

Regular Meeting of the Dorset Select Board

May 17, 2016 ~ Minutes

Present: Henry Chandler (Chairman), Megan Thorn, Jack Stannard, Tom Smith, R. Gaiotti (Town Manager)
Absent: Liz Ruffa
Also, present: Robert S. Menson, Joan Menson, Kevin M. O'Toole, Chip Ams, Ed Tanenhaus, Marilyn Kinney, Danny Pinsonault, Sandy Pinsonault, Linda Sullivan, Allan Sullivan, Ben Weiss (Dorset Fire District #1), Roger Squire, Rosalie Fox

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

Approve Minutes of April 12, 2016

M. Thorn moved and J. Stannard seconded to approve the April 12, 2016 minutes as presented. Motion carried 4-0.

M. Thorn moved and J. Stannard seconded to approve the May 5, 2016 minutes as presented. Motion carried 4-0.

Public Comment

None

Board Interviews: Conservation Commission & ZBA

Two Conservation Commission seats expire May 31, 2016 and K. O'Toole and C. Ams have volunteered to continue as Board members on the Commission. H. Chandler asked if the positions were advertised and posted and R. Gaiotti responded yes, but no one submitted an application.

Chip Ams responded, in answer H. Chandler's question, that he has been on the Commission for three years and has worked on the Pinnacle, Cutler and Owls Head properties which are great assets to the Town. He felt the Commission was a great group of people and worked well together.

K. O'Toole stated that he has been with the Commission for fifteen years and started volunteering at the time of the negotiations for the donated Cutler property. He noted that there is an annual Thanksgiving clean-up party for the Pinnacle property and that the Owls Head property was significant to him as he met his wife hiking there. H. Chandler mentioned that K. O'Toole has been a long-time steward of the trails.

J. Stannard moved and M. Thorn seconded to appoint Kevin O'Toole and Chip Ams to the Conservation Commission for four year terms ending in 2020. Motion carried 4-0.

H. Chandler conveyed that there was an open position on the Zoning Board of Adjustment and Ed Tanenhaus has applied for the position. He confirmed with R. Gaiotti that the position was advertised and posted with no other applicants stepping forward. K. O'Toole informed the SB that the ZBA members had interviewed and recommended that E. Tanenhaus' name be forwarded to the SB for appointment. E. Tanenhaus informed the Board that he moved to Dorset five years ago after an extensive career as an attorney and mediator in New York. He has volunteered at other organizations in Vermont along with being a substitute teacher at BBA and felt it was time to "work" for Dorset. J. Stannard asked if he had an prior knowledge of Dorset before he moved here and E. Tanenhaus responded that he and his wife focused on Dartmouth, New Hampshire and Dorset when looking to relocate and spent a great deal of time in the areas. J. Stannard asked what he felt were the shortcomings of Dorset and E. Tanenhaus said that there are very few shortcomings and not a lot of negative feedback.

T. Smith moved and J. Stannard seconded to appoint Ed Tanenhaus to the Zoning Board of Adjustment for a term of three years to expire in 2019. Motion carried 4-0.

Public Comment (continued)

R. Squire stated that he would like the SB members to consider taking over control/management of the Dorset Quarry as a permanent solution as it is a place of beauty and an artifact of the Town. It is one of the major assets of Dorset and is currently privately owned by the McDonough's who have tried to deal with all the issues associated with it. If they decide to stop being owners of the Quarry, the area could become run-down and abandoned. R. Squire thought it made sense for the Town to take over the Quarry and potentially charge an entry/admission fee to support the maintenance. K. O'Toole mentioned that he had advised the McDonough's that once people are charged entry/admission fees, then the umbrella of no liability stops and he thought the Town should be aware of this. R. Squire thought there could be other ways to handle the Quarry management. H. Chandler asked if R. Squire was representing the McDonough's and R. Squire replied no, they did not know he was present tonight, but they are aware of his opinions on the matter. The McDonough's have talked to the State about managing the Quarry, but they want to see an infrastructure in place before consideration of a take-over. J. Stannard brought up the issue of water quality and health safety. R. Squire expressed that he believed the water was tested years ago and the quality was okay. R. Fox commented that P. Webster had a water sample tested which came back as unfit for human consumption, but okay for swimming. She thought that all the detrimental items should be out in the open to discuss. R. Squire said he understood all the arguments against the Town managing the Quarry, but eventually someone other than the McDonough's will have to take control and it would be wise to have some forethought and planning. H. Chandler informed everyone that the Board would take it under consideration.

