

Town of Danville
Selectboard Minutes
October 5, 2023
Danville Town Hall (6:00 pm)

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

Others Present: Audrey DeProspero, Keith Gadapee, Laural Ruggles, Ryck Morales (SBA), Jim Edwards, and Jonathan Austin-Shortt (7:10pm)

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

1. **Additions to the agenda:** Rick Morales of SBA (Small Business Administration) – Disaster Assistance Loans

2. **Approve minutes:**

*Motion by Glenn Herrin, 2nd by Peter Griffin to approve **minutes of Regular meeting of September 21, 2023** as written. Vote 4-0-1. (Abstain = Alison Low). Motion carries.*

*Motion by Glenn Herrin, 2nd by Janice Ouellette to approve **minutes of Special meeting of September 21, 2023** as written. Vote 3-0-2. (Abstain = Alison Low and Peter Griffin). Motion carries.*

3. **Visitors**

- **Alison Despathy – Planning Commission Appointment** – not present. Appointment moved to Issues and Information.
- **Laural Ruggles, LVRT Trail Council – LVRT Amenities Plan** – discussed Amenities Scoping Study. She summarized Danville's section: there are three different proposed trail heads: Peacham Road Depot Trailhead, Park and Ride Trailhead and Treatment Plant Access Road Trailhead. The Park and Ride is state owned so there are disadvantages and advantages by state and the amenities are up to the state. The Train Station amenities is being handled by the Train Station Committee. The Amenities Plan Committee received a grant last year and will be applying for another. There was a 20% match done by six towns. At their Tuesday meeting they discussed combined collaborative such as kiosks, and hiring an engineer firm to do deeper dive into places. They would like to combine the study to get one firm to do all towns. LVRT14 (State signage package) was delayed due to flood but will be out soon. The signage is for all trailheads in the Amenities Plan. Other funding opportunities discussed such as the Transportation Alternative Grant and VOREC funding.

Alison Low discussed dog park (upslope of lagoons) at sewer treatment plant and suggested a coordination of both as they go forward.

Laural Ruggles agreed and noted she would bring information back to council.

Keith Gadapee inquired about sidewalk.

Laural Ruggles noted new sidewalk connection was to down town (other side of Peacham Road)/

Alison Low inquired about impacts to agricultural lands.

Laural Ruggles to look into plan for details.

Discussed was VTrans safe crossing to Marty's which is being looked at by state as LVRT belongs to state and Route 2 belongs to state.

- **Chelsea Hewitt, Chamber of Commerce – Use of Green: Scarecrow Competition, Trick or Treat and trunk or Treat (Hill Street Park)** – not present, subject moved to end of Visitor Section.

- **Ryck Morales, SBA (Small Business Administration) – Disaster Assistance Loans –**
In August Ryck Morales met with Wendy Somers Town Clerk and discussed FEMA affected areas in Caledonia County. One month ago SBA held a meeting at the high school. He was now sharing information with Selectboard so they can do outreach to public. SBA assists businesses, and homeowners, they provide for citizens and survivors jointly with FEMA. Effected persons are to complete information with SBA because it is part of a federal process. If denied by FEMA people can still apply to SBA which will assist homeowners and renters. SBA comes in to play when FEMA denies people and when FEMA does not give enough funds. Discussed were benefits, deferred payments, assistance, resources, years for repayment, damages to homes, and how to get questions answered. Deadline to apply changed from September 12 to October 12, 2023 and incident occurring period is July 7 – July 21, 2023.

Chelsea Hewitt, Chamber of Commerce – Use of Green: Scarecrow Competition, Trick or Treat and trunk or Treat (Hill Street Park) – Eric Bach spoke on behalf of Chelse Hewitt. Seeking to use Green on Halloween night (October 31st) at 3pm for trick or treat around the Green and surrounding streets with activities and food vendor on the Green and use of Green to put up scarecrows on light poles around Green but not the ones on Route 2 for scarecrow competition. If more scarecrows received than there are poles, then use of gazebo to hitch the additional ones to the bandstand. Also, as a backup plan for the North Danville Trunk or Treat which is usually held at the North Danville School, they have requested use of Hill Street Park on Saturday, October 29th.

Motion by Peter Griffin, 2nd by Glenn Herrin to approve the use of the Green for the scarecrow competition which will be put up October 15 and removed November 1 and for use of Green on Halloween night October 31st for Trick or Treat and use of Hill Street Park for Trunk or Treat on October 29th. Vote 4-0-1. (Abstain = Eric Bach). Motion carries.

4. **Town Clerk** (Wendy Somers - absent) Audrey DeProspero spoke on behalf of Wendy Somers
 - Appointment of Alternative Authorized Representative for Water Infrastructure Financing Program

Motion by Alison Low, 2nd by Janice Ouellette to approve Sharon Daniell as Alternative Authorized Representative for Water Infrastructure Financing Program for Clean Water State Revolving Fund (CWSRF) Loan Number (WPL/RF3/RF1) Town of Danville. Vote 5-0-0. Motion carries.

