for the facility. There are now three satellite offices: Cabot, Marshfield and Danville. There will no longer be any support out of the St. J facility. There will be in house testing which will have a slight increase in lab costs as it was previously done in St. J. These changes will take effect July 1. Some maintenance items require attention such as painting the clapboards on the building, UV replacement and sludge handling. Selectboard were invited to tour the facility.
- **Tom Ziobrowski – Danville Senior Citizen Housing, Inc.** – ongoing discussions with Rural Edge have taken place regarding Rural Edge taking over Danville Senior Citizen Housing, Inc. however their Articles of Association indicate in the event of a liquidation the assets shall go to the Town of Danville. The association does not know whether the Town wants it or not. The Association has spoken to an attorney who has indicated that the Articles can be changed if the Town does not want it.

Alison Low inquired what would happen to tenants.

Tom Ziobrowski noted they would stay.

Alison Low inquired what would happen when new tenants come in.

Tom Ziobrowski noted they would be income qualified.

Tom Ziobrowski noted they have met with Rural Edge who have indicated they need 20 units to make it sustainable for them so they would be joining with Peacham and building a few more units. There would be 10 senior houses and other 4 would be general which would be market based.

Alison Low inquired if they would be making investments in the property.

Tom Ziobrowski noted yes. They would do work to parking lot and walk-in entry-level units. They are at signing option agreement which would then go to P&S.

Alison Low discussed capacity issue and board being volunteers. She wondered if they were able to access money to access grants would it change their agreement.

Tom Ziobrowski noted they were not in a bad place however bigger management has skill and he is intrigued by combining with Peacham.

Eric Bach inquired if the units would be single bed units or multi units.

Tom Ziobrowski noted he did not know the answer however they talked about grandparents with kids so he thought that would be a two bedroom. He noted they talked about renovating all units.

Alison Low noted renovations would displace tenants.

Tom Ziobrowski noted yes, but they would find housing for them during such. He noted Rural Edge has access to dollars more easily than they currently do and thought in the long run it would be better for the Town and residents to be part of a bigger organization.

Eric Bach noted if the Town has it, they would become landlords and it is tough to get rid of property.

Tom Ziobrowski noted their attorney suggested to change Articles of Association.

Alison Low discussed Block Grants.

Tom Ziobrowski noted they could look at grants if the membership/association voted it down. The parking lot is their biggest issue but the Highway is willing to regrade the road. The Association is doing okay.

David Hare noted it is tough to get money. Usually, you need to be a 501c3 and they are a 501c4. They would need a clerk of the works as grants take time.

Alison Low noted the Block grant could go to the Town and transition to Danville Senior Citizens Housing.

Eric Bach noted Danville Senior Citizens Housing is a great resource and location for independent living.

Peter Griffin noted he reviewed the option agreement and didn't see anything from Rural Edge and what they would be doing if they attained the property.

Tom Ziobrowski noted they have had discussion with them. The biggest change is that they wouldn't own the building and the waitlist, there would be an application process.

Peter Griffin discussed the building being a private nonprofit owing this asset and wondered if the Town ever put in anything that they should get back.

Tom Ziobrowski noted initially, Town didn't charge taxes until they had tenants and then had a fix tax rate which helped them pay off the mortgage because of the assistance.

Peter Griffin thought the decision was up to the Association.

Eric Bach was concerned about being landlords and the timing it would take to turn it over to Rural Edge.

Glenn Herrin inquired if there was a reason that they could not transfer building then liquidate.

Tom Ziobrowski was unsure.

Alison Low wondered what would happen to aging in place.

Tom Ziobrowski discussed local people on a list and they are on the list and stay there for years however the Association does not offer services so people on the list do not end up coming. Rural Edge will make the list for rural areas not just Danville. The core would be current waitlist but would have theirs added.

Eric Bach thought the decision was: yes, we want to take this or no, we are okay to change the Articles.

Tom Ziobrowski noted what he wanted to know is if Selectboard thought this was a good idea.

Glenn Herrin thought there were three options for the Association and the Town doesn't get a vote: the Association could keep going as they are; they could shut down, then transfer building to Town (we don't want you to); or transfer building to Rural Edge and then shut down.

Peter Griffin noted the Selectboard role are limited here. When things change people get nervous. He has thought about what would it take to create a municipal housing authority, and noted this was a role that he would not want to take on.

Eric Bach noted he is relying on the Association to make the best decision because they have the experience and have been doing this for years.

Laura Goguen noted with Rural Edge the rents are based on what yearly income is, and with Danville Senior the rents keep going up.

Dave Hare noted the property is getting older and maintenance is needed. People with resources come in and have the ability to fix these items and do upgrades. They are a 501c3 and have funding mechanism and resources.

Alison Low noted if membership does not vote in favor then she would be willing to work with them to find sustainable solutions.

