

Town of Danville
Selectboard Minutes
December 7, 2023
Danville Town Hall (6:00 pm)

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

Board Members Absent: Peter Griffin

Others Present: Audrey DeProspero, Greg Prior, Keith Gadapee, Marilyn McEnery, Michael Hogue, Chelsea Hewitt, Clayton Cargill, Jonathan Austin-Shortt, Sharon Daniell and Walter McNeil

Others Present Using Teams: Bob Harnish, Norman Cohen and Al Wakefield

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

1. Additions to the agenda:

- Town Meeting Committee
- Conservation Commission request to plow Rodgers Lot to be discussed under Highway

2. Approve minutes:

*Motion by Glenn Herrin, 2nd by Alison Low to approve **minutes of Regular meeting of November 16, 2023** with changes to page 4, 8th bullet: 'Key Planning Assumptions: maximum turnout 40%, we won't get close to 100%; floor vote serves a public good; Australian ballot gives people voice but only two words – yes or no – and decreases floor meeting turnout; there are measures that will boost participation without changing format.' Vote 3-0-1 (Abstain=Janice Ouellette). Motion carries.*

3. Visitors

- **Al Wakefield, Bob Harnish and Norm Cohen – Declaration of Inclusion –**
Al Wakefield introduced himself and noted Bob Harnish was cofounder and Norm Cohen was one member of five. After the board had reviewed and discussed the declaration on October 19 without taking any action, they were present to encourage the Selectboard to adopt the document and begin implementing their initiative.

Bob Harnish wanted Selectboard to endorse Declaration of Inclusion idea as it is a statewide initiative. Currently 128 Vermont towns have adopted. The inclusion is to reject discrimination and to welcome people. It started in 2020 in Franklin. The statement was drafted to make residents feel welcome and it was then taken to Pittsford and then to Brandon. It is not political it simply is a call to respect people. It is citizen driven and has the backing of VLCT and Governor Scott. It is a statewide effort. It is for economic reasons because population is stagnant, the young are leaving and the population is aging. They want to improve the economy and think this statement will help. Diversity is happening world-wide. The document is good for business, economy and tax base, it welcomes diversity, makes residents feel safe and makes people feel they belong.

Al Wakefield noted the Governor declared the second week in May as Inclusion week in Vermont. In order for Vermont to grow we need more people. The Governor is putting program together, an economic incentive, to get people to come here. If we can't grow, we need to let all people know we want people to bring family here.

Alison Low was not surprised to hear the State Chamber of Commerce was encouraging this. Being able to attract new talent and diverse skills starts with municipalities. She thinks this statement is important.

Noted was letter of support received from resident Jenness Ide.

Al Wakefield noted people are supporting this document.

Eric Bach inquired if there was any enforcement if they find a business not abiding by it and is there something the municipality needs to do.

Al Wakefield noted there are no legal requirements but there are guidelines on the website. The steps are fundamental and easy to do.

Eric Bach inquired if anyone knew of any concerns for policies that may be in conflict with this document.

Alison Low looked at policies and noted they do not discriminate. This starts larger dialogue. It is not an internal employment policy, it sets an example for town, civic, churches and businesses. They are losing volunteers because they are getting older and they need to reverse this trend.

Greg Prior wondered if the Town has something like this somewhere outside of this declaration and in the in future would be defined. He spoke of enumeration of marginalized groups and wondered if that would exclude other groups.

Glenn Herrin noted while the declaration enumerated a few specific groups, he didn't think it meant that was, or could be, a complete list.

The visitors agreed that was not the intent.

Glenn Herrin noted that if there was a motion, he was going to abstain because while he agreed with the text of the declaration, he thought it wasn't appropriate for the Town to take it up. As the visitors briefed, the Governor is already promoting this, so in a Dillon's Rule state this is redundant. He thought the benefits of inclusion are self-evident and no one should be against it, making this declaration virtue signaling instead of taking effective action, which he abhors. He thought Danville's residents should determine their Selectboard's priorities and wasting volunteer officials' time on this was not one of them.

Alison Low noted she was going to make motion for this and understands Glenn Herrin's concerns. She feels it will divide the Town if not signed and it is important to set a good example.

Motion by Alison Low, 2nd by Janice Ouellette to adopt Declaration of Inclusion. Vote 3-0-1. (Abstain=Glenn Herrin). Motion carries.