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

- Two applicants for Highway position. Peter Griffin and Keith Gadapee interviewed and based on interviews recommends offering position to first person. Second applicant not as qualified as first.

Peter Griffin supports Keith Gadapee's recommendation.

Keith Gadapee recommends to offer job to first person at Pay Grade 2.

Motion by Peter Griffin, 2nd by Glenn Herrin to authorize Keith Gadapee to offer job to Rich Eaton on basis of Pay Grade 3. Vote 5-0-0. All in favor.

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

- (a) **Parking / Line Painting on Hill Street –** Eric Bach discussed the Town being contacted by Marty, Marion and Mary Beattie regarding the two recently painted parking lines at the end of the ROW past the chiropractor that line up with cars at the chiropractor. The spots are in the ROW to the chiropractor and that area use to have a fence there. The questions proposed to the Selectboard is 'do we want to make that parking; do we want to keep or not'. Eric Bach spoke with Town Attorney Toby Balivet who noted the Town was not acting outside of what they can do, they are not blocking anything, and they did not establish the previously established parking pattern.

Keith Gadapee discussed parking on private land and business parking on private land. He noted he put in as many spots as he could. He spoke to Marty Beattie awhile back and Marty Beattie agreed 18 months ago to this. Now parking lines in place and Marty Beattie is not agreeing. If Town follows rules, parking starts 20 feet from intersection so many spots would need to be removed and there would not be as many parking spots as there is now. *See 10/19/23 Minute discussion

Glenn Herrin suggested to leave until spring and until they could define better spots.

Peter Griffin agreed.

Janice Ouellette suggested to leave the way it was as parking is needed.

Glenn Herrin discussed going with what Keith Gadapee has done and stick through to spring.

Alison Low thought they needed to take a comprehensive approach as it may get them a little buy in by people regarding parking as a parking lot is tied in with drainage. She noted this was a larger issue than just a Parking Ordinance. She suggested they compromise and paint in one spot and leave one.

Peter Griffin appreciated that suggestion.

Glenn Herrin noted if no parking ordinance by spring, they should come up with policy.

Alison Low doesn't think ordinance will solve it by spring.

Discussed was hatching marks in the 9x16 area. Noted was it wouldn't change the parking behavior but it may suggest compromise. Whatever done may not solve issue, but lines may help people understand where to park as on evenings that businesses are closed, people still park in those areas.

Motion by Alison Low, 2nd by Glenn Herrin to cross hatch the northern most spot, east side of Hill Street by chiropractor and leave other until spring. Vote 5-0-0. Motion carries.

(b) Parking Ordinance –

Jim Edwards of 113 Meadow Drive discussed Autumn on the Green noting it was an awesome event that he attends every year and brings friends. This year he had an issue while trying to get to his home via Walden Hill Road. He had to fold in his mirrors on his regular size truck because there were vehicles parked on both sides of the road and people were walking down the middle of the street. He was concerned for pedestrian and vehicle safety and access for emergency services. If an ambulance or fire truck needed access, they would not be able to do so. He thought the situation could easily been averted if there was no parking on one side of the street. On event days, impeding public safety is an issue, parking in front of a fire hydrant should not be allowed and vehicle should be towed. He suggested to have vehicles park on uphill side of street as it has no hydrants. Concern is for public safety and he suggested Selectboard look at parking for next year in this area. He noted he spoke with Sheriff James Hemond and Fire Chief Jonathan Austin-Shortt who both feel the same way.

Eric Bach noted ordinance needs to be in place to have teeth to tow vehicles.

Alison Low discussed what goes into a parking ordinance noting she has looked at various ones. She thought before they draft an ordinance they should agree to some important items: Town wide, specific area(s), and with limited enforcement do they focus on just one area. She discussed state wide prohibition, basic parking prohibitions, winter plowing, Act 47(S100) passed, straddling lines, listing roads that they do not want parking on at any time, enforcement, developing some very real enforcement provision, fines, contesting fine, immobilization, towing, and avoiding situation of just putting up signs with no enforcement.

Keith Gadapee spoke of winter plowing and items in ROW.

Jonathan Austin-Shortt inquired if the ordinance would have different areas such as village or would it be town wide.

Alison Low noted they need to be specific in areas, such as street names.

Glenn Herrin thought since the Town doesn't often have available enforcement officials, if possible, it would be better not to have a complex system with tickets, escalating fines, and hearings. Instead, set the ordinance to allow anyone to have cars that are in violation towed at the owners' expense.

Discussion ensued regarding suggestion being a nuclear option.

