

**Dover Select Board
Regular Meeting Minutes
Dover Town Office
Tuesday, April 24, 2018**

THESE MINUTES ARE NOT OFFICIAL UNTIL THEY HAVE BEEN APPROVED BY THE DOVER SELECT BOARD

Select Board Members Present: Josh Cohen, Victoria Capitani, Sarah Shippee, Dan Baliotti, Joe Mahon
Also Present: Office Manager, Jeannette Eckert

Public: Lauren Harkawik, Sandy MacDougall, Paul Fisher, Thad Quimby, Randy Johnson, Bob Holland, Jim & Judy McDevitt, Jim Dassatti, Adam Levine, Chris Mays, Tim Dolan, Willa Cohen, Steve Neratko, Jim Desrochers, Katelyn Milliken, Wayne Estey, Marco Tallini, Michael Garber, Nicole Fernet, Rich Werner, David Smith

Regular Meeting Called to Order at 5:30pm by Chair Josh Cohen

I. Public Comments: hearing none, the Board moved on to item II.

II. Police: Randy Johnson

A. Recap of Minus Zero Festival

- Event went better than anticipated
- Roads were not great on Friday night
- Had planned on having State Troopers available but that did not happen
- Tim & Mt Snow did a fabulous job on the event
- Winhall Officers commented on how different it went here compared to Stratton
- A couple of medical situations; but no overdoses
- Would support it coming back to Dover again
- Security expenses—worked out as expected
- Dover staff was exhausted by Sunday—very long weekend; a lot of hours

Tim Dolan thanked the Police, Fire, DLC and DVRescue services; there were only a limited number of people that needed to be treated

- Over all a great event; thankful for the support from the Town
- Attendance around 15,000 people over the three days; still compiling the exact numbers
- Trying to get economic feedback from restaurants and lodge owners
 - Everyone was well behaved; positive feedback; most of valley was sold out
- Reservations: 1500 room nights through Mt Snow bookings alone; large impact on the lodging side
- Collected 1% sales taxes on the tickets sold for the event? —Minus Zero's contract states that they need to pay those appropriate taxes—made sure they were aware

Bob Holland—due to snowstorm called out again after 19 hours of being on the road; dangerous people, jumping out in front of the plow trucks; most had not ever seen snow; cars off the road; ended up going back out for a total of 30 hours straight; used 3 times more material to keep the roads safe. State trucks weren't out. Mt Snow should have helped out on their portion of the roads

Victoria Capitani: Would like to see how much that expense cost us...officer and highway safety issues—not right to have either work that many hours; terrible timing on that storm

Jim Desrochers: Late season—State funds were gone; Emergency mgmt. needs for next time; successful, busy weekend; kudos to Mt Snow; hopefully we get people to come back

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Dan Baliotti—Best weekend of the year at the Coffee Barn; visited the event on Sunday—impressed with the tie dye booths

Thad Quimby: Thanks to Moover; most people were new to the area; they appreciated being welcomed; thanks to all involved

- Letters from residents Carol Lucas; Stephanie Greene & Marshall Brooks:
 - Complaints mostly about excessive noise and the late hours
 - Request the Board to consider policy regarding public concerts and/or special permitting to reduce noise levels and a curfew of 10pm
- Email from business owners Tim & Becky Clark
 - Praised the event; pleased with the extra business and benefit to the community; festival goers were courteous, polite & respectful

Jim Desrochers: There are devices that can be placed on windows to defer the noise; this type of event and many like them are what we should be striving for

III. Highway: Bob Holland

A. Truck Bids for pickup truck

- One bid rec'd from Stewart Ford for F250 pick-up truck although attempts were made from 4 dealers
- Only issue – substitute a different plow that is preferred
- \$17,250 for trade in on 2012 pick-up
- Total cost with trade in: \$24,500 + \$6,000 for plow = \$30,500

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved the purchase of an F250 pick-up truck from Stewart Ford for \$30,500

IV. Unfinished Business:

A. Options for Special Town Meeting on Medical Marijuana (Andy McLean)

- Basically, the process for adopting an ordinance is the Select board's business
- Not a Town Meeting topic or Town vote to adopt an ordinance
- Spoke to VLCT—special ballot would be inappropriate, not recommended; vote would not be binding or valid and confuses the issue
- Alternatives:
 - Advertise & hold a Special SB meeting/hearing; folks show up and have a voice vote or survey; ballot with yes or no question; depending on what you want to know, may want more options on survey
 - Make survey available in the Town Office where voters can be checked off the voter list; placed in ballot box—anonymous
 - Send out a postcard to every voter with a return post card; Minuteman Press can do this for \$760.00—1200 voters

