

Regular Meeting of the Dorset Select Board

October 25, 2011 ~ Minutes

Present: Marge Freed (Co-Chairperson), Mike Connors, Michael Oltedal, Brad Tyler
Absent: Chris Brooks (Chairman)
Also, present: R. Gaiotti (Town Manager), Dale Baker, John LaVecchia, Robert Menson, Joan Menson, Eric Rosencrantz, Gay Squire, Connie Ferguson, Steve Jones, Bill Breed, Brandon Canevari, Howard W. Coolidge, D. Green, D. Pinsonault, David Wilson, Tuck Rawls, Brent Herrmann, Deb Mithoefer, Jane M. Bridges, Bill Bridges, Dave Lawrence, Malcolm Cooper, Alan Calfee

M. Freed, Co-Chairperson, called the meeting to order at 7:03 p.m.

Approve Minutes of September 20, 2011

M. Connors moved and M. Oltedal seconded to approve the September 20, 2011 minutes as presented. Motion carried 3-0 (B. Tyler abstained)

Meet with Planning Commission & Zoning Board of Adjustment

R. Gaiotti explained that this was a joint meeting with the Select Board, Planning Commission and Zoning Board of Adjustment members to discuss the Rules of Procedure and Conflict of Interest Policy which has been reviewed by each Board. R. Gaiotti thanked all the members for their service to the Town and noted that adopting this policy should make it easier on Board members and applicants as it spells out the procedures and gives transparency. A draft policy was given to each Board to alter to fit their needs with the Select Board as the guiding body. Each Board will need to review and adopt the policy annually.

J. LaVecchia expressed that the ZBA has reviewed and changed the policy and there are statutory differences between the ZBA and the PC. All members were satisfied with the amended document and felt it was a worthwhile effort. D. Wilson agreed with J. LaVecchia, but thought all three Boards should have one Conflict Of Interest document to govern them, as to have three different ones did not seem appropriate. He suggested that all three documents be given to J. O'Dea (Town Attorney) for review and have him compile them into one policy with the same standards. M. Connors noted that the ZBA would have some differences in procedures due to its judicial capacity. T. Rawls expressed that the Conflict of Interest Policy should be the same for each Board and the Rules of Procedure could be different.

M. Freed asked for an update from the PC and ZBA. J. LaVecchia responded that, at the moment, it was quiet. B. Breed echoed J. LaVecchia and reported that the PC has applied for grant for a build out study to see about planning needs. B. Breed expressed that it was great to have a full Board and that T. Yandow was doing a great job. S. Jones asked if most Towns follow the VLCT or are there other paths to follow. R. Gaiotti replied that the VLCT takes the statutes and boils them down for the Towns' use. A vast majority of the Towns are members and rely on their expertise. M. Freed noted that they give

legal opinions and R. Gaiotti stated that they give legal opinions to a certain point for operational procedures. J. LaVecchia expressed that the VLCT does a very good job and makes a good effort to answer questions. They also run training seminars and are a good source of information. R. Menson stated that he had talked to the Secretary of State about the conflict of having one person on two different Boards and it was not recommended and every Town should have their own rules. M. Freed answered that this issue was clearly spelled out in the State Statutes and certain Board positions can be held by the same person.

Meet with the Conservation Commission/Pinnacle Update

Debra Daniels Mithoefer explained that the Estate of Margaret Keeler was interested in conveying a portion of Pinnacle Lane to the Town of Dorset. D. Mithoefer presented a survey map which outlined the portion of roadway which would give complete access to the Pinnacle property. K. O'Toole stated that the Town currently has an easement over the roadway, but it would be an advantage to own it if the property will be open to the public. A. Calfee said that the Conservation Commission was in favor of this proposal. M. Freed asked who maintained the roadway and R. Gaiotti responded that it was maintained privately. K. O'Toole noted that the people who use it, pay a pro-rated share for maintenance and there was no written road maintenance agreement. M. Freed asked what was in the roadway by one of the houses and K. O'Toole replied it was the Oakman transformer. A letter is to be drafted to the homeowner that they have permission to have this in the roadway until notified differently. D. Mithoefer offered to prepare the description of the property and have the attorneys handle the conveyance. M. Connors moved and M. Oltedal seconded to accept the offer of the conveyance of a portion of Pinnacle Lane as outlined on the survey map from the Estate of Margaret Keeler to the Town of Dorset. Motion carried 4-0.

Review Draft Procedures Policies (continued)

R. Gaiotti stated that he would send all three Conflict of Interest Policies to J. O'Dea for review and compilation into a single document for the Boards. Changes to item numbers 4 and 9 have been made in the Rules of Procedure document for the Select Board. M. Connors moved and M. Oltedal seconded to accept the Rules of Procedure Policy as amended. Motion carried 4-0.