- **Chelsea Hewitt – Hill Street Park Ice Rink** – discussed ice rink at Hill Street Park. She is taking it over from Marc Joncas who has been doing for 10 plus years. She has the equipment and supplies. When weather complies in early to mid-January set up will begin. It will be skate at your own risk. She will utilize gazebo and lights.

Motion by Glenn Herrin, 2nd by Alison Low to support Chelsea Hewitt to re-establish the ice rink on Hill Street Park as 'use at your own risk'. Vote 4-0-0. Motion carries.

- **Michael Hogue, Train Station Committee – Train Station Update** – discussed:
 - Wetland permit approve. Waiting on the 10-day appeal period to be over. Drainage and basement floor completion to start 12/19.
 - Design on freight room finished.
 - Need to create funds in accounts to cover gaps in grants. Early work release \$185,000. Phase 1 of Early Release is invoiced at \$61,096 retainage of additional \$6,789 due upon completion. Phase 2 will invoice \$121,240 with additional retainage of \$13,471. Cash out is \$182,335. GMP updated from \$831,000 to \$763,182.
 - Crowd source (Better Places) for Pause Place is part of stage 2.
 - Target still \$175,000
 - Federal grants not an option due to timing and construction.
 - Going to try to get the \$350,000 out of VOREC or Downtown Trans grant and explore Preservation Trust Paul Bruhn grant.
- **Fire Chief Jonathan Austin-Shortt – Insurance Claim** – Patriot Insurance company doesn't want to pay full amount \$27,255,30. They countered with \$10-14,000 in lieu of full amount. Jonathan Austin-Shortt seeks input of Selectboard regarding what they want to do. He feels full amount should be paid.

Janice Ouellette feels insurance should pay full amount.

Alison Low noted the full amount does not factor in damage of water lines.

Jonathan Austin-Shortt did not know of such,

Alison Low noted Fire District noted there were damages to water lines and people in area were displaced.

Jonathan Austin-Shortt discussed costs and strain put on Town, maxed out mutual aid assistance, sheriff, water, food and fuel bills discussed.

Greg Prior inquired if other damages will be secondary claim.

Jonathan Austin-Shortt discussed Patriot Insurance who covers vehicle owner and camp ground. Fred's has different carrier.

Eric Bach thought they should tell Patriot this is the bill and it is reasonable.

Janice Ouellette agreed with Eric Bach.

Incident and insurance company discussed.

Glenn Herrin inquired what happens if we accept, what happens if we insist on amount and don't get paid and what happens if we fight.

Jonathan Austin-Shortt noted if we accept lower amount then we set precedence for next Fire Department and if refused we contact attorney general.

Eric Bach noted we need to make sure we make correspondence so it remains an active claim. Suggested Selectboard write letter indicating they received information from Fire Department and we will not settle, this is the amount we received and we seek reimbursement.

Alison Low suggest letter also identify expenses we are not billing for.

Eric Bach suggested not to derail the issue and only use that during litigation if necessary.

Motion by Alison Low, 2nd by Glenn Herrin to reject counter claim and insist to pay claim as presented. Vote 4-0-0. Motion carries.

4. Town Clerk (Wendy Somers)

- Special Event Liquor License Permit for Pope Library for malt beverage at Library during Holiday Walk on Saturday, December 9th.

Motion by Glenn Herrin, 2nd by Alison Low to approve Pope Library Special Event Liquor License for malt beverage consumption for Holiday Walk About on Saturday, December 9th. Vote 4-0-0. Motion carries.

5. Highway Report (Keith Gadapee)

- Bill Dimick house in Cabot, land in Danville would like additional culvert installed in right of way to change water flow to reduce water on his land. Suggest site visit by Selectboard and suggest Tim Ruggles to attend.

Alison Low is open to site visit. She noted Local Hazard Mitigation Plan might be mitigation plan so he doesn't have to pay out of pocket.

Keith Gadapee discussed frost heave on hill in that area and noted highway has put drainage in road last year

Selectboard checked schedules. Site visit scheduled for Thursday, December 14th at 10am and to park at Barre Avenue and West Shore Road.

- Rodgers Lot Parking Area – Conservation Commission requests that the entrance and parking area at Rodgers Lot be put on plowing list of Town Highway Department. The parking area is in place and the gate to the Stump Dump area has been moved back from the road to between the parking area and the Stump Dump. The area that is being requested to be plowed is approximately 500 feet and the parking area is approximately 60x20. This will allow safe winter access to the forest and the newly forged trail that begins from the parking area as well as the logging roads which are great for cross country skiing.

