

Town of Danville  
Selectboard Minutes  
July 20, 2023  
Danville Town Hall (6:00 pm)

**Board Members Present:** Eric Bach, Janice Ouellette, Peter Griffin, Glenn Herrin and Alison Low (7:11pm)

**Others Present:** Audrey DeProspero, Keith Gadapee, Chris & Scott Burns, Laural Ruggles, Curt Edgar, Michael Hogue, Allie Webster (NVDA) and Wendy Somers.

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

1. **Additions to the agenda:**

- Dog Park Update (Alison Low)
- Train Stuff (Michael Hogue)
- Mill Stone Update (Eric Bach)
- Private Culvert Request (Highway) Alexandra Sasha Baguskas
- Informational Items (Audrey DeProspero)

2. **Approve minutes:**

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to approve **minutes of Regular meeting of July 6, 2023** as written. Vote 4-0-0. All in favor.*

3. **Visitors**

- **Scott Burns – Radar Feedback Signs** – Scott and Christy Burns of 25 Village View Road were present to request the Selectboard file application with state for two radar speed back signs at the West and East side of Route 2 in West Danville. They have advocated this for several years.

Scott Burns discussed attendance at VTrans meeting whereas a discussion was held as to whether or not placement of radar sign was necessary due to the resurfacing project which would produce traffic calming in the area of West Danville and/or if the timing of the radar signs would interfere with the Route 2 resurfacing project. Project Manager of VTrans noted speed calming devices were not included in their design nor would they interfere with the resurfacing project.

Scott and Christy Burns requested Selectboard to proceed with filing permits for two radar signs. They volunteered their time to help with application, project or whatever else was needed to move this project forward.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Glenn Herrin to start process for two radar speed signs placed at the 30 mph signs at suggested sites on east and west sides of West Danville village. Vote 4-0-0. All in favor.*

Keith Gadapee inquired where the payment would come from, Highway or General Budget.

Noted was payment for first radar sign on Route 2 came from donations and in-kind work.

Eric Bach noted cost could be put in 2024 budget.

- **Laural Ruggles – LVRT (Lamoille Valley Rail Trail** – two public meetings to be held: August 1 in St. J and August 2 in Hardwick. Laural Ruggles discussed conceptual site plans for Danville:
  - Peacham Road Depot in Danville. Design is being based on train station committee architect information. The plan shows a sidewalk leading people into the village and a path from the parking lot to the trail; however the path has no funding but the VOREC grant and other funding covers some of the other costs.
  - Park and ride in West Danville. VTrans had a lot of feedback and there were many suggested changes. There is a one-way entrance across from Hastings store, however there is concern for larger vehicles making the turn.
  - Marty's/Treatment Plant Access Road in Danville. The two crossings on Route 2 were not favored by VTrans due to safety. There are no funds for the suggested extra parking spaces.

Trail is currently closed due to damage sustained on trail by storms. Sections are being opened as they are fixed. The least amount of damage was from St. J to W. Danville and from Swanton to Cambridge. No date on when the full trail will be open.

VTrans is coordinating the fixes themselves, they are not involving contractors. Some signage is out there regarding the closure but people are still using it.

- **Michael Hogue and Curt Edgar – Mill House Project –**

Curt Edgar discussed providing Town with ownership of northerly stone foundation which supported the mill crossing over Joe's Brook.

*Document presented to Selectboard:*

Mill House Project to Deed a Southerly Portion of Land/Water to the Town of Danville by Michael and Patricia Hogue

Purpose: To provide the Town with ownership of the northerly stone foundation which supported the mill crossing over Joe's Brook; to provide access for the foundation's reconstruction; and, access to the landlocked parcel of Town land to the west of the foundation.

Considerations and Restrictions:

- Removal of certain easements from the Hogue deed (ref Balivet report and opinion on title dtd October 21, 2013):
  - (3.) Rights of way: these two rights of way were established to provide access to the landlocked portion of the Warden property, namely the basin area bounded by the Sullivan property line on the north portion of the landlocked area and the brook on the south side. This parcel was landlocked due to the Mill House southern boundary cutting across the brook to the southerly portion of the bridge's foundation removing access from the Town road.
  - (4.) Benefitting right of way: the "swinging" of the southern property line of the Mill House property eliminates the right of the Hogue property's access to Joes Brook.
  - (7.) Water power development: rational same as for (.4) above
  - (8.) Archeological exploration: the Mill structure is now fully in the control of the Town.
- Assurance by legal agreement between the Town of Danville, The Danville Historical Society and its standing committee managing the Greenbanks Hollow "Forgotten Village", and the owners of the 1722 Greenbanks Hollow properties that future use of the gifted area and the unlocked property will not create a nuisance (such as noise, trash, trespassing, parking and other actions affecting the property owners abutting the Forgotten Village Park.
- This agreement will also specify that no picnic tables and no more than two (2) benches will be put on the unlocked property. Twenty-four months after the opening of this extension to the Town's Greenbanks Hollow properties, the parties will meet to determine if this restriction should be modified.

