

Town of Danville
Selectboard Minutes
November 7, 2024
Danville Town Hall (6:00 pm)

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

Others Present: Audrey DeProspero, Michelle Leclerc, Keith Gadapee, Shawna Foran, David Kidney, Laural Ruggles, Albert Hebert, Michael Thomas, Michael McLellan, Time Ide, Rob Balivet, and Kim Kidney

Others Present using Teams: Craig Morris

Public Hearing for Zoning Bylaw Adoption called to order by Chair Janice Ouellette at 6:00 pm.

No one present had any comments for Zoning Bylaw adoption.

Public Hearing closed at 6:01 pm.

Regular Meeting called to order by Chair Janice Ouellette at 6:01 pm.

1. **Additions to the agenda:** None

2. **Approve minutes:**

*Motion by Eric Bach, 2nd by Alison Low to recognize the **Regular** October 17, 2024 minutes as accurately reflecting the agenda of the meeting. Vote 5-0-0. Motion carries.*

*Motion by Eric Bach, 2nd by Alison Low to recognize the **Special** October 24, 2024 minutes as accurately reflecting the agenda of the meeting. Vote 5-0-0. Motion carries.*

3. **Visitors**

- **Michael Thomas – Connecting Bicycle Route CVT to LVRT** – discussed was Cross VT Trails Route, building trail from CT River in Wells River to Lake Champlain in Burlington, connecting to various bike routes in other towns, signage cost would come from grants, meeting with Selectboard in every town (Newbury, Wells River, Ryegate, Peacham, Barnet and Danville), asking for permission to go ahead with project, coordinating with road department for placement of signage across roads, and coordinating with VTrans and NVDA.

Peter Griffin wondered what would happen to roads with signage.

Michael Thomas discussed Cross VT Trail signs, arrows for direction, being scenic and safe, signs to slow down drivers, and bike friendly road.

Laural Ruggles supported the project. She noted Village to Village Connections was formed for better connections through Danville. Noted was Kingdom Trail converges on East Burke and this would spread people out.

Keith Gadapee inquired how often signs needed posting (mileage/distance) and who would maintain signs.

Michael McLellan noted there would be a site visit for location of signs with Keith Gadapee.

Michael Thomas noted some signs can share a signpost like weight limit signs. He does not want to overpopulate signs. Maintenance of signs, he was hoping would be done by creating a coalition.

Alison Low wondered how it might influence shared pathway on Danville Peacham Road from school to town ball field.

Eric Bach suggested resource: Chamber of Commerce, as they can assist with signs. Eric Bach to email Michael Thomas the Chamber information.

Motion by Alison Low, 2nd by Eric Bach to approve the establishment of signage for lineage trail to be connected to Lamoille Valley Rail Trail to Cross Vermont Trail. Vote 5-0-0. Motion carries.

- **Joe Hebert, President of Joe's Pond Assn. – Filing Petition with ANR Prohibiting Wake Sports** – David Kidney discussed his 42 summers on Joe's Pond at a family camp on North Shore Road and his devotion to Joe's Pond. Here was present to ask Danville to join Joe's Pond Association's petition to ANR to prohibit wake sports on Joe's Pond. Noted was he was going to ask Cabot to join in as well. Wake boats cause large wakes and not conducive to traditional pond activities. He discussed petition on ANR website. Historic information: ANR did not consider safety unless a town petitioned ANR (30 towns did not, currently 9 now have). Joe's Pond Association petition did not address environmental concerns, strictly conflicts, safety and economic impact. He wants Danville to join and protect Joe's Pond as other towns have done with their lakes/ponds in their towns. Discussed was co petitioner letter being drafted after the fact for Selectboard to sign.

Peter Griffin inquired if Joe's Pond Association can do without Selectboard.

Noted was Joe's Pond could file as an individual.

Peter Griffin inquired if town was co petitioner, did they need to start party status and get attorney involved.

Noted was no.

David Kidney discussed process: petition, public hearing, pitch made, public comment, no legal proceedings, after hearing done a decision would be made.

Alison Low inquired if there were any indication to outcome.

David Kidney noted the jet ski petitions was successful.

Eric Bach did not think it was an unreasonable request.

Motion by Glenn Herrin, 2nd by Alison Low for Danville to join as co petitioner to ban wake sports on Joe's Pond. Vote 5-0-0. Motion carries.

- **Shawna Foran** – Otis Drive Classification Change (Class 4 to Class 3) – lives in Berlin but has home on Otis Drive for four years. The thought is to move to Danville full time with her husband and eight-year-old-child, but holdback is road is Class 4 which is not being plowed by town and from safety standpoint it could prohibit ambulance and fire truck from getting in. She spoke of Old Homestead, Otis and Narrows having 12 full time residents, taxes, and not receiving benefits that other roads do. She did not think it was unreasonable to ask for it to be plowed by town. The current plow driver is retiring, and they haven't found someone else. She requested Town plow for one season just to try it out. She noted there was no difference in Class 3 tax payment and thinks Class 4 roads should be maintained for safety.