Motion by Alison Low, 2nd by Glenn Herrin for the Highway Department to plow the Rodgers Lot this winter for access to trails. Vote 4-0-0. Motion carries.

Keith Gadapee wanted the board to be informed but is willing to plow Town areas. He presented a list with areas he plows. These areas may or may not be highway expenses and possibly should come from the general budget: North Danville Fire Station, Danville Fire Station, North Danville School, North Danville Church, Rescue Building, Town Hall Parking, Parking area on Park Street, Parking area on Brainard Street, Waste Water Treatment Plant, Waste water Pump Station across from Town Garage, Recycling Center and Hill Street Park Parking.

Eric Bach inquired how many hours these areas would take to plow.

Keith Gadapee noted he would figure out the cost.

Eric Bach's concern is for cost.

Concern for Keith Gadapee is when issues arise, highways are the priorities and these other areas are not serviced in a timely manner on rare occasions.

6. Issues and Information (All)

- (a) **Town Hall Shoveling** – Concern is for plowing and shoveling at Town Hall as it is a public building and the public need to be able to gain safe access to the building. The building is open at 8am and it has not been safely accessible in two prior storms.

Keith Gadapee has to prioritize and cannot guarantee he will be there by 8am but is willing to try. He thought he had the shoveling by 8am.

Sharon Daniell noted the last two storms were not done by 8am. She noted Town Hall is open to the public and Ken Linsley shoveled once. A public building should be open to public.

Eric Bach noted people he contacted to shovel do not carry insurance. Keith Gadapee suggested that he adjust his schedule as he doesn't mind doing it. If it doesn't work then they can revisit.

Glenn Herrin discussed keeping Town infrastructure open and Town Hall being part of Town infrastructure. He thought perhaps they need to look into delaying opening or hiring someone to do it.

Sharon Daniell noted near the corner of the ramp the snow falls on ramp. She noted in the past storm the snow fell on someone but the person did not get hurt.

Greg Prior suggested persons use the back entrance of Town Hall instead of front.

Eric Bach thought it was a good idea. Signs could be put up directing person to use back entrance.

Consensus is to try Keith Gadapee for another month shoveling and then revisit.

- (b) **2024 Mowing Bid** – two company submissions:

The Eliminator Pest & Property Services \$20,425.00

J.M. Yard Services, LLC. \$14,400

Motion by Alison Low, 2nd by Janice Ouellette to accept mowing bid from J.M. Yard Services of Cabot for \$14,400 noting that the bid does not include the gardens. Vote 4-0-0. Motion carries.

- (c) **2024 Garden Bid** – one company submission:

The Eliminator Pest & Property Services \$4,360

Eric Bach suggested to find more competitive bids for the gardens. The Village Improvement Society has been watering and weeding the gardens this year.

Consensus is not to accept only bid submitted and to go back out to bid.

- (d) **N. Danville Community Building Exterior Painting Quotes** – two bids received:

Clean Cut Painting \$24,500

Jay Churchill Painting/Papering \$6,850

Concern was for one person business who may take longer than the company with more employees. Discussed was this past summer's weather which was not seasonable and this issues it could bring if it could not be done in a shorter timeframe.

Alison Low discussed getting the building done sooner than later.

Motion by Alison Low, 2nd by Janice Ouellette to approve the Clean Cut Painting proposal of \$24,500 to paint North Danville Community Club building in 2024. Vote 4-0-0. Motion carries.

- (e) **Parking Ordinance** – Alison Low wondered what the next steps were as the fines were listed in the ordinance.

Eric Bach noted it was an ordinance and needed legal review.

Glenn Herrin suggested one change, add: or any official appointed by Selectboard to section 3B.

Motion by Alison Low, 2nd by Glenn Herrin to send to Toby Balivet to review. Vote 4-0-0. Motion carries.

- (f) **Scrap Metal Bin** – Alison Low discussed making decision in haste and she would like to rectify. People appreciate scrap metal bin throughout the year instead of saving metal for Bulky Waste Day. What happened in the bin was a terrible thing. She favors taking other protective measures such as a game camera.

Water McNeil noted he spoke to Paul Tomasi and the consensus of the Waste District is to keep scrap metal bin as it is used extensively by Danville. He thought a game camera was a good thing to install. He noted All Metals will not penalize the Town should this happen again. There are gates at the center that can be locked. All Metals has not taken any action against other towns with similar issues.

