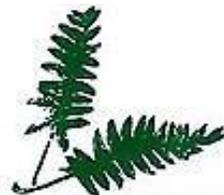


Town of Dorset, Vermont



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Regular Meeting of the Dorset Select Board May 23, 2107

Present: Henry Chandler (Chairman), Megan Thorn, Jack Stannard,
Tom Smith, Liz Ruffa, R. Gaiotti (Town Manager)

Absent:

Also, present: Alan Calfee (Conservation Commission), Kevin O'Toole
(Conservation Commission), Chip Ams (Conservation
Commission), Art Gilbert (Conservation Commission), Pam
Gilbert, Nancy Faesy, Clarissa Lennox, Ian Jensen, D. Green,
Ed Tanenhaus, Marilyn Kinney, Bernard Stupski, Roy Chen,
Ray Chen, Lee Romano (Conservation Commission), Malcolm
Cooper (Conservation Commission), Paul Greineder (On Point
Land Surveying), Joe McVicker, Caren McVicker, Ellen
Leeds, Roger Leeds, Jack Gilbert, Lindy Bowden, Marilyn
Hand, Jim Hand, Robert Menson, Joan Menson, Chip Watson

H. Chandler, Chairman, called the meeting to order at 7:00 p.m.

Approve Minutes of April 18, 2017

T. Smith moved and M. Thorn seconded to approve the April 18, 2017 minutes
as presented. Motion carried 4-0 (L. Ruffa abstained).

Public Comment

None

Owls Head Public Trail Discussion

H. Chandler explained that the Town purchased a large property now called Owls
Head Town Forest, in addition to the original Owls Head which was linked for
100 years plus by a trail that was frequently used. There is concern that there
currently is some obstruction to the trail. R. Gaiotti noted that his memo of May
23, 2017 outlines the process and timeline (attached).

K. O'Toole said that the Town purchased 255 acres and the problem was a sliver
of land which is in contention with an adjoiner. The Town hired Paul Greineder

of On Point Land Surveying to research the boundaries and this work has been completed. The adjoiner who has questioned the ownership of the sliver of land has not been forthcoming with proof of ownership. The Conservation Commission wants to declare, in accordance with 19 VSA 301(8) (B), a public trail connecting the trails for access to Owls Head Town Forest. The Conservation Board felt this would be the most expeditious and least expensive option. J. O’Dea, Town Counsel, explained that there is a specific section of the State statute which applies to this situation in laying out a trail (not a road) which allows the right to limit use of the trail and connect one trail to another. J. O’Dea felt there was considerable proof that the adjoiner does not own the land. R. Leeds asked if the trail can be used unimpeded as it stands now and R. Gaiotti responded yes, the existing trail is marked in blue and encourages use of the marked trail. M. Thorn polled the audience to see if people were in favor of the trails and the Owls Head Town Forest. The attendees expressed their overwhelming support of the trail and mentioned that the area has been hiked since 1928 to present. C. Ams mentioned that two generations of his family have used the trails and J. Gilbert said that four-five generations of his family have also used the trails. R. Gaiotti warned that once the process is started, it is time sensitive for the way it is carried out.

M. Thorn moved and J. Stannard seconded to start the process to create a trail on the property in question under State Statute 19 VSA 301(8) (B). Motion carried 5-0.

Update from Sheriff

Jesse Bravata, Sergeant, introduced himself and gave a brief description of his background and education. He is a full-time, certified police officer with the Bennington County Sheriff’s Department (BCSD). H. Chandler explained that the Town previously contracted with the Vermont State Police for coverage of 20 hours per week. Currently, with the Bennington County Sheriff’s Department, the Town has 40 hours per week coverage at a slightly higher cost, but the value and coverage of law enforcement is better with a stronger presence in Town. J. Bravata noted that he is usually in Town every day with alternating hours. T. Smith expressed his concern for speeding along the Route 7 area between the railroad tracks and Mad Tom Road – especially at the intersection where there have been many serious accidents. J. Bravata has patrolled the area and feels that the traffic has slowed somewhat along this route, but he will remain diligent. M. Cooper asked about other police departments and their interaction with the BCSD and J. Bravata replied that it’s a small community and they all work together well. The non-emergency number to reach J. Bravata is 802-442-4900. L. Romano suggested that J. Bravata keep in touch with J. Salsgiver and J. Miranda with regard to the Dorset Watch Committee.

Board Appointments

Malcolm Cooper and Alan Calfee have volunteered to be reappointed to the Conservation Commission for four (4) year terms. Both have been involved with this Board for at least ten year and H. Chandler expressed the SB's appreciation for their accomplishments and service, especially with the Cutler, Pinnacle and Owls Head Town Forest properties. J. Stannard moved and T. Smith seconded to appoint Malcolm Cooper and Alan Calfee to serve on the Conservation Commission for four (4) year terms expiring in 2021. Motion carried 5-0.

Fire District Agreement Update

The Financial and Administrative Services Agreement between the Town of Dorset and Dorset Fire District #1 will expire soon and a new agreement will need to be signed. Interest was expressed by the Fire District to expand on some of the duties to be handled by the Town for the Water Company. R. Gaiotti edited last year's agreement to include the agreed upon financial and administrative services to be provided in this draft copy. T. Smith asked that it be made clear in the agreement that this only includes water services. J. Stannard stated that it would be simpler if the Water Company was completely turned over to the Town and it was said that this was a Prudential Committee decision and needs to be done one step at a time. It was the consensus of the SB members to have R. Gaiotti present the document to the Dorset Fire District #1 Board for review.

