

Town of Dorset, Vermont



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=====*Chartered 1761*=====

Regular Meeting of the Dorset Select Board December 20, 2016 ~ Minutes

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

Absent:

Also, present: Danny Pinsonault, Sandra Pinsonault (Town Clerk), Clarissa
Lennox, Austin Chinn, Linda Joy Sullivan, Ed Tanenhaus, Bo
Thorn, Rosalie Fox, Linda McGinnis

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

Approve Minutes of November 15, 2016

T. Smith moved and M. Thorn seconded to approve the November 15, 2016
minutes as presented. Motion carried 5-0.

Public Comment

- S. Pinsonault passed out petitions for the office of Select Board member to everyone except J. Stannard who is currently serving a three year term. There are two one year positions, one three year position and one year remaining on a three year position. Eighteen signatures are needed for these positions by January 19, 2017 to be eligible.
- C. Lennox stated that she believe it would be very difficult to have a complicated noise ordinance which cannot be enforced, therefore, there is no point in having an ordinance. She also noted that she thought a blinking, yellow light should be installed at the intersection of Route 7 and Mad Tom Road for safety.
- D. Janis informed the Board that the Dorset Theatre Festival organization is seeking a permanent, long term office lease in Dorset. The old firehouse located next to the Post Office was noticed and D. Janis is investigating a proposal to create an office space along with a visitor center in that building and partnering to fundraise, explore in-kind donations and seek grants in these efforts. The building is in poor shape and would need

renovation, if worthwhile. She has already spoken to the Prudential Committee who approved pursuing the concept of giving the building to the Town to explore the possibility of re-purposing the building. Discussion ensued regarding previous considerations of alleviating parking issues at the post office with use of this building space which did not work out as the owner of the post office real estate was not interested. R. Gaiotti noted that the Prudential Committee would not be able to lease out this building without losing their tax exempt status and the Stone Valley Byway study cited a lack of restrooms, biking info area, etc. which might be addressed with a dual purpose building. The PC has re-opened the discussion of parking and safety in this area and investigating any proposals jointly could help justify engineering a solution. T. Smith asked what the cost and timeframe would be for a feasibility study for the building and R. Gaiotti estimated \$1,500 to \$2,000 and noted that there were economic development funds available in the budget. Revitalization funding was also mentioned by L. Ruffa. R. Fox felt that this was a dangerous traffic area already without adding more traffic. She also thought this should be a PC discussion. L. McGinnis mentioned that the building was previously used as a Chamber of Commerce, but has no water or restroom facilities. D. Janis noted that the Prudential Committee suggested she talk to the Select Board and the thought was to use pellet heating and a composting toilet for the building.

T. Smith moved and L. Ruffa seconded to pursue a feasibility study for use of the old firehouse building located near the post office in Dorset using the economic development funds not to exceed \$2,500. Motion carried 5-0.

- D. Pinsonault reiterated his question from the last meeting to the Select Board regarding the number of complaints received and location. He noted that a lot of work has been done for a noise ordinance which seems to be for one “hot spot” and for one occasion. H. Chandler noted that dozens of complaints were sent in and D. Pinsonault requested copies of the complaints. C. Lennox felt that fireworks should be allowed and A. Chinn expressed that the noise ordinance should not have to address dogs, leaf blowers, mowers, etc. as it was about one spot in Dorset due to night events.

Noise/Special Events Ordinance Review (Continued)

T. Smith stated that it was important to have good legal advice on any ordinance before its adoption as advised by the VLCT. He agreed with A. Chinn that this was a single problem which puts the Town in the position of being a referee. T. Smith felt there were three options:

- neighbors and Barrows House cooperate giving another year trial before instituting an ordinance;
- look into a special events ordinance/permit if the cooperation trial does not work;
- establish a noise ordinance if special events permit does not work