Janice Ouellette inquired if it was not the responsibility of the Town to take care of items put in there.

Walter McNeil noted it was the responsibility of All Metals.

Clayton Cargill noted he spoke to Paul Tomasi on maintaining of bin and he was given instruction of pulling items out if they don't belong there. He was told, if you see it, yank it out, and if you can get it out, get it out. He spoke of smashing down the items in the bin. If culverts put in then smash it, however something could be in there with freon and he was concerned.

Janice Ouellette thought maybe the Town should not compact it however she is not wild about Town going in and taking things out either. She wondered if they could lock gate when center is not open.

Clayton Cargill noted the bin was in the back of the Highway Department and they do not their lock gate.

Keith Gadapee noted they could lock gate when they are not there.

Eric Bach spoke of liability and removal of items by Clayton Cargill and Clayton Cargill getting hurt when removing items.

Glenn Herrin noted that since other village options turned out not to be viable and the road crew made good use of the bin, he absolutely thought the Town should keep it. He trusted Keith Gadapee and Clayton Cargill together to use common sense without

needing micromanagement, while the Selectboard figured out ways to monitor the bin to help monitor the area.

Walter McNeil suggested installation of small signs that say what not to go in bin. He thought information was good to make people aware. He also noted Lyndon center always take items.

Motion by Alison Low, 2nd by Glenn Herrin to keep scrap metal bin, not gate it off, provide signage for what can and cannot go inside. Vote 4-0-0. Motion carries.

- (g) **Permit Navigator for Dog Park** – Alison Low reached out to ANR to find out about the permitting process however they didn't give answers other than extra bugs and extra treatment would be needed if bugs were found. She wondered if Selectboard was okay with her filling out permit navigator on behalf of Dog Park Committee.

Consensus is yes.

- (h) **VOREC** – Janice Ouellette noted Michael Hogue reported Train Station Committee to pursue VOREC grant. They looked at joint application because if two things from one Town is to be done then they should file jointly, however it is not possible because Town wants plan design and Train Station wants construction track. The Train Station takes priority and the Town is not going to compete against them, so VOREC is off the table. She reached out to Dufresne Group to redo scope of work and budget estimate. Flat fee plus 20%. Prior design phase estimate was over \$200,000 however Dufresne was \$75,000 and she would like this for consideration for next year. The secured surplus (ARPA funds) if voted into reserve fund, she thought \$75,000 of it could be used. She thought it made more sense to go this route and put on for 2024.

Glenn Herrin verified the \$75,000 was part of the ARPA money the Town would have used for matching funds otherwise. While not a match leveraging funds, using it this way brings the Town closer to actually getting grants and building projects, so he thought it was a good idea.

Selectboard discussed getting this project shovel ready.

Keith Gadapee discussed design phase and wondered if they would go out to bid.

Janice Ouellette noted yes.

Alison Low inquired if that was because of the procurement policy.

Janice Ouellette noted yes.

Eric Bach noted they have to wait until after Town Meeting due to surplus vote.

- (i) **Personnel Policy Edits** – Janice Ouellette discussed policy edits:
- Highway – letter that we will pay for persons to get CDL if they sign contract to stay 2 years;
 - Trailing policy required;
 - Delineating in policy different types of persons: Part Time under 20, Intermediate 20-34 and Full Time 35 and above;
 - Holiday for Part Time people - two paid holidays a year one in first six months and then one in second six months;
 - Introduce pro-rated for FTE (Full Time Equivalent); and
 - Comp Time – alignment differently for salaried individuals.
- Eric Bach and Keith Gadapee discussed annual comp time average.

Eric Bach discussed treating salary employees same for audit purposes. Discussed consistent how things are set up.

Keith Gadapee inquired about what things he discussed with Janice Ouellette (guys want more good time). He discussed take time off during week such as personal or vacation day, call holiday as good time and count as earned time and to consider all as earned time except sick as good time. Towns do it differently. Guys are not taking a day off because it effects their over time. The do not want to take vacation time because it will affect hours. Overtime based on 40/80. He doesn't want to include sick time because it could be abused time. Not paying overtime over 8 hour a day if doctor appointment, straight time then overtime as they have to be there 40 to get overtime.

Janice Ouellette discussed scale gave more dollars and earn more dollars which also changed work week.