Randy Johnson did send out a request for feedback from other chiefs on ordinances

- Rockingham: disallows marijuana all together in an Ordinance in accordance with State statute
- Newport: disallows all together through its Zoning bylaw in accordance with State statute
- VLCT ordinance—looking into one specific for all Vermont towns

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- Ordinance regulations: If a voter petition is received within 44 days of the adoption of an ordinance, the Select board must warn a special or annual meeting to determine whether voters will disapprove of the ordinance. If the annual town meeting does not fall within 60 days of the rec'd petition, a special meeting must be called. Petition must be signed by 5% of the registered voters (60 signatures in Dover). If a petition is not rec'd, the ordinance becomes effective 60 days after the adoption date.
- Can either ban outright or put restrictions in the ordinance—municipalities can adopt as they want and determine how to regulate even though Vermont passes legislation
- Will scan and send the ordinance examples to the Board for review

Wayne Estey: Vermont statute is pretty clear, not within 1000 feet of schools, churches, public buildings etc. Ordinance can default to statute which is fairly restrictive, how its operated, security measures. It is the wave of the future, we are not the most economically developed area; automatic knee jerk reaction to something that is not that controversial

Josh Cohen: The debate is how to make sure we are representing the townspeople

Adam Levine: It is well overdue to get a survey out to include what to do with 1% money, town forest, and other questions of interest

Vicki Capitani disagrees. This particular survey should only address medical marijuana

Adam Levine: Appreciate that but you are neglecting the 75% of homeowners who are funding this Town; Consider what second home owner taxpayers say also

Andy McLean: Can have surveys available at Town Office; one for voters and one for property owners

Hold a public information meeting on this topic alone; have surveys available then and for a few weeks after the meeting

It comes down to the voters; it is nice to know what second homeowners think; but it comes down to the Dover voters to decide; wise to consider others but not always the deciding factor; Select board is elected by the voters

Sarah Shippee: Believe we should have a stand-alone survey about marijuana sales in Dover; we could have surveys on two different colors of paper

Adam Levine: It doesn't seem right to neglect the second home owner/taxpayer; It's April, we won't see 90% of them until November

Sending postcards out to all taxpayers? There are over 3000 taxable parcels as opposed to 1200 registered voters

Victoria Capitani: I strongly feel it is the voters that need to make the decision; it's nice to know what others think but ultimately it is the voters

Adam Levine: Strongly feel the opposite; to leave out their say just because we vote and the Select board makes the decisions; it does not seem right to neglect the majority of those who pay for this town

Joe Mahon: Agree, that is a true statement

Andy McLean: Although the second home owner's opinion is incredibly valuable, but it may affect us differently than the average taxpayer; Voters live here, have kids growing up here, making a living here; but that doesn't mean second home owners aren't important

Special Select board meeting can be held anytime

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Josh Cohen: To move forward how long do we need to create a survey, pick a date to hold the meeting, advertise it in newspaper and website; nail things down and get this moving

Jim Desrochers: Having a medical marijuana dispensary next to my second home, does it affect property values & ability to sell my house?

Josh Cohen: Yes, but not sure how, could be good or bad

Sarah Shippee is willing to help work on possible survey questions

Randy Johnson suggests the following:

- Do you want to see a medical marijuana dispensary within the town of Dover? Yes or No
- If and when recreational marijuana becomes legal, are you in favor? Yes or No
- Consider incorporating the current State statute in the survey

B. Affirm Lane Plumbing Expense for Hot Water Heater/Pressure Tank (\$1830)

* Note that the expense was less than the anticipated \$2379.00

On a motion by Victoria Capitani, seconded by Dan Baliotti, the Board unanimously affirmed the Lane Plumbing expense of \$1830.

V. Economic Development: Steve Neratko

A. Spring Into Summer Fun Run (Katelyn Milliken from Halifax School, Wings Community Program)

- Potentially a 5k run for a younger crowd
- Requesting use of the Valley Trail
- Requesting \$1000 – majority is for event materials
- Expecting 100 participants along with supporters, family, community members etc.
Discussion:
 - Fundraiser for Wings? *No*
 - *Goal is to be inclusive of boys & girls in the Girls on the Run age group*
 - *Reward for hard work done throughout the school year; Celebration event*
 - *Why Dover? Great space; visual space from the road*
 - *Would like to create this as an annual event*
 - *Dover does not fund this program, Wings is not a Dover program*
 - *But Wings is part of the whole community and a lot of Dover kids take part in it*
 - *Date is set for June 2nd which is very close—usually 180 days prior to event*
 - *Propose the funds to come out of general fund rather than 1%*
 - *No age restriction but open to suggestions—family friendly event; invites to local high schools also*
 - *Suggest posting on running websites to get the word out*

