

**Dover Select Board  
Meeting Minutes  
Dover Town Office  
Tuesday, August 20, 2019**

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*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\*\*

Select Board members absent: Joe Mahon

Also, present: Jeannette Eckert

Public: Lauren Harkawik, Jim McDevitt, Bob Holland, Linda Sherman, Travis Briggs, Mark Anderson, Randy Johnson, Marco & Stefan Tallini, Steve Neratko

**Regular Meeting Called to Order at 6:30pm by Chair Josh Cohen**

**I. Public Comments:**

**A. Introduction of New Windham County Sheriff Mark Anderson**

Randy Johnson introduced Mark Anderson to the Board and public. Mark is the new sheriff replacing Keith Clark

Mark Anderson shared that the Sheriffs Dept. has always worked well with the town of Dover & Dover Police dept.; desires to continue that relationship and keep the door open if there is anything the Sheriffs Dept can do to assist Dover. WSD provides prisoner transport service, serves documents and legal papers, manages highway grant safety projects

Randy: When Dover had some staffing issues, Mark helped out here with some patrols. He may be instrumental in the dispatching issue

Mark: Regional dispatching has been implemented; would welcome Dover but it does have a cost attached; Only for police services, also looking at fire and ems but presently Dover uses Keene mutual aid; desire to provide high quality services at an affordable price

Josh would like to add that he was the town rep at VT Community Leaders event; attended three different sessions; youth was a big topic; brand new Select board member that was in attendance was 21 years old, he was not given an opportunity to participate given his young age; a couple of towns have a youth SB member; youth bring a different perspective and break the old boys view point; provides a fresh view of what it could bring to a town Another session focused on "What are we doing to keep or move young people to Vermont?" What can they get out of Vermont? What kind of conversation are we having with our youth? Are we creating better opportunities? Many towns are lacking recreation activities; quality, affordable day care

Favorite session was on entrepreneurship and co-working space; all are uniquely funded from the outside providing office space; mandatory to network with others while getting work done; marketing, cross networking; BDCC incubation center; teaching entrepreneurs how to get up and running

Jeannette announced that the Employee Appreciation Day has been slated for Sunday, Sept 15 from 11:30am to 2pm at North Star Pizza; thanks for feedback from the Highway crew, Randy and Steve. More details to follow.

Sarah requested that the Fire Dept be invited. Vicki suggested that all boards be invited as well. Our budget is limited this year, but make it a point for next year to include others and increase budget funds for the event

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**II. Assessor: Linda Sherman**

A. Errors and Omissions

- Trailside Village Way, unit 3B's new owner is Mississippi Dreaming on Fire LLC, when purchased they asked for a grievance; grievance was omitted for whatever reason
  - Current value of unit is \$160,000; they paid \$120,000
  - Assessed value \$118,550
  - Grievance was in writing but was mislaid
- Mt Snow—summit lodge/rescue/electrics building was inactivated for some quirky reason, they called because they did not receive a tax bill
  - Current value is \$364,300 and tax due is \$7112.96

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to have the Chair sign the errors and omissions dated August 20, 2019 for Trailside Village Way unit 3B and Mt Snow summit lodge building

**III. Police: Randy Johnson**

A. Consider Public Nudity Ordinance

- Came to mind a few years back when Brattleboro had an issue, but Dover did not have an issue, so it was put on the back burner
- Bringing it back up due to recent issues in Bennington and Wilmington
- Vermont does not have any nudity law—there is nothing that can be done in a public setting as long as there isn't any lewd or lascivious behavior
- Bringing it up for discussion to see what the Board desires, don't want it to come back to bite us; think it over and perhaps bring it up at Town Meeting
- Providing a sample ordinance that Brattleboro has in place for review

Public comments:

- Will need to define "clothed"...it is totally fine for a man to walk around shirtless but if a woman is sitting at a park concert totally shirtless, will she be ousted?  
*Yes, if totally uncovered*
- Why is it ok for a man but not for a woman? These questions are going to come up
- Do State laws supersede local ordinances? *Yes, but there is no State law. But it is enforceable on the town level.*

Board comments:

- In favor of the ordinance; welcome the debate on an ordinance. We did not see it last time on the marijuana issue
- Have mixed feelings on it, a bit overzealous, sometimes we don't need to have a law for everything
- I don't want to be violated in a public place
- Does this fall under public nuisance?
- Nudity is not defined under public nuisance
- Remember when Wilmington tried to put one in and the hoot and nanny that happened in response to it; it was eventually rescinded
- Need to think long and hard on this; there are gender equality issues
- The Brattleboro ordinance is available as a template to work with

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- No decisions tonight, prefer to have a full board to discuss in detail

**IV. New Business:**

~~A. Consider Lending Library at the Dover Park:~~ will defer until a future meeting. The woman who contacted Jeannette about this item has not been back in touch. She would like to place a box of some sort at the Park for folks to drop off/pick up books

**V. Unfinished Business:**

A. Sign Estoppel Certificate for Solar Project at Dover Landfill

- Carried over from the last meeting

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to have the Chair sign the estoppel certificate