Eric Bach discussed Class 4 Road policy and procedure which can change road to a Class 3 if brought up to code however the residents need to bring it up to Class 3 standards that Keith Gadapee provides.

Keith Gadapee noted there is a process, which contains hearings, and the process takes time.

Janice Ouellette noted this would set a precedence.

Peter Griffin agreed.

Shawna Foran suggested they set it based on the number of residents and mileage.

Alison Low wondered if she spoke to other residents about sharing Class 3 upgrade expense.

Shawna Foran noted she had not. She spoke of needing bottom line number.

Janice Ouellette suggested she check with co-residents.

Peter Griffin noted the Town does not plow Class 4 roads. There is a process, and it is possible but won't happen because inventory is needed on all Class 4 roads and density to make determination which could take about 6 weeks.

Glenn Herrin noted this comes up every couple of years and the answer is always no, however in the Town Plan by next December end of 2025 the Planning Commission with Highway Foreman will review classification and bring to Selectboard (systematic approach).

Consensus is to follow Town process.

4. Town Clerk (Michelle Leclerc) –

- 2025 MVP Health Care Renewal – premium up \$200-300 monthly for Platinum Standard Plan.

Janice Ouellette inquired if a similar BCBS policy has been looked at.

Michelle Leclerc can do comparisons, but BCBS is higher.

Motion by Alison Low, 2nd by Peter Griffin to renew Platinum Plan through MVP. Vote 5-0-0. Motion carries.

- Budget Schedule – would like to start soon to be done before Christmas. Budget to be sent out.

Janice Ouellette suggested to have budget status put out and go line by line.

Consensus is to start Budget November 21st and put under Town Clerk Report.

- Taxes Due Date – Move to November due to the Late Homestead Filings (Current due date Oct 25)

Tim Ide discussed issue came up this year, State of VT behind on data in current use and state payments. HS122 filed later and later, the late get penalty, non-resident is less than residents. Bills (13) went out, and there are more coming this week, he wondered if a later date would help. Waterford is October 15 and Cabot is November 21.

Janice Ouellette wondered if it could be paid in two installments and last one due in December.

Michelle Leclerc suggested due date second Friday in November.

Glenn Herrin noted this was a Town Meeting Article item and no decision was needed tonight.

- 80.17% voted on Tuesday of registered voters.
- Picnic tables have arrived, the 2 old wood ones will be moved to Town Hall and there will be an ADA table switch, one to either side of the Green.
- Audit emailed to Selectboard. RFP to be sent out.

Janice Ouellette noted Audit listed Town as modified accrual, but Town is actually cash basis.

5. Highway Foreman (Keith Gadapee)

- Curb Cut Lot #8 Upper Drive 2nd Driveway – research needed, noncompliance status, applicant went to developer, then to engineer and now back with landowner and Keith Gadapee. Noted was if noncompliant it is on the landowner and not the Town. Town is not responsible for any noncompliance. Information discussed with landowner and both he and Keith agreed.

Alison Low discussed stormwater permits not running with land and she had concerns.

- RFPs Roadside Mower – on Next meeting October 21st. Rep from Ryegate will be present. Mower is out and going and Ryegate has also used it.
- Review Proposals for New Plow Truck and Equipment – discussed turnkey truck, no trade. Town has to sell their truck outright. Two turnkey trucks out there will take trade. Concern is for current truck lasting that long and how much money will need to be spent on it. Driver does not want to drive International. If Town wants turnkey truck, Keith Gadapee's top 2 choices are: 47x from Charlebois for \$267,700 or \$228,000 Proline body. Turnkey will be 2025, replacement schedule says 2026. Repair expenses discussed, along with timing and price issues. Turnkey not spec as exact want but it is not big deal to wait for vehicle. If Town doesn't go turnkey it takes two years to get a truck. Trade in value discussed, trade value good till July 205, no trade amount for spring of 2026, it could change. Auction sites discussed (government surplus sites and muni-net).

Craig Morris discussed auction sites and concern for getting less than.

Keith Gadapee discussed putting in minimum bid in auction site.

Motion by Eric Bach, 2nd by Glenn Herrin to approve Charlebois (spec truck) Freightliner with proline body available Spring 2026 for \$228,010.00 depending on trade. Vote 5-0-0. Motion carries.

- Radar Speed signs up and working.

6. Issues and Information (All)

- (a) **Adoption of Zoning Bylaw Plan** – Glenn Herrin discussed no issues raised at Public Hearing so if adopted tonight, plan would be in effect November 28, 21 days from tonight.

Motion by Glenn Herrin, 2nd by Eric Bach to adopt the proposed Zoning Bylaw. Vote 5-0-0. Motion carries.

- (b) **Executive Session – Personnel (313(a)(1)(B)3)** – Eric Bach suggested moving to end.

- (c) **Town Plan Tasks** – Glenn Herrin noted he put together a spreadsheet which has 150 task for the next 8 years which can be sorted by date and who is responsible.