Curt Edgar discussed the Preservation Trust grant received in September of 2022, legal funds, survey required, easement process, and using some of the funds from Preservation Trust for survey expense (noted was up to \$5,000 could be used). Also discussed was restoration of wall, companies contacted and estimates will be required.

Michael Hogue discussed Mill House property, access to property and restrictions. He noted he would like a signed document from the Town and the Historical Society agreeing to the restrictions.

*Motion by Peter Griffin, 2<sup>nd</sup> by Glenn Herrin to accept property with restrictions as deeded as part of Mill House Project as described in Mill House Project document. Vote 4-0-0. All in favor.*

Train Stuff

Pause Place - Michael Hogue discussed Pause Place which is what the Train Station parking section is being called. The parking is to be used by bicycles, they come and pause for a moment before continuing on the rail trail. Michael Hogue discussed future celebration of train station and VTrans fencing off trail while work is being done on the front of the Train Station platform because of equipment.

Head of Construction Team - Michael Hogue discussed Sally Fishburn stepping down as Head of Construction Team and not having anyone else with qualifications to take her place. He noted they could use the Construction Manager as charged in the agreement who will be there every day or should they hire a Clerk of the Works with a maximum expenditure of \$25,000. If not, they could just stay on top of the Construction Manager. The Clerk of the Works would represent the Town and could be hired with a contract. Michael Hogue wondered how Selectboard felt and suggested they voice opinion or leave it to the Train Station Committee to make the decision.

Keith Gadapee inquired if they would still get as builds.

Michael Hogue noted they would still get them from the Construction Manager.

Michael Hogue noted Rob Balivet had a person in mind for the Clerk of the Works position however he would like to meet the person and see if the Construction Manager and Clerk of the Works are compatible individuals. Michael Hogue still sought guidance from the Selectboard.

Selectboard suggested Michael Hogue meet with both and come back with suggestions.

Concrete Walls – Michael Hogue discussed concrete walls being poured all the way around perimeter of Train Station and some of the stones being taken out and some being brought back. Michael Hogue discussed cost to redo stone foundation versus poured concrete foundation. He does not think they should pour concrete walls not only due to cost but because the stones that are there have been there for at least 100 years and thinks fixing the stone foundation will last just as long. The drainage will be fixed and will help with the stone foundation moving forward.

Selectboard were in agreement.

Parking – Michael Hogue discussed parking over by sports area and school. He noted he had spoken with Dave Schilling who noted the school was not used at night or weekends. The walkway through the woods could be fixed to help keep people off the street. Michael Hogue noted they would need someone to design the parking area or they would need to get a grant to have someone produce parking lot design.

Eric Bach though it should be done immediately to get it out of the way.

Selectboard were in favor of moving forward with parking lot plan.

- **Allie Webster – MERP (Municipal Energy Resilience Program)** – Allie Webster is with NVDA. She discussed components of the application for free energy assessment which has opened up. Energy assessments are required for the \$500,000 implementation grant and the assessments are provided by state contractors. The application is an on-line form and the information needed is which buildings you want the assessments on, the address, approximate square footage and a point person for contact to get them in the building. Allie Webster offered her assistance to the Town for filling out the form.

Janice Ouellette discussed filling out one for each building.

Allie Webster noted the online application leads you through each building and can be done on one form. Additional information will be needed later on. The form is due for completion before October 31. Information required on the form would be utility data for 3 years, architect plans and lighting schedules.

Janice Ouellette noted she would be willing to work with Allie Webster. She noted the previous decision was to apply for grant on Town Hall and the North Danville Community Building.

Allie Webster suggested that all buildings be done as there is no cap on the number of assessments that could be done.

Laural Ruggles discussed the \$4,000 mini grant for education awareness which the Energy Committee is going to apply for.

Glenn Herrin suggested an assessment for the Fire Department should be done as it was originally built as a temporary building and has been temporary for a long time.

