

Regular Meeting of the Dorset Select Board

September 25, 2012 ~ Minutes

Present: Chris Brooks (Chairman), Marge Freed, Mike Connors, Michael Oltedal, Steve Jones

Absent:

Also, present: R. Gaiotti (Town Manager), Robert Menson, Joan Menson, Sandy Pinsonault, Danny Pinsonault, Richard McDonough, Jim Henderson (BCRC)

C. Brooks, Chairman, called the meeting to order at 7:03 p.m.

Approve Minutes of August 21, 2012

M. Oltedal moved and M. Freed seconded to approve the August 21, 2012 minutes as presented. Motion carried 5-0.

Public Comment

None

Stone Valley Byway Marker

C. Brooks explained that the Board was concerned about Item #4 (c) in the Memorandum of Agreement for the Stone Valley Byway marker to be located near the H.N. Williams store. J. Henderson of the BCRC noted that he had met with the Rupert Select Board who had the same concerns and their Town Attorney told them that the marker would be covered under the existing liability insurance for the Town and it was suggested to them to determine the value of the marker and insure it for the proper worth. The Towns of Rupert and Manchester signed the agreement. M. Freed stated that she appreciated the clarification and the marker is a beautiful asset to the Town, but when the Byway concept was originally proposed, the Board members specifically asked if there would be any cost to the Town and were told that there would be no cost. R. Gaiotti suggested that if the marker was damaged, it might be possible to repair it through private fund raising. J. Henderson mentioned that he had inquired about the amount of the SVB discretionary funds and what would be available to the Towns, but has not received an answer yet. He also has not been able to find out the cost of the markers as the cost is dependent upon the number of markers ordered.

M. Connors suggested removing the words “the town agrees to provide repair or replacement” and leaving it up to the discretion of the Town for repair/replacement. J. Henderson commented that the installation would be the most upfront cost and believed that the ceramic tile on the marble would be the most vulnerable part needing repair. R. Gaiotti felt that the insurance for replacement costs should be under \$100 per year and, if written into the Town policy, the marker would be covered like any other Town structure. The markers were designed to be very durable and the vendor has used the same applications in Central Park and the NYC subways. J. Henderson stated that unless there was another location and entity to sign the agreement, there

would be no panel for Dorset. If the language in the agreement is changed, the amendment will need to be passed through the Byway Committee for review. M. Freed commented that she would like to see the repair or replacement of the marker as an option in case it was too expensive for the Town to do. The Board was uncomfortable signing an agreement to repair or replace the marker without knowing the costs involved. M. Connors moved and M. Oltedal seconded to change Section 4(c) in the Memorandum of Agreement between Billy Brownlee, Town of Dorset and Bennington County Regional Commission to read:

4 (c) ~ in the event of damage to the monument or panel, the Municipality may use its discretion as to repair or replacement. Funds may be sought from a variety of sources including Municipality funds, SVB discretionary funds, private contributions from individuals or entities and contributions from non-profit organizations,

Motion carried 5-0.

J. Henderson will submit the changes to the Byway Committee Coordinator for review.

Public Hearing: Proposed Dorset Zoning Bylaw Amendments

C. Brooks opened the hearing at 7:35 p.m. asking for comments and the Zoning Administrator's perception on the changes. T. Yandow explained that most of the changes were primarily technical changes addressing definitions and clarifications. The PC reviewed the amendments carefully and agreed they helped to reduce any ambiguities. T. Yandow noted that a demolition permit with specific language was added as it is required in the ZBL, but was not spelled out. R. Menson remarked that there didn't seem to be significant changes, but if there were, the Town Plan would have to be taken into consideration. J. Menson said that it was her understanding that the push to approve the amendments had to do with the flood plans/FEMA. D. Pinsonault stated that the amendments did not address any big items due to time constraints, but helped to fill in the grey areas.

S. Pinsonault raised a concern about the demolition permit with regard to mobile homes, as most of the time they can be towed off a location without a demo permit, but one family in Town had an abandoned trailer which could not be towed and had to pay the fee. T. Yandow explained that the reason for everyone to pay for a demolition permit is to insure that the land records are kept up to date. Discussion ensued with C. Brooks noting that the hearing was not an appropriate time to discuss this issue.