Next on list to do: (February) Road Foreman – water project site prioritization;
Town Meeting – Fire Chief and Selectboard – fire station renovation or move; and
Selectboard – determination for forgotten Village as Town property or not.

Noted was they were not bound to do any of these items.

- (d) **Capital Budget Update** – Glenn Herrin noted it was broken out into 2 worksheets: Capital projects - Major: Highway, Town Hall Renovations, Wastewater and Fire Station and Reoccurring: maintenance (roof on Town sheds). Suggested breaking out funding sources. Numbers requested for the spreadsheet before the 21st as it would help with budget. Procedural work to turn into legal Capital budget and program (warn, hold public hearing, process and then it becomes official document).

- (e) **Policies: Procurement Policy, Domestic Partners Policy, General Policies**

Procurement Policy

Alison Low inquired about difference between minor and micro.

Janice Ouellette noted if federal then its micro.

Glenn Herrin suggested to mark federal category to simplify.

Janice Ouellette noted they can exercise local preference.

Glenn Herrin noted emergency purchase Selectboard must approve, but wondered if they wanted to give Keith Gadapee authority or should they just hold special meeting.

Keith Gadapee suggested special meeting.

Michelle Leclerc discussed purchasing agent Assistant Town Clerk noting it should only be Town Clerk.

Janice Ouellette discussed listing all persons who have cred cards.

Glenn Herrin noted Town Clerk and Highway Foreman should be all categories and Assistant Town Clerk and Fire Chief incidental purchases.

Janice Ouellette will send to federal funding guru to review.

Domestic Partners

Glenn Herrin noted this was for people who aren't married and are living together.

Janice Ouellette noted we have a precedence for it.

Peter Griffin inquired where the policy came from.

Janice Ouellette noted it was from State of Vermont HR.

Glenn Herrin inquired if they could combine with spouse.

Michelle Leclerc noted they don't need a spouse one.

Janice Ouellette noted there are tax implications, and they need to be aware of it.

General Policies

Janice Ouellette noted in the last Federal Funding webinar discussion was make sure all policies in place and they warned against having one policy imbedded in another. The reason is, if you revise, you must make sure you revise in both places. Policies that are imbedded need to be gone through to make sure stand alone are up to date.

- (f) **CDS Award** – Janice Ouellette discussed Keith Gadapee, Alison Low and herself meeting with Kevin McAleer from Federal Highways and Joel Perrigo and Chris Hunt from VTrans. Meeting was reassuring and they are committed to help make project successful and ensure Town doesn't run afoul of Federal regulations. Key points: Money will go to VTrans and Town will sign grant agreement with VTrans. Chris Hunt will be VTrans Project Manager. Terms of the award – must be construction ready with final plans and engineering specs in place by 9-30-27. All funds must be expended by 2032. Municipal Project Manager is needed so we need to get started on the procurement process for MPM. The quickest and easiest way to hire is to use the At Ready Consultant Services Process which lists qualified consultants for various services: design, MPM and construction inspection. This is the quickest/easiest way to hire a qualified MPM. Scope of project: CDS can be more flexible and may allow for reduce scope of the project if available funds are not enough to complete total project. We could look at only doing the shared pathway or eliminating the sidewalk from Grandview to Highland Avenue. Other Possible funding: Transportation Alternatives, Bike Peds for additional funding once ROW certification is completed, or Bike Peds as separate Hill Street Sidewalk Project.

Keith Gadapee discussed Town and Fire District – Peacham Road Water line needs upgrading, maybe research funding opportunities, could happen at same time but separated from project.

Alison Low and Janice Ouellette to meet next Friday on MPM process and opening of VTrans Stormwater mitigation grant funding source for drainage.

- (g) **Annual Report** – Audrey DeProspero discussed Annual Report Contract from RePro needs signature. There are three options: 1, 2 or 3 year. Selectboard were also asked if they wanted to have report put together in house or outsource as was done last year.

Glenn Herrin thought it was a Town responsibility but welcomed outside help if needed.

Motion by Eric Bach, 2nd by Glenn Herrin to have Town Clerk sign a 3-year agreement with RePro for the Annual Report printing \$2,650.00. Vote 5-0-0. Motion carries.

(h) **Executive Session – Personnel (313(a)(1)(B)3)**

Motion by Eric Bach, 2nd by Glenn Herrin to enter Executive Session under 1 VSA 313(a)(1)(B)(3) the appointment or employment or evaluation of a public officer or employee provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting and to invite Michelle Leclerc. Vote 5-0-0. Motion carries.

Selectboard entered Executive Session at 8:45 pm.

Selectboard exited Executive Session at 9:00 pm

No decision

7. Financials: Orders to review and sign – nothing to sign.

8. Adjourn – *Motion by Eric Bach to adjourn at 9:01 pm.*

Minutes taken by Audrey DeProspero submitted November 8, 2024 at 12:25 pm.