B. Weiss noted that the Clerk/Treasurer of the Dorset Fire District #1 has resigned and they have to hire a new person or contract with the Town for services. The Department has been without a Clerk/Treasurer for almost a month and some of the duties of this position include fire/water billing, water repair billing, accounts payable and answering the phone for tax questions. R. Gaiotti noted that the Department could save money contracting with the Town and many people

call the Town office for information anyway. S. Pinsonault expressed that this would be a positive for everyone as the Town receives daily calls from attorneys who are trying to do closings which can be jeopardized if they do not get answers about taxes paid or owed. The Town office sometimes receives Fire Department tax monies as they are mailed in the same envelopes as the Town taxes. If the Department hires someone for the job, then they should be available for office hours to answer questions. S. Pinsonault is in favor of having the Fire Department contract with the Town for services. T. Smith asked R. Gaiotti if the Fire/Water District has reviewed a proposal yet and R. Gaiotti responded no, as he wanted the SB to see it first. J. Stannard commented that the Town should take over the Water District and H. Chandler said they need to take one step at a time. R. Gaiotti noted that it was frustrating when people called for Fire/Water tax information as you can only give out a phone number which goes to voice mail. T. Smith asked if the Board had enough information to take a position or should they take time to review the proposal. R. Gaiotti noted that the proposal covers costs outlined in the document and the Fire/Water District Board would have to review and approve of it. H. Chandler stated that the SB should wait to take action until the Fire/Water Board members work out a definitive proposal for approval with the Town. M. Thorn asked if there was enough time in the Town schedule to fit in the work for the Fire/Water District. R. Gaiotti mentioned increasing the number of hours for the Administrative Assistant and there are different levels of time scheduling which will depend upon issuing three separate bills or not. H. Chandler asked B. Weiss if they had the authority to enter into a contract with the Town and B. Weiss responded yes, they had already modified their bylaws to do so.

T. Smith moved and M. Thorn seconded to have B. Weiss present the May 11, 2016 Bookkeeping Services Contract (DRAFT) Outline to the Dorset Fire District #1 Board for their consideration. Motion carried 3-1 (J. Stannard abstained)

B. Weiss asked if the contract services were accepted by the Dorset Fire District #1, could they start right away and H. Chandler replied that a contract would have to be signed between the Select Board and the Dorset Fire District #1 before services could start. Discussion ensued regarding the length of time it would take to start services and H. Chandler noted that the SB members could hold a special meeting if necessary instead of waiting a month. S. Pinsonault encouraged moving forward as fast as possible due to the necessity of answering tax questions for real estate transactions.

Review Board Appointments

R. Gaiotti explained that there were vacancies on the Design Review Board (Alternate member) and the Zoning Board of Adjustment. H. Chandler requested that the positions continue to be advertised and posted.

Review Contract Services

H. Chandler noted that the question about reviewing contracted services is if there is any objection to the current relationships such as the annual audit (Mudgett, Jennett & Krough-Wisner PC), town attorney (Joe O'Dea, Esq.), engineering (Scott Stewart), highway (sealed bid process/price shop) and computer systems/software (NEMRC – Proval – Cotts). J. Stannard

