

Town of Danby
DRAFT Select Board Meeting Minutes
February 13, 2025
Town Office, Danby, VT 7:00pm
<https://www.danbyvt.org/government-information>
ZOOM MEETING ID: 813 2851 1750

Public Present – D. Stoddard, M. Bushee, T. Porter, R. Porter, C. Hardaway, J. Cram, M. Gasperetti, D. White,

Virtual Present – L. Dever, B. Richardson, T. Parker, A. Smith, G. Derr, L. Lawson, B. Payne, R. Aylward, A. Sharon, Andrea, L. Lindenberg

- Call to order at 7:00pm
- Observed moment of silent respect and remembrance for Hiram Fisk
- Pledge of Allegiance
- Roll Call
 - Abbott, Heaton, Bender – present
 - Fuller & Haines - absent
- Procedure for Remote Access and Public Comment Statement
 - Brad Bender
- Motion to set agenda
 - State has requested a health officer by appointed
 - Recommendation to appoint Ann Davis
 - Motion by Heaton, Seconded by Abbott
 - Motion passes unanimously
- Public Comment
 - Chris Hardaway
 - Asking if any additional business
 - Old business – asking about ATV ordinance
 - Generic statement under the articles on the ballot
 - Doesn't think it was handled well
 - Had been on the ballot in the past
 - Clarification is needed
 - Bill Payne
 - Commenting regarding ATV ordinance
 - Was voted down in 2022
 - Past comments
 - Not to consider until it is legal on a state level
 - No available trails
 - Wondering if anything has changed
 - Annette Smith
 - Concerned about comment time
 - Wondering who is asking about ATV on the ballot
 - Does not feel it is being run properly when items are brought
 - Not following guidance
 - Would like to speak during the meeting and have more availability to comment when topics are brought up during new and old business
 - Were the other members aware that it would be brought up during the meeting
 - Asking if anything else will be brought up during old or new business
 - More reasonable democracy for the town
 - Requesting a greater effort to be more transparent

- Renata Aylward
 - Is a text to the whole board a law violation
 - Wording on the ballot regarding ATV
 - Sounds very one sided
 - Lynn Lawson
 - ATV comment
 - Has had experience with people using their ATV
 - They were not operating safely
 - Could have caused an accident
 - Michelle Bushee
 - Wondering if Deputy Cram could speak on enforcement regarding ATV
- Motion to adopt minutes of Select Board Meeting of January 9, 2025
 - Motion by Abbott, seconded by Heaton
 - Motion passes unanimously
- Motion to ratify the Warning for the 2025 Town Meeting, specifically changes to Article 6 signed by the select board on January 27, 2025
 - Motion by Heaton, seconded by Abbott
 - Correction of numbers
 - Motion passes unanimously
- Report from Deputy Cram on placement of speed limit signs and enforcement
 - Having difficulty enforcing speeding tickets
 - Spacing of speed limit signs
 - If a road is not posted it is assumed 50mph from the state
 - The town of Danby is pretty good with sign replacement and accuracy
 - Smokey House Road has no speed limit signs
 - Danby Mountain road – speed limit signs are 1.5 miles apart
 - 3 signs
 - Documents
 - No minimum distance between
 - 25-30mph signed every ½ mile recommended
 - Danby Hill rd about every mile
 - Brook rd about a mile
 - Running into issues with defense attorneys
 - Asking the town to review the document
 - Will start patrolling more on the back road
 - ATV – Ira does have an ordinance
 - Similar to a motor vehicle as long as it is on a roadway
 - If it is on a trail, it is VASA
 - Reckless behavior will continue regardless
 - Ordinance in place would allow for more enforcement
 - Haven't had a ton of issues
 - Off roads into farm fields are the biggest issues
 - Has given warning if someone is being respectful
 - Legal registered vehicles, insured if they are on the road
 - In case of a crash there is coverage
 - Are other functions carried out
 - Are they billed to Danby?
 - Subpoena - no
 - Trespass order or abuse order could be billed to the town
- Transfer Station relocation: M. Gasperetti – Mt. Tabor Select Board Chair
 - Mt. Tabor select board sat down as a group to discuss
 - Would like to move forward with a few cautions
 - Would agree to 10 year lease, no cost/low cost