M. Thorn explained that many Towns have noise ordinances (with similar language as being considered) and are legally upheld when necessary. She recommended that a copy of the noise ordinance be reviewed by J. O’Dea before any adoption of the document. M. Thorn felt that a special events permit was more restrictive. E. Tanenhaus commented that a special events permit is a predicate for a noise ordinance which spells out what is expected of the vendor. Discussion ensued regarding noise ordinance or special event permit with L. Ruffa and T. Smith in favor of special event permitting, and M. Thorn requesting more research on the special events permitting process. J. Stannard preferred the noise ordinance option and H. Chandler was not in favor of the special permit option. T. Smith wanted to have both options available, but wanted to wait another year before instituting one. It was noted that using a special events permit would have to include everyone such as the Horse Show, Dorset Field Club, etc. L. Ruffa said that having a letter of agreement outlining expectations of both sides on how to conduct business can serve as a special permit. R. Fox stated that a special events permit process would fail to capture loud private parties and places like the quarry. L. McGinnis felt that a noise ordinance is important to the economic viability of inns as guests do not want to hear lawn mowers at 7:00 a.m. C. Lennox asked how a noise ordinance would be enforced and H. Chandler noted that the Bennington Sheriffs are being hired for patrol. The Vermont State Police are also available. R. Gaiotti said that enforcement of noise is a civil matter – law enforcement is notified and a fine can be levied. S. Pinsonault cautioned that the Dorset Field Club mows very early in the morning as they have early tee times and a noise ordinance which includes moving would stop that. She also noted that there is a dog ordinance in Dorset which is not enforced. S. Pinsonault felt that it was sad that a neighborhood issue has become a town-wide issue requiring a noise ordinance for everyone. M. Thorn recommended sending the draft noise ordinance document to J. O’Dea for review and having R. Gaiotti do more research on the special events permit process.

Mad Tom & Route 7 Update (Continued)

R. Gaiotti reviewed his memo “Village Vehicular & Pedestrian Safety Update” dated December 20, 2016 (copy attached). Discussion included radar signs, rumble strips, increased policing and location for radar signs. It was the consensus of the Select Board members to purchase two (2) permanent radar signs ~ one sign to be purchased now and one sign to be included in next year’s budget to be installed on Route 7 in the vicinity of Mad Tom Road.

FY 2018 Budget Workshop

The Board reviewed the budget spreadsheet with R. Gaiotti noting that the Town will not be purchasing a new pickup truck as noted on the Capital Improvement Plan. Line items mentioned: Sheriff/law enforcement; highway equipment, Listers, voter appropriations, and payroll. There were no objections to the FY18 budget as presented. It was the consensus of the SB members to use D. Pinsonault's idea for the Town report dedication and to warn a Public Hearing for Monday, January 30, 2017 at 6:30 p.m.

Village Center Designation Resolution

R. Gaiotti explained that the Village Center Designation program is a tool to help redevelop village spaces by allowing exemptions for Act 250 hearings and nullifying the appeal process for certain projects. H. Chandler requested that this topic be tabled until after Town meeting.

Finance Report

R. Gaiotti reported on delinquent tax, storm events, salt shed engineering expense, Dorset and East Dorset Fire Department payments, and Lister's salary. An article will be drafted for the removal of Lister positions to be included on the warning. T. Smith moved and M. Thorn seconded to accept the Finance Report as presented. Motion carried 5-0.

Manager's Report

R. Gaiotti reported on: highway department, Dorset Theatre Festival (discussed previously), solar panel contract, salt shed meeting, Dorset Prudential secondary water source, and Manchester Rescue Squad. Discussion was had on the Dorset Fire Department (DFD) budget being approved prior to being included in the Town report or having a special meeting for approval. It was the consensus of the SB members to include the Dorset Fire Department #1 budget number in the Town budget for voter approval contingent upon it not exceeding the amount listed. The DFD will work on moving their annual meeting to sync with the Town budgeting process. T. Gaiotti mentioned Act 174 whereby renewable energy projects are exempt from Act 250 and the PC will be working on Town guidelines for project locations.

Approve Payroll and Accounts Payable for the Week of 12/20/16

It was the consensus of the SB to approve the Payroll and Accounts Payable for the week of 12/20/16 as presented.

Other Business

- National School Choice Week Resolution ~ It was the consensus of the SB members not to sign the resolution as it was not a Vermont resolution and school choice in other locations does not mean the same thing as in Vermont.
- J. Stannard handed out a 2011 Conflict of Interest policy which he wanted

the SB to sign. R. Gaiotti noted that there was no legal requirement to have this policy and J. O'Dea verbally advised against it. H. Chandler tabled the document until the next meeting.

- M. Thorn stated that she received an email from G. Squire of the PC asking that the Dorset Sign Ordinance be reviewed and revised in the near future. It was the consensus of the Board members to have M. Thorn review and revise the Sign Ordinance for approval by the Select Board in the coming months.

T. Smith moved and M. Thorn seconded to adjourn the meeting at 10:05 p.m. Motion carried 5-0.

Respectfully submitted,

Nancy Aversano