Glenn Herrin suggested that it would usually only be invoked for ongoing problems, as discussed in a few recent cases, or at special events like Jim Edwards spoke of.

Jonathan Austin-Shortt discussed compact parking vehicle down Hill Street and noted that no parking signs all over Green would look terrible.

Alison Low noted people rely on the on-street parking. She discussed Act 47 (Home Act) limited number of spaces you can require.

Discussed was parking around green, municipal parking lot, long term parking, fire hydrants, warning tags, fines, on street parking, not allowing parking on certain streets, narrow shoulder street no parking, event parking, having person present at event for parking removal where necessary, parking ban times (November 15 through April 15), municipal lot and broader strategy to manage spaces, and legal delivery trucks parking.

Selectboard to come back with draft.

Glenn Herrin discussed possible parking site map with pictures to put in with ordinance once implemented. Review of parking lot spots and handicap spot locations discussed.

Eric Bach discussed establishing a new parking habit by spring.

Jonathan Austin-Shortt wondered if the Town implemented a parking ordinance would it apply to school as well, as the Town owns the land the school is on and the Fire Department has current parking concerns with the school.

Alison Low noted if the school has parking rules, then they would have to coordinate so not to conflict. She discussed blanket clause and sufficient fire enforcement.

- (c) **Municipal Planning Grant (Additional Parking)** – Janice Ouellette discussed additional parking, Downtown Transportation Fund, being a Village Center will qualify, grant amount is \$200,000 max with a 20% match and drainage could also be included. She noted she was willing to complete application. She discussed the Congregation Church offers free parking and suggested entering a lease agreement with them for public parking, noting the Town could grade the area, plow, and park there when there was no church services. She also suggested the Passumpsic Bank and working an agreement with them for public parking. She discussed talking to the businesses to have them park there. She wondered if they could expand the back of the Methodist Church for public parking.

Eric Bach noted 10 or 12 feet was owned by Passumpsic, Toby Balivet owns some as well as others.

Janice Ouellette suggested Congregational Church and bank for public parking.

Janice Ouellette to reach out to Doug Carter and Eric Bach to call Mary Cote.

Janice Ouellette discussed Municipal Planning Grant to look at parking to through ACCD.

Alison Low discussed Master Plan and reaching out to persons.

Keith Gadapee noted the Congo Church walkers need sidewalks which would need to be maintained if an agreement was made and he needed to do some planning.

Janice Ouellette agreed to the Town maintaining sidewalks.

Alison Low discussed need to include in conceptual plan in Planning Grant and long-term initiative.

Eric Bach discussed on street parking and parallel parking down on side of street.

Janice Ouellette discussed sidewalk on Hill Street and parallel parking.

Keith Gadapee noted the study would tell us if it could be included.

Alison Low would like info from Tim Ruggles on drainage so they could know how much work needed for budget, interim steps, and permitting requirements which would be needed for grants.

- (d) **Class IV Highway and Trail Policy** – Glenn Herrin noted the policy was almost complete.

Peter Griffin discussed putting some legal language in.

Glenn Herrin noted it is ready to adopt unless someone has other changes.

Discussed was added part of maintenance by Town and maintenance by others.

Jonahtan Austin Shortt suggested additional language regarding liability to homeowner for maintenance of road for emergency vehicle access by homeowner.

- (e) **Dog Control Ordinance** – Glenn Herrin discussed changes and additional language added.

Discussed was excessive noise, leash length, formal and informal complaints (dog bites are formal), and fees.

Motion by Alison Low, 2nd by Janice Ouellette to spend up to \$500 for Toby Balivet to do review of Dog Ordinance. Vote 5-0-0. Motion carries.

- (f) **Humane Officer Appointment** – Glenn Herrin discussed appointing current Animal Control Officer Candace Dane as Humane Officer. Noted was Candace Dane has already agreed to this position and any additional training needed would be provided by the Town.

Motion by Glenn Herrin, 2nd by Alison Low to appoint current Animal Control Officer Candace Dane as Humane Officer. Vote 5-0-0. Motion carries.

- (g) **Alison Despathy – Planning Commission Appointment** – Glenn Herrin discussed Planning Commission vacancy by Jeff Paquet, who has been on the Planning Commission for over a decade and just finished his last project so he has resigned. Alison Despathy has attended a few meetings and has volunteered to fill the vacancy left by Jeff Paquet.

Motion by Glenn Herrin, 2nd by Janice Ouellette to appoint Alison Despathy to fill remaining vacancy term of Jeff Paquet until 2024. Vote 5-0-0. Motion carries

7. Financials: Orders to review and sign

Motion by Peter Griffin, 2nd 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.

8. Adjourn - Motion by Glenn Herrin, 2nd by Janice Ouellette to adjourn at 9:33 pm. All in favor.

Minutes taken by Audrey DeProspero submitted October 10, 2023 at 2:00 pm.