- Would like to make sure proper insurance is in place to cover Mt. Tabor and Danby
- Would need to maintain access to the cave
- No natural resources to come out of the land
 - Rearrangement of gravel etc is okay
 - No removal
- Concerns about the layout
 - How would it accommodate dumpsters/compactors
- Brought up to Mt. Tabor approving a plan of layout
 - Heaton and Fuller attended their meeting
 - Discussion was had during their Select Board meeting
- Biggest concern from Mt. Tabor - residents could use the transfer station at the same cost as Danby residents
- Compost plan?
- Ultimately the design, layout would be up to Danby
- Would like to move forward
- Is there anything Mt. Tabor does not want to do
 - Nothing as of now
 - Clean, tidy, and orderly
- Moving forward about a lease, who is drafting etc
- Would a joint workshop with Mt. Tabor be a good idea
 - Any restrictions on widening the existing entrance
- Will work on a plan moving forward
- **Accept resignation of Pam Gaiotti as Auditor and authorize posting vacancy**
 - Motion to accept resignation
 - Motion by Abbott seconded by Heaton
 - Motion passes unanimously
 - Authorize posting of vacancy
 - Too late to be put on the ballot
 - There is currently an open position with no candidate on the ballot
 - Can advertise or appoint
 - It is important to have 3 auditors
 - Letters of interest
 - Posted on website, around town, FPF
 - April 7, 2025 have letters of interest submitted
- **Treasurer's Report – M. Bushee**
 - Nothing new to report
 - Gave select board current commitment report
- **Set pay rate for Auditors**
 - Received a letter from the auditors requesting a raise in pay.
 - Time is roughly 3hrs a month
 - Currently getting \$15 an hour
 - Requesting as close to \$20 as possible
 - Note – VT minimum wage is now \$14.01
 - Address at a later date
 - Compared and reviewed other town employee wages
 - Motion to raise the pay rate to \$18 per hour
 - Motion by Heaton Seconded by Abbott
 - Motion passed unanimously
- **Delinquent Tax Collector's Report – sent to SB members and Clerk (\$92,557.77 outstanding for 2024)**
 - Doug White
 - Would to come back in April or May with potential properties for tax sale
 - There are payments being made and numbers should go down

- State changed regulations on timing for tax sales
- Discuss posting for Open Public Meeting Law Facilitator to record minutes and coordinate remote access participation
 - Money was budgeted to pay for the position moving forward \$75 per meeting
 - Advertise on website, around town, FPF, News Guide
 - 12 regular meetings, special meetings,
 - Motion to advertise in the News Guide, Website, and other avenues, and have letter of interest by March 6, 2025
 - Motion by Abbott Seconded by Heaton
 - Motion passed unanimously
 - Motion to set organizational meeting on March 6, 2025 7pm
 - Motion by Abbott Seconded by Heaton
- Cannabis Control Concerns: Lynn Lawson
 - Guidance for Municipalities from the CCB
 - Bender reviewed a few items from guide citing statutes
 - Lynn wrote a letter and was told that it would be shared with the board
 - Had conversations with chairman of the CCB board
 - Said it was up to the town
 - Admitted they didn't do their due diligence before it was legalized
 - Were going to work on correcting some errors
 - Has gone back and forth with the CCB
 - Effecting health and quality of life
 - When the license was given
 - According to the CCB there are stipulations for this type of operation
 - Shouldn't be visible from the road
 - The smell is infiltrating home
 - Does not feel it is agricultural
 - Informed that the town had the right to decide what they would and would not allow in the town
 - A town could also make the restrictions
 - Understanding the town could only opt into or not to allow retail establishments
 - Has become a health hazard
 - Value on real estate
 - Breathing issues have gotten worse
 - According to the CCB the town has the right to make a decision
 - The town of Manchester does not allow growing in town
 - Could it be zoning related
 - Could this be received in writing from the CCB
 - Regarding what the town can do about it
 - James Pepper Chairman of the CCB
 - Said it was up to the town to decide what they would and wouldn't allow
 - Requested Lynn Lawson to contact James Pepper to request in writing a letter to the town to explain & clarify what authority and action the town can take in this matter
- Road Commissioner's Report - absent
 - Approve Fleet permit for Newport Sand & Gravel
 - Motion to Approve fleet permit from Newport Sand & Gravel
 - Motion by Heaton seconded by Abbott
 - Motion passed unanimously
- Old Business
 - none
- New Business

- **Motion to recommend Ann Davis to the health officer pending her acceptance**
 - **Motion by Abbott seconded by Heaton**
 - **Motion passed unanimously**
- **Motion to adjourn 8:41pm by Heaton, Seconded by Abbott**
 - **motion passes unanimously**

Respectfully Submitted by:
Drea Stoddard
Minute Taker