- Hill Street Park Use – Tom Ziobrowski – requested use of Hill Street Park for ice-cream social on Thursday, July 13th from 1:30 until 4pm for Grandview Apartment residents and Trustees.

Motion by Peter Griffin, 2nd by Alison Low to approve the use of Hill Street Park on Thursday, July 13 from 1:30 pm until 4:00 pm for an ice cream social with residents of Grandview Apartments and Trustees. Vote 5-0-0. All in favor.

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

- Met with Joe Hollowell at Massey Cemetery for a design of a new gate. Installation of new gate will be within three weeks. The cost is \$5,000 and will be a traditional two part brushed aluminum with arched top and stain glass insert.

Motion by Alison Low, 2nd by Glenn Herrin to authorize \$5,000 expenditure from Stanton Fund which supports Massey location to replace the gate at the Massey Cemetery in North Danville as proposed by Joe Hollowell. Vote 5-0-0. All in favor.

- Spoke with Keith Gadapee about cleaning up the scrub brush area in the Massey Cemetery between tree lines. Keith Gadapee is to have the new guy do the clearing and install corner stones in the appropriate cemetery locations.

5. **Highway Report** (Keith Gadapee) – absent

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

- (a) **Calex Appointment** – Eric Bach – met with Tracy Turner who Works at Northern Counties Healthcare as an administrator and is a practicing physical therapist there. She lives in the Village and is interested in being appointed as Danville's Rep on the Calex board. She has specific oversight in PT and Hospice which gives her lots of interaction with CALEX on a regular basis and read the bylaws, job description, meeting requirements and subcommittee information.

Motion by Alison Low, 2nd by Janice Ouellette to appoint Tracy Turner as Representative for Danville on the Calex Board. Vote 5-0-0. All in favor.

- (b) **Pound Keeper** – Eric Bach – letter to Danville Pet Hotel mailed regarding Laurie Speicher no longer being the Pound Keeper for Town of Danville due to ongoing issues. Candace Dane is the current ACO and will become the Pound Keeper for the Town of Danville. There was a lot of travel for the ACO to go to Lori Speicher's location due to location of ACO. Candace Dane is willing to take the impounded dogs to her home kennel for the Town of Danville making it more convenient as the ACO would be the person impounding dogs in Danville. The Town has had extremely few dogs impounded.
- (c) **Electricity at Light Post on Green** – Eric Bach – light posts on Green have both upper and lower outlets. Each is on a separate outlet. The poles along Route 2 are owned by State and the others by the Town. The outlets are corroded and do not work or at least 50% do not work. Suggested was for CFW to be contacted to go test each pole, top and bottom, replace outlets both top and bottom, make sure covers fit and are secure and make sure GFIs are working on all poles both park and along Route 2.

Motion by Alison Low, 2nd by Janice Ouellette to hire CFW to replace, repair outlets on Green both up and down pending estimate. Vote 5-0-0. All in favor.

- (d) **Handling Public Inquires** – Glenn Herrin – concern was for how public inquiries should be handled and when they should be brought to Selectboard.

Peter Griffin noted there was no set process however he usually goes to people who are longer on the Selectboard and asks questions.

Eric Bach noted he encourages the individual to get on the Selectboard Agenda.

- (e) **Sampling of Joes' Pond** – Eric Bach – Kellie Merrell contacted Selectboard about sampling Joe's Pond as she has done so in the past. Sampling is estimated at \$350 to sample once a week for 13 weeks plus one duplicate sample for quality control purposes.

*Motion by Glenn Herrin, 2nd by Peter Griffin to approve Joes' Pond Public Beach sampling for \$350.
Vote 5-0-0. All in favor.*

- (f) **Bike Peds Grant** – Janice Ouellette – discussed funding cap and noted there is not a cap, so they should apply for funding to complete the shared use pathway on Peacham Road as well as for the Hill Street sidewalks and drainage. A letter of support is need from the Selectboard.

Janice Ouellette also discussed:
NBRC grant submits tomorrow;
Working on Newsletter for Town website to inform people of ongoing;
NBRC grant could be used for sewer and water; and
Block grant fund could also help fund.

Alison Low noted the Community Revitalization/Recovery grant could also be a possible application to.

- (g) **Hill Street Park Use** – see Tom Ziobrowski (Visitor Section)

7. Financials: Orders to review and sign

Motion by Janice Ouellette, 2nd by Alison Low to authorize Eric Bach to review and sign the Financial Orders on behalf of the Selectboard. Vote 5-0-0. All in favor.

- 8. **Adjourn** - *Motion by Peter Griffin, 2nd by Glenn Herrin to adjourn at 7:44 pm. All in favor.*

Minutes taken by Audrey DeProspero submitted June 5, 2023 at 2:20 pm.