On a motion by Victoria Capitani, seconded by Joe Mahon, the Board unanimously supported the \$1000 funding to come from the general fund

B. Deerfield Valley Memorial Day Observances

- Sponsored by the Living History Association
- On-going activities for quite some time
- First year for more of a Dover presence in it
- \$2500 request

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- Rec'd funds from other municipalities
- Expect 1000 attendees

Dan Baliotti recused himself from the vote as he is a co-sponsor of the event

Jim Dassatti: Hoping to enhance the Wilmington and Readsboro events with one in Dover; To create interest in the Valley; Incorporate a portion of this event into the opening of the Historical Society; Memorial Day remembrance; not designed to make money but a sense of community awareness of the Valley

Victoria Capitani: Application is coming in late—only 30 days out from event
Jim submitted paperwork to Steve at least 6-8 weeks ago

Steve: Six months out policy—most applicants are not coming in within that space of time

Vicki: It could be a very good event, but it needs to be thought out more. Plan now for next year—how much will take place in Dover? Funding 40%--are we getting 40% of the events. 1000 people may be for the whole event. Biggest issue is these events coming right before it happens. Getting the feeling that everyone thinks Dover has money. Not always Dover based or in the best interest of the Town. If Steve wants to change the 180-day policy, it should be discussed with the Board to change the guidelines. We need to hold up to the guidelines.

Jim Dassatti:

- 1/3 of budget is for advertising in the communities where activities will take place
- Wilmington has committed \$2500
- Wilmington/Dover American Legion has committed \$500
- Readsboro has committed \$1000
- Agree we should start planning on June 1st for next year

Jeannette Eckert expressed support for the event, speaking as one of the Civil War reenactors asked to participate, glad to see it coming to Dover; worthwhile event

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board voted 2-2-1 to fund the event in the amount of \$2500 (Baliotti abstained) Motion does not pass

Consider applying for advertising funds via the DASP program through Dover Historical Society

VI. Liquor Control:

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to recess and convene as local Liquor Control

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved the following:

- A. First Class Liquor License for:
 - a. Four-R-Associates, Inc d/b/a Dots Too
 - b. TTR, LLC d/b/a Two Tannery Rd
 - c. Mt Snow Ltd d/b/a Base Lodge, Fairways, Harrimans, Snow Lake Lodge, Snow Barn, Summit, Sundance
- B. Second Class Liquor License for:
 - a. Mt Snow Ltd d/b/a Deli

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- C. Outside Consumption Permits for:
a. Mt Snow Ltd d/b/a Harriman's, Sundance & Cuzzins

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to adjourn as local Liquor Control and reconvened as Select Board

VII. Consent Agenda:

- A. Approve Minutes of April 3, 2018
On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved the minutes of April 3rd with clarification added regarding Randy Johnson's comment on banning marijuana outright—should read ban on dispensaries only
- B. Approve Warrants of April 7 for \$242,659.38 and April 21 for \$117,450.96
On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved the warrants of April 7 & April 21.

VIII. FYI:

- A. Letters to the Select Board from Governor Scott
In response to the pothole situation on Rte. 100—no funding is currently available
Apparently, the poor road situation is not just in Dover but all over the State
- B. Effective Property Tax Appeals Workshop: Tuesday May 1, Holiday Inn, Rutland
or Tuesday May 8, Double Tree, Burlington
- C. VLCT "Listening Sessions": Brattleboro on May 2; Bennington on May 16 at 6pm
- D. Spring Planning & Zoning Forum, May 23 in Rutland
- E. SoVermont Economic Development Summit, May 30th at Mt Snow
- F. National Forest public meeting, May 2nd in Stratton

IX. Liaison Reports:

Joe Mahon attended Vermont Summit Tourism conference in Manchester; well attended;
Commissioner is trying to get more money into the State; hope to share at ED meetings
Dan Baliotti congratulated David Smith on a job well done on the trail this past winter

X. Executive Session for Contractual Matters

- A. Cell Tower Agreement (Rich Werner)

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to move into Executive Session at 6:47pm

Present: All five Board members, Rich Werner, Bob Holland, Randy Johnson, Jeannette Eckert

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to move out of Executive Session at 6:52pm

Decision: On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously authorized the Chair to sign the cell tower agreement

XI. Adjournment at 6:53pm

Respectfully submitted by Jeannette Eckert

Public notices of these minutes have been posted at the following locations:
Dover Town Clerk's Bulletin Board, Dover Town Meeting Bulletin Board, Dover School
Dover Free Library, East Dover Post Office, Town of Dover Website: www.doververmont.com