

Town of Danby  
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 and Emergency Meeting of February 6, 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**