M. Thorn moved and J. Stannard seconded to approve and sign the Fire Protection Agreement between the Town of Dorset and the East Dorset Fire District #1 and the Dorset Fire District #1 for a three year term.

Noise Ordinance Discussion (Continued)

M. Thorn explained that she has worked on revisions gathered from the last meetings' resident input for the noise ordinance to make sure that it doesn't impact anyone negatively. Some of the changes mentioned were:

- The word "vicinity" was removed
- A definition for "unreasonable" was added
- "General Prohibitions" paragraph was revised
- "Sound" devices was changed to "music" devices
- Vocal disturbances is moved to within the parties section
- Exemptions are made more specific
- Changed construction noise time frame
- Added church bells
- Fireworks have been added
- Firearms have been added as an exemption for hunting or sport shooting

M. Thorn asked everyone to review and email her comments so that the

document could be forwarded to the Town lawyer for review. T. Smith noted that the Vermont Summer Festival (horse show) should not be totally exempt from the noise ordinance as it could be sold in the future to someone who is not as responsive as the current owners. E. Tanenhaus felt that M. Thorn did a good job on the noise ordinance based on subjective standards instead of objective standards and he recommends that it does not go to Town vote. It was also suggested by E. Tanenhaus that the word “reasonable” be removed from the first page, second paragraph under General Prohibitions. M. Thorn said that the word reasonable helps to give credibility to the person complaining and R. Gaiotti noted that this would help guard against abuse of the document.

Mad Tom Road & Route 7 Update (Continued)

R. Gaiotti reported that the State has approved the radar sign for the North bound lane of Route 7 coming into the Village. The sign has been ordered. T. Smith expressed his concern that the process for slowing down the speeding on Route 7 is taking a long time. R. Gaiotti is to contact the State agency for an update and M. Thorn noted that the traffic has slowed down since having the Sheriff in place. T. Smith mentioned pine trees on Route 7 which need to be cut for visibility.

Finance Report

R. Gaiotti reported on:

- Delinquent taxes: \$352,919
- 88% through FY17
- Highway surplus will be smaller
- Town Clerk fees are below projections
- School facility fee paid
- Assessing budget line will be over budget due to personnel changes

T. Smith moved and M. Thorn seconded to approve the Finance Report as presented. Motion carried 5-0.

Manager's Report

R. Gaiotti explained the Tower Road/Pasture Lane project with regard to the new bridge. Also mentioned:

- Grand List abstract is completed
- Reappraisal and wait lists for companies to do the appraisals
- Dorset Fire District & DMPA (marble sidewalks) support
- Owls Head Town Forest management plan – trail access & planning
- Website updates
- Fireworks notice placed in Spring newsletter

H. Chandler asked about the salt shed and R. Gaiotti responded that they are working on finalizing the site plan with the engineer.

Approve Payroll and Accounts Payable for the Week of 5/23/2017

It was the consensus of the SB to approve the Payroll and Accounts Payable for the week of 5/23/2017 as presented.

Other Business

- 1. Office Lease** ~ M. Thorn moved and T. Smith seconded to approve R. Gaiotti signing a lease for twelve (12) months with K. Wallace for office space for Sgt. Bravata, BCSD, at 3057 Route 30 in the amount of \$650 per month. Motion carried 5-0.
- 2. Dog Complaints** ~ letters are to be sent to dog owners who have not re-registered their dogs this year. Also, a letter is to be sent to possible dog owners in Town. Enforcement with larger fines for not licensing dogs will begin after the letters have been received and response is not forthcoming. Complaints for running-at-large dogs need to be called in to the Animal Control Officer at the time of occurrence.
- 3. Curb Cut Permit** ~ M. Thorn moved and T. Smith seconded to approve a curb cut for an accessory building owed by the Ives' on Nichols Hill Road conditional upon the Road Foreman's approval. Motion carried 5-0.
- 4. Public Hearing & Inspection (OHPT)** ~ The SB members decided to have the Owls Head Public Trail physical inspection on July 1, 2017 at 4:00 p.m. and the Public Hearing for Owls Head Public Trail (OHPT) is to be held on July 5, 2017 at the Town office at 7:00 p.m.
- 5. Select Board Meeting** ~ The June Select Board meeting will be held on Thursday, June 29, 2017 at 7:00 p.m.

M. Thorn moved and T. Smith seconded to move to Executive Session to discuss legal matters and contracts at 9:30 p.m. Executive Session ended at 10:20 p.m. by motion of M. Thorn and second of J. Stannard. Motion carried 5-0.

M. Thorn moved and L. Ruffa seconded to approve contracting with an appraisal company to have an appraisal done for the Burn's property on Owls Head. Motion carried 3-1 (J. Stannard). T. Smith was not present for the vote.

M. Thorn moved and L. Ruffa seconded to adjourn the meeting at 10:30 p.m. Motion carried 4-0.

Respectfully submitted,
Nancy Aversano