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

- 2<sup>nd</sup> Class Liquor License and Tobacco License for Hastings Store.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Janice Ouellette, to approve the 2<sup>nd</sup> Class Liquor License and Tobacco License for Hastings Store. Vote 4-0-0. All in favor.*

- Sewer Application for Train Station. Allocation request has been received for increase in Water and Wastewater Flows at the Danville Train Station. The request is for a 264-gpd increase in water supply and wastewater flows discharging to the municipal system for redevelopment of the Danville Train Station. An email from Jefferson Tolman of H2O has been received indicating that the Danville wastewater facility can handle the added flow from the Danville Train Station request. The applicant will have documents ready for the next Selectboard meeting however the Selectboard can approve tonight or do next meeting.

Glenn Herrin inquired if the Selectboard approved tonight could they just sign at their next meeting.

Wendy Somers noted yes.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Peter Griffin, to approve the request for a 264-gpd increase in water and wastewater flows at the Danville Train Station. Vote 4-0-0. All in favor.*

- Payroll issue with aquatic nuisance employee who is exempt from taxes. No state or federal taxes are to be taken out. Quarterly paperwork has already been submitted and \$72.12 was withheld. The employee is asking the Town to resubmit the paperwork.

Eric Bach noted this was the responsibility of the employee.

Wendy Somers noted she has had conversation with employee and parent which indicated exempt was written on the W4. Discussed details of paperwork and discussions with parent. Wendy Somers noted she was going to write a check for \$72.12 and subtract withholding so the employee will not be able to claim twice.

*Selectboard were in agreement.*

- Sugar Ridge Complaint – Eric Bach noted that as Health Officer, he received Wendy Somers information on complaint from Sugar Ridge. Noted was from Health Officer standpoint there was not much he could do because they had access to bathroom but there may be something Zoning could assist with.

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

- Private Culvert Request – Alexandra Sasha Baguskas (not in attendance). There was ditching along property which cut off access to camping site. The owner cannot get to her property because of the ditch in front. Keith Gadapee wanted to know if the Selectboard wanted him to put in a culvert or not. If a culvert was to be put in, would the Town be setting a precedence. Keith Gadapee felt that the Town did cut off access and wondered how to proceed.

*Alison Low arrived at 7:11 pm.*

Peter Griffin inquired if the owner had made a specific ask.

Keith Gadapee noted only for access to the property. His decisions for culverts are based on: does it look like they use the property, how often do they use the property, and is there another access point. The farm property beside her has a culvert.

Question asked was if owner could get access through the farm property.

Keith Gadapee noted there may be fences and it may disturb the farm area.

Glenn Herrin inquired how much would the cost be to the Town to put in a culvert. Keith Gadapee noted anywhere from \$1,000 to \$1,500.

Eric Bach wondered if a Curb Cut could be required.

Keith Gadapee noted he could ask the owner to apply for one but not sure if she would.

Glenn Herrin noted since the Town did cut off access, he thought they should give access but the owner should apply for Curb Cut for record purposes and then the culvert could be put in.

Peter Griffin did not agree. He thought they did need a Curb Cut and they should put in a culvert as the Town did not do anything out of the ordinary.

Keith Gadapee noted water rules have changed and a ditch was required.

Eric Bach thought owner should have attended the Selectboard meeting to plead their case.

Alison Low thought if someone came to Town for a Curb Cut it was not implied that the Town would cover the cost. Alison Low noted more roads will get ditched and this will happen a lot.

Keith Gadapee agreed.

Glenn Herrin noted he was now leaning more toward not doing it.

Eric Bach noted he was leaning for no and he could have been persuaded if she was present.

*Motion by Alison Low, 2<sup>nd</sup> by Glenn Herrin, to have Town put in culvert on Fellows Road for Alexandra Sasha Baguskas. Vote 0-5-0. Motion does not pass.*

- Curb Cut on Fellows Road for landowner Lawrence Daughterty, parcel #TH022-019.00.

*Motion by Janice Ouellette, 2<sup>nd</sup> by Peter Griffin, to approve the Curb Cut on Fellows Road for Lawrence Daughterty for parcel #TH022-019.00. Vote 5-0-0. All in favor.*

- Highway interviews will be Monday, there are six candidates.
- Next year budget 2024 is not slotted for a truck purchase but 2025 is slotted for a truck purchase. It takes 18 months to go build a truck and Keith Gadapee wondered if he should put out RFPs now. Payment would be in 2025 but work needs to start now.

*Consensus was for Keith Gadapee to put out RFPs now.*

- Flood – up to 6 FEMA sites in Town, possibly 7. Tim Ruggles, Laural's husband, has volunteered to do all requirements for streams person (site work, maps and drawings).

Glenn Herrin noted volunteer hours should be recorded and could be reimbursable.

Keith Gadapee discussed procurement process. He noted 4 of the 6 sites are emergencies and there may be a 5<sup>th</sup> one. Keith Gadapee spoke of getting contractors and suggested the Selectboard leave that decision up to him. He also would not be giving them all to one contractor.

