

Regular Meeting of the Dorset Select Board

July 19, 2016 ~ Minutes

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

Absent:

Also, present: Sandra Pinsonault (Town Clerk), Danny Pinsonault, Adam Danaher, Michael Keen, D. Green, Ed Tanenhaus, Ruth Tanenhaus, C. Lennox, Bo Thorn, Joan Menson, Robert Menson, Lindy Bowden, Kit Wallace, Jim Miranda, Pam Marron, Richard & Jackie Pistell, Rosalie Fox, Austin Chinn, Linda Sullivan, Gillian Chinn, Brian Beavin, Bruce Waite, Janet Waite, Kandace Beavin,

M. Thorn, Vice-Chairperson, called the meeting to order at 7:02 p.m. noting that H. Chandler would be a little late.

Approve Minutes of June 14, 2016 & June 22, 2016

J. Stannard moved and Liz Ruffa seconded to approve the June 14, 2016 minutes as presented. Motion carried 4-0.

T. Smith moved and L. Ruffa seconded to approve the June 22, 2016 minutes as presented. Motion carried 3-0 (M. Thorn abstained).

Public Comment

M. Keen informed the Board members that he had submitted a petition to the State to raise the speed limit on Route 7 from 55 to 65 mph between Bennington and Dorset. C. Cole of the Vermont Agency of Transportation requested that M. Keen involve the municipalities along the route and ask them to contact the State with their support for a speed study. T. Smith asked what the other Town's responses were and M. Keen responded that he had not gotten any committals yet. T. Smith noted that he would like to hear the Vermont State Police's opinion on raising the speed limit and know what the number of head-on collisions were. D. Pinsonault commented that Route 7 can be dangerous in the winter due to the elevation and that the speed limit is supposed to go down to 40 mph in East Dorset by the railroad tracks where people lose control going too fast. M. Keen asked the SB members to think about the State doing a speed study.

J. Miranda, School Board member, wanted to remind everyone that with Act 46, it is likely that a discussion with residents about district merger consolidations will happen in the fall. The school website or the BRSU website will have information on Act 46.

J. Waite asked about bringing gravel to Owls Head road and the use of the Road Crew. R. Gaiotti responded that the Road Crew works a flexible schedule in order to work on the roads and that the gravel is from Manchester at no cost to the taxpayers. The work on the road was to

enable access to Town property. B. Waite also expressed disappointment that the Town loader was not put out to bid.

B. Beavin noted that he had sent an email to the SB outlining his concerns regarding the use of the quarry. The use of the quarry has outpaced the facilities there and the people can be out of control which places his family safety at risk. C. Beavin stated that when she called the Vermont State Police, she was told to confront the people causing the issues. She felt her families' lives are being negatively affected. J. Waite remarked that underage drinking was a problem there. C. Lennox proposed that the quarry be closed. H. Chandler stated that the SB had no authority over the quarry as it is private property. B. Beavin asked about a previous discussion of the SB regarding taking over the quarry and wanted to know why he was not notified. R. Gaiotti noted that the discussion was prompted by the audience and H. Chandler stated that the SB has not really considered this option yet.

Design Review Board Interview

J. Stannard moved and M. Thorn seconded to appoint Ruth Tanenhaus as an alternate member to the Design Review Board. Motion carried 5-0.

Dorset Quarry Update

Discussion included:

- Best way to manage property & who should do it as it is currently a private property
- Steering committee of volunteers working on management options and strategies
- Placing a police presence there on weekends
- Property has become a burden to the owner who has invested significant amounts of his personal money to alleviate problems
- Widespread media coverage of the quarry increasing attendance
- Unacceptable behavior ~ drinking, drugs, disrespect of owner & neighbors
- Getting input from the River Conservancy for management
- Inability to extend Vermont State Police contract above 80 hours per month, but can hire the Bennington Sheriff's officers for the weekends.
- Question about whether the quarry is a benefit to the town versus a liability
- The Town is not taking over the quarry to manage, but the owner asked the State and Town for assistance/suggestions
- Possibility to start charging admission to the quarry to cut down on the number of people allowed access
- Short term solution is to authorize a specific amount of money for hiring a Sheriff

M. Thorn moved and T. Smith seconded to authorize R. Gaiotti, Town Manager, to spend up to \$5,000 on police presence for the next seven weekends to actively patrol the Dorset Quarry leaving the patrol times up to the Town Manager's discretion. Motion carried 5-0.

T. Smith asked that B. Waite and B. Beavin give R. Gaiotti an update on the impact of having the Sheriff at the quarry.

R. Pistell expressed concern that a similar situation as the quarry may happen at the new trail for Owls Head Forest. H. Chandler noted that they will monitor that situation.

Noise Ordinance

R. Gaiotti presented an outline of noise ordinance research and sample noise ordinances. J. Stannard suggested a public hearing to receive input from residents and E. Tanenhaus agreed. E. Tannenhaus suggested that the motion for police presence at the quarry be amended to include patrol time in Dorset Village during special events on the weekends. H. Chandler noted that the Board was not passing a noise ordinance tonight. S. Pinsonault stated that she was not in favor of a noise ordinance as there are only noise complaints from a certain area and the noise ordinance would affect the whole Town. H. Chandler noted that the Board would have to be sensitive to the fact that the complaints are for one offender and an ordinance should not pass for whole Town. L. Bowden commented that you have to have a written document to consider before having a public hearing.

