

Town of Danville
Selectboard Minutes
February 3, 2022
Danville Town Hall (6:00 pm)

Board Members Present Using Microsoft Teams: Eric Bach, Kellie Merrell, Kristin Franson and Peter Griffin

Board Members Present: Ken Linsley

Others Present Using Microsoft Teams: Keith Gadapee, Molly Hart, Bill Bailey, Bret Hodgdon, Diane Simons, Craig Morris, Greg Prior, Jason Crocker, Katie Fiegenbaum, Clayton Cargill, Deb R., Jim Brimblecombe and Jefferson Tolman

Others Present: Audrey DeProspero, and Brian Henderson

Meeting was called to order by Chair Ken Linsley at 6:00 pm.

1. **Additions to the agenda:**

- Jason Crocker
- ARPA
- Clayton Cargill - Composting

2. *Motion by Kellie Merrell, 2nd by Eric Bach to approve **minutes** of the **Regular meeting of January 20** as written. Vote 5-0-0. All in favor.*

3. **Visitor:**

- Brian Henderson, Chair of DRB – PC Alternate – has been attending Planning Commission meetings for several months and would like to join as an Alternate. Brian Henderson is currently on the Development Review Board and thought being on the Planning Commission, he could be a liaison between boards which would be useful. The Planning Commission has a vacant Alternate seat expiring in 2023 that Brian Henderson would like to fill.

Motion by Eric Bach, 2nd by Kristin Franson to appoint Brian Henderson as Alternate to the Planning Commission to fill the vacancy of a current term expiring in 2023. Vote 5-0-0. All in favor.

- Jason Crocker – present to discuss denied vacation request.

Diane Simons, mother-in-law to Jason Crocker explained how she felt Jason Crocker should be allowed to take vacation during the winter month because he has a good track record and is always on time.

Eric Bach wondered if this subject should be discussed in Executive Session.

Selectboard looked into Executive Session Statute 313.

Jason Crocker noted he was okay with discussion being held in Public Session.

Jason Crocker requested time off and there is nothing in the Highway Work Manual that says he cannot request time off in the winter. He understood the Winter Policy. He has never missed a call in, he is always on time and the time he is requesting off is at the end of March for a family trip which was gifted to him.

Ken Linsley referenced Highway Manual Section 8 Winter Hours.

Peter Griffin discussed Section 12 of Highway Manual noting third step is input from employee and Road Foreman and final decision is rendered by Selectboard.

Keith Gadapee followed all procedures preset in the Work Manual established by the Selectboard and accepted by the employee. Noted was the Highway Foreman could deny vacation if it impedes on production of Crew.

Kristin Franson inquired if the tickets had been purchased and why the specific week chosen.

Diane Simons responded that the tickets were purchased and the week chosen was based on circumstance and herself being a tax preparer and her schedule is already set.

Kellie Merrell noted during budget discussions Keith Gadapee worked to bring the salary of his Crew up to a more competitive salary and the Selectboard had discussed sitting with the Road Crew to adjust benefits or salaries. She thought this item could be part of the topic.

Kristin Franson thought they deserve a vacation due to COVID times and people not being able to get together but noted it was not a good time for them to take vacation as it is during winter months.

Motion by Kristin Franson, 2nd by Eric Bach to grant the vacation request as an exception not as setting a precedent. Vote 3-2-0. Eric Bach = yes, Kellie Merrell = yes, Kristin Franson = yes, Peter Griffin = no, Ken Linsley = no. Motion carries.

Selectboard discussed the wording of the motion. Noted was the motion was going to grant the request and overturn the decision made by Keith Gadapee and that a yes vote meant in favor of and a no meant against the motion.

Eric Bach discussed the request for 16% raises and the need to re-evaluate the compensation package. The Town gives a lot of vacation time, and the employees are busing during summer season and winter months, so when do they actually get to use vacation. March is a snow month and this is a complicated decision.

Peter Griffin spoke of having a job whereas he could not take vacation during a certain time of the year. He noted Keith Gadapee's decision was consistent with the Highway Manual. Flexibility was discussed and the employee checking for permission prior to setting up the vacation. He did not want to second guess Keith Gadapee and was not in favor of this motion.

Kellie Merrell spoke of a previous denial and backing Keith Gadapee, which she felt was a valid complaint then, and thinks consistency is good. Noted was something more than salaries were needed to keep people working for the Town and agrees with Peter Griffin.

Jenn Crocker noted Jason Crocker has never missed a time when he was called. He makes work a priority, is committed to work, his work comes first, has never asked for something out of the ordinary, and has missed out on family items previously due to work.

Diane Simons thought if one employee's absence from the Highway Department placed the town roads in jeopardy then the Town had a bigger problem.

Ken Linsley was concerned that effectively if they overruled the decision then the Highway Manual would no longer be valid and how would they decide on the next request that came forward. He wondered what would happen if someone became sick during the time when another was out on vacation. The Town then would lose 1/3 of their crew. He thought if this request was approved, then the Highway Manual should be rewritten immediately.