*Selectboard were okay with Keith Gadapee's choice.*

FEMA sites:

Bruce Badger Memorial Highway – slid 60 feet to river

Cormier Road – culvert over topped

McDowell Road – culvert overtopped and land slide

North Danville Road along Sleepers River – portion slid, guardrail hanging

Water Andric Road – several hundred feet is gone

Trestle/Penny Lane – stream bank reconstruction and bridge abutment fill needed

- Assisted Town of Walden.

- Commended his guys as their projects they have done held up well.

## 6. Issues and Information (All)

- (a) **Allocation Request for Increase in Water & Wastewater Flows at Train Station** – see Town Clerk Report.
- (b) **TMD (Town Meeting Day Ad Hoc Group – Draft Charter approval** – Glenn Herrin discussed updated draft charter. He noted he could make the changes and re-present at the next meeting when they appoint people or they could adopt now and appoint people at the next meeting.

Janice Ouellette suggested to adopt now and appoint people at next meeting.

Glenn Herrin reviewed mission statement.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Janice Ouellette, to establish Town Meeting Committee in accordance with adopted Charter. Vote 5-0-0. All in favor.*

- (c) **EEP (Enhanced Energy Plan) – Discussion/Adoption** – Glenn Herrin inquired if there were any suggested changes.

Noted were no changes suggested.

*Motion by Glenn Herrin, 2<sup>nd</sup> by Peter Griffin, to adopt proposed EEP as a Town Plan Amendment for Public Hearing to be held on August 17<sup>th</sup> at 6pm. Vote 5-0-0. All in favor.*

- (d) **Town Hall's posted No Parking signs** – Eric Bach discussed concerned citizen who brought up signs on Town Hall building (no parking and caution snow and ice falling). The Town owns to the drip edge of the building. In the past the Town did not want people to park there due to snow and ice falling from roof in winter months. Eric Bach inquired if the Selectboard wanted them to be taken down, removed seasonally, replaced, new ones purchased, or leave as they are.

*Consensus is the subject is not an issue that needs addressing.*

- (e) **WWTF (Waste Water Treatment Facility) – State Revolving Loan Program** – application for State Revolving Loan Program has been completed and majority of Selectboard Signatures is required on the document for submittal along with Wendy Somers signature as she is the Authorized Representative who was appointed on April 6, 2023 by Selectboard for Clean Water State Revolving Fund.

*Motion by Alison Low, 2<sup>nd</sup> by Glenn Herrin, to approve signing the Waste Water Treatment Facility State Revolving Loan program funding application. Vote 5-0-0. All in favor.*

- (f) **Dog Park** – Alison Low noted the overall feeling for the dog park to be located at the Waste Water Treatment Facility was the location was the most suitable for the dog park. There was a committee meeting on Tuesday however only three attended and Alison Low would like to bring the information back to a full committee to get their full recommendation. Alison Low spoke to Jefferson Tollman from H2O who was supportive of the dog park and noted the function did not interfere with the priority of the treatment facility however there were suggestions:
- Parking is not to be at facility;
  - Fencing will be required and needs to be high enough so that dogs cannot jump the fence and end up in the lagoon;
  - Signage is required;
  - And ANR may want to know what types of material have been dumped on site.

Janice Ouellette thought it was a great spot.

Eric Back noted it ties in well with rail trail and felt it fit well and was close to Village but not in Village.

Alison Low noted it was appropriately sized for their need. She also thought the suggestions would make the WWTF more secure by adding fencing and signage.

*Peter Griffin exited at 8:14 pm*

- (g) **Train Stuff** – discussed under Visitors section (Michael Hogue/Curt Edgar – Mill House Project)
- (h) **Mill Stone** – Eric Bach discussed Mill Stone being donated by the Chouinards had not been placed, however it has been set and balanced and soon would be placed. The grass in the meditation circle of the Green will be removed and small stone will be put there. The stone will go in the middle and a plaque will also be placed there.

**Information:**

- BBQ Fundraiser this Saturday from 11am until 1pm on the Green benefitting Danville Senior Meals.
- Movie Night, Mario Brothers, on the Green this Saturday from 8:30pm until 10pm.
- Dog Control Law and Enforcement Training is scheduled for Wednesday, August 9<sup>th</sup> from 10am until noon.

**7. 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 4-0-0. All in favor.*

**8. Adjourn - Motion by Glenn Herrin, 2<sup>nd</sup> by Janice Ouellette to adjourn at 8:18 pm. All in favor.**

Minutes taken by Audrey DeProspero submitted July 21, 2023 at 12:33 pm.