**VI. Economic Development:**

A. Approve Tax Stabilization Policy

- Changes made under Eligibility
  - *Costs of \$100,000 or more, or 25% of the assessed value of the property*
  - *Includes multi-family residential structures used for commercial purposes*
- Changes to Application and Approval process:
  - *Recommendation is at the sole discretion of the Select board (wording recommended by town attorney)*
- Changes to Tax Stabilization Contract Terms
  - *A recapture clause shall be included in the contract, providing for immediate revocation of benefits and repayment of reduced taxes in the event of non-compliance or termination of the contract. This includes the closing of the business, bankruptcy, if taxes become delinquent etc.*
  - *Approval is granted for 2 years. If not completed, an extension must be requested*
- Application change:
  - *Asks for social security numbers to obtain background info*
  - *Attorney suggests an application fee*

Board comments:

- It could take some time to review these applications, there could be additional costs/services incurred
- Refund application fee if successful in the process? *Failed or not, we have to pay for the services*
- Can it be worded that all other companies located in Dover that the applicant is affiliated with be listed?
- If the company owes the town money, they need to get clean with that before they ask for more money
- Want to make sure the public is aware of this; just because we think it's a good idea, some people may think it's a bad idea
- Consider an application fee—feel it is important; min of \$500.00 to show people are serious
- Steve will do the vetting of the application; develop a rubric; committee has developed the criteria
- Important that the public can weigh in, perhaps prior to a regular meeting or a special meeting

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- Silent partners and all others involved should be listed in application
- Applicant needs to be in financial well being in all the businesses owned
- Extensions, will those be available?
  - After 2<sup>nd</sup> extension---will have to come before the SB
- It takes eleven years to come to fruition
- Board will review the new changes prior to approval of the policy/application

**B. Year-Round Concert Series**

- Financial update
  - Spent \$9400 for the Summer series; average of \$783.00 per week
- For a Fall/Winter series, Wednesday nights may be best to use the Town Hall
- Kevin Parry would be interested in continuing to operate the series
- \$500.00 for each of 16 concerts; twice per month for a total of \$9600
- Suggest holding open mic nights the other two nights of the month (Linda Sherman's idea) She is interested in organizing, setting these up
- Sound system would be needed; a mobile one that could be used elsewhere; approximately \$1800 cost
- Need an extra \$2000 in budget to bring these into play

\*\* Dan Baliotti arrived at 7:22pm during this discussion

**Board comments:**

- Concerts at the Park have been packed; great events; continuation will provide something nice to do in the winter months
- Linda: Coffee house with donated sweet treats, open mic nights, don't really want to deal with alcohol at the Town Hall; appreciate Steve jumping on this; sound system that has been looked at is compact & in a wheeled case, easy to transport

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved the extra \$2000 to support year-round concert series and open mic nights including purchase of a sound system for the town of Dover

FYI: Trails and recreation plan surveys have gone out; Paper copies are available—distribute in local areas—town office, school, library, at concerts, realtors, restaurants 120 people responded so far to the online survey

**VII. Consent Agenda:**

- A. Approve Minutes of Aug 6, 2019  
On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved the minutes of Aug 6, 2019
- B. Approve Warrants of August 10, 2019 for \$211,702.01 & \$203,668.13  
On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved the warrants of Aug 10, 2019

**VIII. FYI:**

- A. Last Summer Concert at the Park, Aug 25<sup>th</sup> 2-4pm
- B. Murder in the Sugarhouse, Aug 31<sup>st</sup> at Dover Town Hall

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- C. Municipal Budget Workshop, Sept 18 in Montpelier
- D. Town Fair, Oct 2-3 in Killington—Randy will be there all day on the 3<sup>rd</sup> if anyone wants to carpool
- E. SeVEDS Early Fall Bulletin
- F. Next Trails Committee meeting is Tuesday, Aug 27th
- G. Sept 26 is the Housing Open House, interviews with stakeholders at old school in Wilmington

**IX. Liaison Reports:** none

**X. Executive Session for Legal Matters (Marco Tallini) & Personnel (Randy Johnson)**

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to move into Executive Session for Personnel at 7:26pm

Present: Josh Cohen, Vicki Capitani, Sarah Shippee, Dan Baliotti, Randy Johnson, Jeannette Eckert

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to move out of Executive Session for Personnel at 7:27pm

Decision: On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously approved a pay increase for Jason Perlmutter to \$19.00/hr. effective Aug 11<sup>th</sup>

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to move into Executive Session for Legal Matters at 7:27pm

Present: Josh Cohen, Vicki Capitani, Sarah Shippee, Dan Baliotti, Marco Tallini

On a motion by Victoria Capitani, seconded by Sarah Shippee, the Board unanimously agreed to move out of Executive Session for Legal Matters at 7:30pm

Decision: none, Marco will keep the Board informed

**XI. Adjournment at 7:30pm**

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](http://www.doververmont.com)