Eric Bach discussed number crunching rates go up with experience and knowledge to keep it where it is affordable. Yearly percentage may need reduction to help with change. Discussed was effect of people not taking winter time off as that is during slow time for Highway.

Keith Gadapee noted off call vacation/off call week end has not been taken as of yet.

Eric Bach was proponent for holiday because Town Hall closed and other days are choice.

Glenn Herrin suggested to leave where it was for a year, given that as a new policy the Town would likely update it next year.

Keith Gadapee discussed pay scale tweak. System works well for hiring people without experience but if you hire someone with experience it does not work well because you do not know their talents. Last hire is very skillful in the shop mechanically, fabricating and welding however the pay scale does not fit him and he is held down. He discussed upper 10 pay scales and to organize in different way. Pick an choose skills before they get pay scale bump and we could call them Tiers and organize them not so systematically as they are not and let individual organize as they feel. We created a unionized system but we have chosen not to unionize.

Glenn Herrin inquired if they have an opportunity to adjust someone pay a month or so after hiring them, when they may have demonstrated better or worse skills and capabilities.

Eric Bach discussed minimally there is one movement then the Tier would help and essentially help with this situation.

Keith Gadapee discussed Class A CDL holder, there are three on his crew and one person is not on step as others so the Tier would help with this situation. He discussed with VLR and they are onboard with credits and starting with 40 credits.

- (j) **Pay Scales** – Eric Bach discussed proposed Front and Back of Town Hall and Tier system fixing issues. He discussed comparison: Zoning and Town Clerk. He noted he would work on Tier system to get same concept as Highway Department. He noted this is a living document if accepted. He discussed people falling on the scale in odd places and there could be years when there are no raises. He discussed years of service helps lay out a little more plainly where people fall and this would move people up and help them get skills. He discussed lining people up with current pay and grades is difficult as positions are all different. He discussed making sure people get paid for years of service. Sharon

Daniell is here 27 years and we do not have scale but she shows as scale one but the Tiers will help. Work manuals for each position will be created and it will help if someone leaves. The Tiers will move persons and give new employees ability to hire on scale. We have to have a plan of how we are playing people. He wondered if they were at a point where they could talk about adopting or was there edits needed. He spoke of salaried positions and standard matrix for two people and the 6% rate increase for regular supervisors of staff and removing comp time. These individuals would not receive overtime however the overtime has been calculated into their average week. He spoke of hiring to grade, upward grade based on proof of qualifications and depending on employee. COLA standard cost of living last year was 7-8% however this year it will be a small percentage for Highway (base rate and update whole matrix). The annual evaluations would be based on positions.

- (k) **Budget Process** – Eric Bach noted a Chair for the Budget Committee was needed. The Chair is the primary point of contact for all numbers to come in to. There is normally two people on the committee.

Alison Low noted she was willing to sit on the committee.

Keith Gadapee noted toughest part of the budget is deciding what tax payers want to spend. There are various strategies, do you put in all and hope for the best, and what do you want the tax increase to be. His and Wendy Somers' job is to meet whatever number the Selectboard wants. He noted flood reimbursement money was not coming in this year.

Alison Low inquired if operating budget was set by the consumer price index of 3.2%.

Eric Bach noted in the past we have had increase in the Highway budget and a decrease in the General Fund.

Alison Low suggested having three persons on the Budget Committee.

Glenn Herrin noted he was interested in doing budget stuff.

Noted was Alison Low will be Chair, Glenn Herrin will be part of Budget Committee and Eric Bach will assist and train. First meeting is Thursday, December 28th from 4-6 pm.

- (l) **Town Meeting Committee** - Glenn Herrin note the Town Meeting Committee would like to help get more people at Town Meeting. Alice Kitchel came up with an idea for an ongoing Town Meeting Committee who helps support Town Meeting with set up and helps get items sent out. He discussed mechanicals, advertise and socialize however details to be figured out. He was not sure how it currently works and doesn't want to take over items just assist.

Alison Low suggested assistance with who will be tabling and meals.

Selectboard was okay with suggestions.

7. Financials: Orders to review and sign

Motion by Alison Low, 2nd by Janice Ouellette to authorize Eric Bach to review and sign the Financial Orders on behalf of the Selectboard. Vote 4-0-0. All in favor.

8. Adjourn - Motion by Janice Ouellette, 2nd by Glenn Herrin to adjourn at 9:37 pm. All in favor.

Minutes taken by Audrey DeProspero submitted December 11, 2023 at 10:00 am.