stated that some of the services have been done by the same people for many years and the Town should go through the formality of advertising and requesting bids. T. Smith asked the approximate dollar amounts because he felt if they were under \$10,000, he would not be in favor of bid process. R. Gaiotti stated that the audit costs approximately \$11,000 and is put out to bid every three years. There is no knowledge ahead of time with regard to the amount of time an attorney is needed and the Town has a thirty year history with Joe O'Dea. M. Thorn noted that it would be difficult for a lawyer to bid and it is not always the lowest price that counts, but a lawyer's experience and field of expertise. R. Gaiotti said that there were usually only the same four companies that bid for audit services. T. Smith felt that, out of this list of services, only two ~ highway and audit ~ made sense for the bidding process. E. Tanenhaus expressed that there are different ways for an attorney to bill services such as flat or hourly rates and also felt that the Town could do interviews for the position. R. Gaiotti noted that everything is price shopped and all options are looked at. H. Chandler stated that it could be challenging to change legal services because of current on-going legal actions. S. Pinsonault commented that there are many times that J. O'Dea is called and the Town is not charged and that there is an extreme amount of institutional knowledge because Joe O'Dea's father and brother also worked with the Town of Dorset. J. Stannard asked if the Town remained with J. O'Dea, could they hire an attorney with a particular area of expertise if something came up in Town in order to keep the people happy. R. Gaiotti stated that J. O'Dea defends the Town Boards and recent decisions that he had to defend were unpopular with the people and that is probably why they were unhappy. R. Gaiotti mentioned that J. O'Dea's rates are less expensive than most attorneys. T. Smith thought that it was not a good time to change "horses" when in the middle of legal proceedings. J. Stannard moved that the position for Town Attorney be put out to bid next year. There being no second, the motion did not carry. R. Gaiotti noted that the Town did not have a written agreement with J. O'Dea and H. Chandler commented that it is not about the money, but the quality. R. Fox stated that she had raised this issue last month, but wanted it on the record that it was not for political or personal reasons. She remarked that it was nice to have the history and experience with the Town, but a lot has changed over the years and the Town should look for current experience. R. Fox suggested that the SB members evaluate the position for quality and experience and bring in other attorneys for their specialties.

VTrans Bike/Pedestrian Planning Application

R. Gaiotti explained that he would like to update the previously submitted bike/pedestrian planning application in order to submit it again. H. Chandler asked who would be the consultant. R. Gaiotti answered that the BCRC would most likely be the consultant. M. Thorn asked how this parallels with the marble sidewalks and R. Gaiotti replied that the Town has already committed funds to the sidewalks and R. Squire spearheaded the fundraising. They will work out details with the Dorset Marble Preservation Association if there are any needed improvements such as extending sidewalks for walkability. This Vtrans application would be to study the feasibility and see if people are in favor of it. T. Smith moved and J. Stannard seconded to authorize R. Gaiotti to update and submit the VTrans Bicycle and Pedestrian Program Application as outlined in 2015 application. Motion carried 4-0.

Finance Report

R. Gaiotti reviewed the finance report mentioning the administrative position, lower fuel prices, payments to the Dorset School, State education payment, and Town Clerk fees tracking below expectations. M. Thorn moved and J. Stannard seconded to accept the Finance Report dated May 12, 2016 as presented. Motion carried 4-0.

Manager's Report

R. Gaiotti reported on:

- Grant received to replace deck on a wooden bridge located on Lower Hollow Road
- Working with J. McGinnis, Dorset Water District Operator, on a grant application to the asset management program
- Worked on a baseline contract proposal for the Dorset Fire District #1
- The Dorset Fire District #1 approved an article allowing for an interlocal contract to combine fire taxes. Suggestion to have a joint meeting between the Select Board, Dorset Fire District #1 Board and the East Dorset Fire District #1 Board. T. Smith asked if the tax equalization could be accomplished in time for the next 2016-17 tax bill and R. Gaiotti responded that each Board has the ability to sign a contract, but it might be difficult to accomplish for the next tax bill unless everything was signed very soon. H. Chandler felt that the initiative to move forward should come from the Fire Districts. H. Chandler and R. Gaiotti will contact both Fire District Boards. A. Sullivan expressed that many good ideas were given for the Fire Districts' consolidation, but was concerned about transparency and the need for open discussions. H. Chandler noted that this is a very new Prudential Committee in Dorset who has to "get their feet on the ground" to proceed step by step for their comfort level. They are an independent entity who can do what they want. M. Thorn commented that the SB can help to facilitate and move the process along, but the initiative has to come from the Prudential Committees. J. Stannard stated that he has a lot of history with the Dorset Prudential Committee and feels that they would be better off if the Town took over the complete control of the departments. T. Smith commented that it might make sense to completely take over the departments, but equalizing the tax and taking over the administrative tasks was a significant step forward and the other issues could be figured out after the next Town meeting. J. Stannard stated that the SB members should not be surprised by the loss of firemen and that the Dorset fire/water departments were not "dropped" on them. M. Thorn remarked that H. Chandler and R. Gaiotti would approach the Dorset Prudential Committee to talk about the interlocal/tax equalization issues leaving open the possibility for future discussions.
- J. Stannard felt it would be a good idea to read and study five years of minutes in order to get knowledge of what has been done in prior years.
- There will be a presentation at the Dorset Playhouse by Planning Consultant, Julie Campoli, on June 8th from 6:00 to 8:00 p.m.
- Riley Rink has approached the Town to help underwrite public skating costs for Dorset residents in a similar fashion as is done with Emerald Lake. T. Smith expressed concern with the handling of the recreation fund with regard to the Manchester Park & Rec. R. Gaiotti explained that the SB had asked Manchester for a breakdown of the contract numbers which was not received and the Board decided to offer \$45,000 for the MPR