The Public Hearing was closed at 7:45 p.m. S. Jones raised concerns about the addition of a definition for a Change of Use which includes any change of character of a business activity. He felt that the change of character of a business was subjective thinking and not clear enough. T. Yandow explained that all uses were already defined in the ZBL's and they just added character; changes to a building need a permit, but changing (for example) from an Italian to a Chinese restaurant does not, as it is still a restaurant. S. Jones questioned whether this would make it easier or harder to obtain permits. T. Yandow noted that they have not changed the existing intent of the ZBL, but have just clarified it.

S. Jones moved and M. Freed seconded to approve the Planning Commission Reporting Form for Municipal Bylaw Amendments dated July 19, 2012 as presented, but amended to exclude “*Add Definition: Change of Use*” and “*Add Section 3.11 (Demolition).*” Motion carried 5-0.

The two items are to be reevaluated by the PC.

Kelley Road Update (continued)

R. Gaiotti reported that he has met with R. McDonough and the Black Rock Lane residents regarding changes to Kelley Road and is awaiting receipt of formal paperwork. As soon as all paperwork is received, a Special Meeting will be called to review everything. R. McDonough felt that using trees instead of a berm was more aesthetic and there were no objections to using trees. R. McDonough noted that he would be placing a ditch along the Kelly Road side of the island so that no parking could occur; emphasized the need for parking enforcement and commented that he would be amenable to getting someone on a part-time basis to manage traffic. R. Gaiotti mentioned that extra patrols are usually scheduled at a certain time dovetailing the quarry and the horse show. R. McDonough asked for a quit claim for roadway and M. Connors responded that lawyers should be consulted for a quit claim as he wasn't sure this could be done.

Finance Report

R. Gaiotti reported the delinquent tax has gone down to \$170,000 and will soon be \$150,000. Some parcels are in the hands of the Town Attorney. Items discussed included: work on the Pinnacle Tower, fees for the park, animal control with one stray captured and adopted out, chloride funds left over, and a Town garage generator (price estimates forthcoming).

Manager's Report

The Town Crew is continuing to work on grading, roadside mowing, ditching, seeding and chloride application. As per an agreement with the water district, a new water line service has been installed to the Town garage. Work on the Peace Street Bridge and Lower Hollow Bridge is pending in the coming week; fabrication work is needed prior to the installation of new guard rails.

Meeting with Emerald Lake officials will take place on October 4th and R. Gaiotti attended a “Town Governance” workshop at the Dorset Library to answer questions. R. Gaiotti also attended a Neighborhood Watch meeting attended by Dorset residents and the Vermont State Police.

It was the consensus of the SB to sign the FY13 Municipal Planning Grant application for a growth study requested by the Planning Commission.

Approve Payroll and Accounts Payable for the Week of 9/25/12

It was the consensus of the SB to approve the Payroll and Accounts Payable for the week of 9/25/12 as presented.

Other Business

1. A workshop outline for Conducting Effective Meetings and Hearings was included in tonight's packet of information and the workshop will be held on October 2nd at 6:30 p.m. before the PC meeting.
2. Discussion on the type and purchase practices for grease used by the Town Crew.
3. The mower/tractor has been fixed and working well for three weeks.
4. Hazardous Waste Collection will be held October 6th at the Dorset School from 9:00 a.m. to 1:00 p.m. and Electronic Waste Collection will be held on October 13th at the Dorset School from 9:00 a.m. to 12:00 p.m.
5. Review of meeting dates: October 16th (S. Jones will not be able to attend), November 20th (M. Freed & C. Brooks will not be able to attend) and December 18th.

M. Connors moved and S. Jones seconded to adjourn the meeting at 8:35 p.m. Motion carried 5-0.

Respectfully submitted,

Nancy Aversano

Town of Dorset ~ Select Board

Date 9 / 25 / 12
 Regular Meeting X
 Special Meeting

(Please Print)

Name	Address	Representing	Testifying (Yes or No)
ROBERT MENSON	1131 ROUTE 30 - DORSET	SELF	
JOAN MENSON	"	"	
Gandy Pinsonault	1665 Rte 7	self	
Danny Pinsonault	" " "	self	
Richard McDonough	-	self	