Kelly Merrell asked for motion to be re-read.

Ken Linsley thought this would start a precedent.

Peter Griffin agreed.

Kristin Franson felt they were following the Highway Manual. She thought this was one way to keep staff and keep help. She also thought the vacation should not have been planned in March and did not want to undermine Keith Gadapee.

Keith Gadapee noted his decision was made by following the black and white document.

Kellie Merrell noted Kristin Franson is the HR liaison for the Selectboard so she looks to her for guidance. A prior person who wanted to go hunting did not come to the Selectboard so they did not have to make a decision on that request. Kellie Merrell thought they were following the manual this time because this person came direct to the Selectboard.

Ken Linsley wondered how the Selectboard would deny the next person who came before them.

Kellie Merrell noted they would address the manual and try to keep person like they have been discussing through vacation usage and benefits. Thinks by next year this will be sorted out.

Ken Linsley thought the Selectboard has to rewrite the manual or implement changes into the manual.

Eric Bach does not agree. He thought if vacation was scheduled when a huge snow storm was coming then the decision would be different.

Kristin Franson noted consideration was based on timeframe, individual circumstance, Covid-19 and specific family information.

Peter Griffin discussed basing decision on Covid, where we are at the time of the request and children, however he said no because he had a job that he could not take vacation during a certain time of the year. He noted the Selectboard does have some discretion and that Keith Gadapee was consist with what the manual sets out. He spoke of dealing with any future cases on a case by case scenario and individual circumstances.

Diane Simons thanked all the for their time noting she knew it wasn't an easy decision.

- Clayton Cargill – letter received from NEKWMD renegotiated compost from \$13.50 to \$10 if contamination is reduced. General letter went out to all towns not specific to Danville giving all towns their first warning for contamination.

Clayton Cargill discussed bottle drive request and having children in the building. He did not favor this request and has already said no but wanted the Selectboard opinion.

Motion by Kellie Merrell, 2nd by Eric Bach to deny the request for children to be in the recycle facility collecting bottles due to liability concern. Vote 5-0-0. Motion carries.

4. **Town Clerk** (Wendy Somers) – absent – no report.
5. **Highway Foreman** (Keith Gadapee) – no further discussions needed.
6. **Issues and Information** (All)

- (a) **Outlets on Green** – a response to the Selectboard's request to replace the existing GFI receptacles around the green on 16 twelve-foot poles and 4 sixteen-foot poles was received by CFW Electric for \$1,700.

Motion by Eric Bach, 2nd by Kristin Franson to approve CFW Electric's submission of \$1,700 to replace outlets on the green and to use the Marion Sevigny Trust money as this is considered improvements to the Green. Vote 5-0-0. Motion carries.

- (b) **Mask Mandate Extension** – Ken Linsley noted the Rule requiring masks expires on February 14, 2022 however the Selectboard does not meet again until February 17, 2022.

Motion by Kellie Merrell, 2nd by Kristin Franson to extend the Rule Requiring Wearing Face Coverings Indoors In Public Spaces for another 30 days from February 14th, 2022 until March 16, 2022. Vote 5-0-0. Motion carries.

Peter Griffin noted this was not really a mandate as there was no enforcement to the rule.

- (c) **Green Up Coordinator position** – Audrey DeProspero – contacted Shannon Pelletier to see if she interested in being the Green Up Coordinator once again for 2022. Unfortunately, Shannon noted she was not able to do so.

Selectboard suggested to post the open position on the website and on Front Porch Forum. Also suggested was speaking with the Village Improvement Society or the Girl Scouts to see if either was able to do.

- (d) **Town Meeting** – Ken Linsley – noted was information was posted around Town and on the Town's website and they are following the time line set forth by VLCT.

- (e) **ARPA** – Ken Linsley and Kellie Merrell attended VLCT webinar. Ken Linsley sent link to webinar and slides. Other towns are figuring out input for monies. There are opportunities out there to leverage more money and they should take advantage of them. They have until 2026 to use the funds.

- (f) **Executive Session – 1 V.S.A. 313 (a) (1) (A) contracts**

Motion by Eric Bach, 2nd by Kristin Franson to go into Executive Session under 1 VSA 313 (a)(1)(A) Contracts and include Audrey DeProspero, Jefferson Tolman and Jim Brimblecombe. Vote 5-0-0. Motion carries.

Selectboard entered Executive Session at 7:18 pm.

Motion by Eric Bach, 2nd by Kristin Franson to leave Executive Session. Vote 5-0-0. Motion carries.

Selectboard left Executive Session at 7:37 pm.

7. **Adjourn** – *Motion by Eric Bach, 2nd by Peter Griffin to adjourn at 7:39 p.m. All in favor.*

Minutes taken by Audrey DeProspero submitted February 7, 2022 at 11:00 am.