contract with Manchester which was not accepted. Discussion ensued regarding recreation covering outside organizations/entities who pay to use the MPR facility, exploring to what degree Dorset would want to fund recreation without spending unnecessary money, Dorset residents supporting the MPR and being cognizant of the need to support local organizations.

- R. Gaiotti had a meeting with J. O'Keefe and Chief M. Hall regarding police options and they will prepare a more detailed proposal regarding scheduling and costs to be presented.
- United States Forestry Service (USFS) meeting regarding the possible reconstruction of the fire tower on the south peak of Dorset Mountain.
- J. Stannard asked if it was possible to take water samples this summer from the Quarry for testing to see if there were any health issues. H. Chandler noted that this was currently private property. R. Gaiotti noted that the Quarry is busy from July to September and Mr. McDonough has talked to the State about taking the Quarry over, but there are certain specifications the State would require before considering this. H. Chandler remarked that it would be wonderful to find a way for the quarry to continue to manage itself without being a burden to the McDonough's and the Town. Discussion continued regarding liabilities, setting up a non-profit entity, offering amenities or not, fundraising and the uniqueness of the property. H. Chandler suggested writing a SB statement which expresses the SB members' concern and openness to listen, but urges the exploration by others to study and create proposals with regard to the quarry. M. Thorn urged that the SB move forward slowly. H. Chandler asked if any of the Board members objected to having the State take over the quarry and all answered no. R. Gaiotti noted that the State will consider taking over properties that are already managed and/or run well with specific items in place. H. Chandler felt that the landowner needed to investigate his options further.

Approve Payroll & Accounts payable for Week of 5/17/16

It was the consensus of the Select Board members to approve the payroll and accounts payable for the week of 5/17/16.

Other Business

- T. Smith moved and J. Stannard seconded to authorize the Select Board Chairman, Henry Chandler, to sign the letter for the Vermont Land Trust and Vermont Housing Authority for the conservation easement for the Gettysburg Quarry purchase. Motion carried 4-0.

J. Stannard moved and T. Smith seconded to adjourn the meeting at 9:50 p.m. Motion carried 4-0.

Respectfully submitted,

Nancy Aversano

Town of Dorset ~ Select Board

Date 5/17/16
 Regular Meeting
 Special Meeting

(Please Print)

Name	Address	Representing	Testifying (Yes or No)
ROBERT S. MENSON	1131 ROUTE 30	SELF	NO
JOAN MENSON	"	"	—
Kevin McToole	PO Box 766 Dorset VT 0529	self	YES
Chip Ams	PO Box 441 Dorset	self	Y
Ed Vuilliam	P.O. Box 216 Dorset	Self	YES
MARKUS KUNDT	312 LARK RUN E. DORSET	SELF	NO
Danny Pirschault	Rt 7 East Dorset	self	NO
Sandy Pirschault	1465 Rte 7	self / town clerk	??
Linda Sullivan	932 McNamee	Self	NO
Allan Sullivan	932 McNamee Road	Self	NO
BEN WEISS	312 SPRUCE LN Dorset	DORSET FIRE DIST ^{#1}	Y
ROGER SQUIRE	3395 Dorset West Rd	self	Y
Rosalie Fox	PO Box 1011	Self	N