Discussion ensued:

- Being productive if having a public hearing – not just to hear complaints (M. Thorn)
- A noise ordinance is being directed at one location, but would drastically affect the other businesses in Town (D. Pinsonault)
- A noise ordinance has to do with unreasonable noise, type, frequency, etc. and not decibel levels (E. Tanenhaus)
- The core of both issues ~ the quarry and the Barrows House ~ is increased intensity of use which created issues. Advocate balance for a successful business and quality of life for neighbors. (K. Wallace)

H. Chandler stated that members of the Select Board and R. Gaiotti would work on creating a document to be reviewed at the next meeting. T. Smith wanted an outline of the options and M. Thorn suggested an outline of particular kinds of noise and remedies.

Public Hearing: Road Naming

The Public Hearing was opened at 8:50 p.m. M. Thorn moved and J. Stannard seconded to name the access road to Owls Head Forest off of Black Road Lane “Ken’s Camp Road.” Motion carried 5-0. The hearing was closed at 8:55 p.m.

Finance Report

R. Gaiotti noted that the Town finances were at the end of FY16 and beginning of FY17. The audit for FY16 began on June 20th and 21st and will recommence on August 1st. Items noted were Administrative Assistant salary, LWCF grant requisition, possible surplus, and upcoming expenses for paving of Lower Hollow Road and wheel loader purchase. T. Smith moved and L. Ruffa seconded to approve the July 19, 2016 finance report as presented. Motion carried 5-0.

Manager’s Report

R. Gaiotti reviewed his July 19th Manager’s report noting that construction of the Owls Head Trailhead area was at no cost to the Town except for staff time which was done for Emerald Lake and Kelly Road too. Also mentioned: salt shed planning, Tower Road culvert, July 14th

VYCC presentation, VYCC trail work coordination, meeting with Black Rock Lane residents, Town update presentation by R. Gaiotti for the DCRG, and ISO rating upgrade for East Dorset due to Chief Towsley's diligence.

H. Chandler asked R. Gaiotti to draft a thank you letter to Chief Towsley for his efforts to be signed by the Select Board Chairman.

Other Business

M. Thorn moved and T. Smith seconded to recess as the Select Board at 9:11 p.m. and convene as the Liquor Board. Motion carried 5-0.

J. Stannard moved and M. Thorn seconded to approve signing the liquor license for Dorset Rising Bakery and Deli as presented.

M. Thorn moved and T. Smith seconded to adjourn as the Liquor Board at 9:16 p.m. and re-convene as the Select Board. Motion carried 5-0.

- A sample tax rate certificate is included for review and tax bills will be sent out after the August 9th vote on the fire tax consolidation.
- Review of draft press release for the Planning Commission to help engage residents in planning process. M. Thorn moved and J. Stannard seconded to approve the Planning Commission press release as drafted to solicit input for planning projects. Motion carried 5-0.
- Dog Update: after discussion of options, it was decided to follow due process by consulting J. O'Dea regarding animal control statutes and send certified letters to the dog owner and the victim. The Board will have a special meeting on Thursday at 6:00 p.m. to finalize the dog issue.
- The Board of Civil Authority will meet on August 18, 2016 at 7:00 p.m. at the Town office. S. Pinsonault reminded the Board members that they will be need to be available for August 9, 2016 to help at the polls.

Approve Payroll and Accounts Payable for the Week of July 19, 2016

M. Thorn moved and T. Smith seconded to approve the Payroll and Accounts Payable for the week of July 19, 2016 as presented. Motion carried 5-0.

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

Respectfully submitted,

Nancy Aversano

Town of Dorset ~ Select Board

Date 7/19/16

Regular Meeting X

Special Meeting

(Please Print)

| Name | Address | Representing | Testifying (Yes or No) |
|-----------------------|----------------------|---|------------------------|
| Sandra Pinsmault | 1665 VT RT 7 | Town Clerk | yes |
| Denny Pinsmault | 1665 VT RT 7 | me | ? |
| Adam Panaber | 91 Snow Rd. | me | No |
| Michael Keen | 2844 Rt. 30 | self | Yes |
| D. GREEN | POB 881 | I | ? |
| Ed Tanenhaus | P.O. Box 816 | Self | " |
| Ruth Tanenhaus | Po Box 816 | self | Yes |
| G. Krumoy | Po box 995 | " | ? |
| Jo Thom | 592 Dorset West | " | No |
| JOAN MENSON | 1131 RT 30 | " | ? |
| ROBERT MENSON | 1131 RT 30 | " | No |
| Lindy Bowden | 3092 Rt. 30 | " | No |
| Kit Wallace | 2173 Upper Hollow | " | No |
| Jim MIRENDA | 1254 MOUNTAIN | SELF | No |
| DAM MANNON | 75 Blackrock Lane | self | |
| Richard Justice Pitel | 780 Black Rock Lane | self | No |
| Rosalie Fox | P.O. Box 1011 | Self | No |
| Austin Chin | 104 Kirby Hollow Rd. | self | No |
| Linda Sullivan | 932 McNamee Rd | Self | ? |
| GILSON CHINN | 104 Kirby Hollow | " | No |
| Brian Beavin | 28 Blackrock Ln | self | Yes |
| BRUCE WAITE | 88 SNOW RD | NEIGHBOR OF QUARRY ANTI TRAIL ACCESS | Yes |
| Janet Waite | 88 Snow Road | " " | Yes |
| Kandace Beavin | 28 Black Rock | Self | yes |