FY2013 Municipal Budget Planning

R. Gaiotti presented a 10+ year budget history spreadsheet. M. Freed noted that the Legislature will meet in November regarding funding for the storm Irene and asked about the consequences this will have on Town funding. R. Gaiotti replied that the State numbers could impact payments to Towns and that the VLCT has legislative advisors who will keep everyone updated. Since it is early in the budget process, it is good to be aware of the issues before setting the final numbers. M. Freed asked about health insurance costs and R. Gaiotti responded that there are changes to the health care plans which VLCT will be offering. There will now be a choice between Cigna, Blue Cross/Blue Shield and MVP. R. Gaiotti noted that Dorset has less than 20 employees and the numbers should trend to be less than in the past (2.5% to 3% increase rather than 15% to 17%).

Discussion included:

- Self-insured unemployment plan
- Paving by The Dorset School

- New excavator
- Speed control LED signs for Village areas
- CVPS will be upgrading street lighting to LED ~ reducing costs
- Stock piling of sand
- Capital Improvement Plan spreadsheet
- Summer 2012 – shim coat on School parking/access areas
- School is embarking on an updated playground. If the paver is at the School, the basketball area should be resurfaced at that time.
- Paving of plus/minus one mile of Morse Hill Road starting at Route 30

R. Gaiotti will have a draft budget ready for the November meeting.

Finance Report

R. Gaiotti reported that the delinquent taxes were down from \$165,000 to \$90,000 and the property tax sale process will start for six properties. Finances are roughly 31% through the year. The storm emergency line item is high due to Irene, but the numbers have been included on the FEMA claim.

B. Tyler asked about the Town Constables and whether they will run for election again. R. Gaiotti said that Hal Coolidge is active and available, but the State has increased the training hours for constables and was not sure that Theron Troumbley would be interested. R. Gaiotti is to find out if having two constables is a requirement.

Manager's Report

- T. Yandow presented a list of proposed changes to the zoning fees, which have not been changed since 2005. He noted that due to inflation, the fees are out of date and the raised rates are at or below what other Towns charge for zoning fees. M. Connors asked if an applicant has to pay for a DRB permit first and T. Yandow responded that there is no permit for the DRB – only a review and fee. The process is for an applicant to come to the ZA first who then refers them to the DRB, if necessary, and the DRB then reports to the PC. Discussion continued regarding the cost of zoning versus fee revenue and costs for ZA time, ads, and copies. M. Connors noted that if someone demolishes a house and rebuilds, he will be paying two fees. T. Yandow noted that he felt comfortable in issuing one permit if the applicant was replacing an existing structure. T. Yandow noted that a renewal fee has been added for both residential and commercial permits. B. Tyler asked if once the Town has given a permit and an applicant has paid for renewal, if anyone can fight against the renewal. He also asked if notification is given before permits expire. T. Yandow responded that a renewal cannot be fought against and that no notification is given before a permit expires. T. Yandow felt that, if the applicant is warned when the permit is issued that the permit will expire in one year, it was their responsibility to remember the expiration date. If the project is started within the year, there is no time limit on completion. M. Connors asked about the boundary line adjustment fee and T. Yandow replied that some boundary line adjustments are complicated and take a lot of time to review. Zoning fee changes will be reviewed and discussed at the next SB meeting.

- R. Gaiotti reported that the FEMA paperwork has been submitted and payment of claims will take a while.
- The mower tractor has arrived and the Town has until August 2012 to make decisions/changes for this equipment. Warranty is still in negotiations.
- The Mad Tom Road retaining wall project has been started and installation of an engineer designed redi-rock stone wall will be done.
- The Forest Service has given the tax data for the parcels discussed at the last SB meeting. B. Tyler moved and M. Oltedal seconded to confirm the endorsement of the USDA acquisition of the OMYA, M. Connors and G. Connors (et al) properties as outlined in the “Estimate of Tax Implications of USDS Land Acquisition” document presented tonight. Motion carried 3-0 (M. Connors abstained)

Approve Payroll and Accounts Payable for the Week of 10/25/11

It was the consensus of the SB to approve the Payroll and Accounts Payable for the week of 10/25/11 as presented.

Other Business

- R. Gaiotti explained that the SB needs to sign the grant application for the PC Build-Out Study which will look at potential development for the Town. M. Oltedal asked what the list of obligations/requirements was which is referred to in the document. R. Gaiotti noted that there were no financial obligations for the Town, but did not have the list of other requirements available tonight. The deadline for the submission of the grant paperwork was October 31st. The grant and project was the same as the one submitted last year. M. Oltedal noted that it should be okay to sign the current document as long as there were no changes in the requirements. It was the consensus of the SB members to sign the grant application for the PC Build-Out Study.

An access permit (curb cut) request for the Garay’s barn on Foote Road was received. The contractor, A. Hazelton, has met with J. Hewes who felt there would be no undue impact to the road. The contractor understood about the culvert. M. Connors moved and B. Tyler seconded to approve the access permit (curb cut) for the Garay’s barn on Foote Road as presented. Motion carried 4-0.

- The deadline for the Rec Park reimbursements is November 1, 2011.
- The next Select Board meeting will be November 15, 2011.

M. Connors moved and B. Tyler seconded to adjourn the meeting at 9:05 p.m. Motion carried 4-0.

Respectfully submitted,

Nancy Aversano

