

# Regular Meeting of the Dorset Select Board

## February 23, 2010 ~ Minutes

Present: Chris Brooks (Chairman), Marge Freed, Mike Connors, Michael Oltedal, Brad Tyler

Absent:

Also, present: R. Gaiotti (Town Manager), Janet Saint Germain, Joan Menson, John P. Stannard, Cynthia Van Vlaanderen, Peter Van Vlaanderen, Danny Pinsonault, Sandra Pinsonault

C. Brooks, Chairman, called the meeting to order at 7:09 p.m.

### Approve Minutes of January 19, 2010 and January 20, 2010

M. Connors moved and M. Freed seconded to approve the January 19, 2010 minutes as presented. Motion carried 4-0.

M. Connors moved and M. Freed seconded to approve the January 20, 2010 as presented. Motion carried 3-0 (C. Brooks & M. Oltedal abstained).

### Upper Hollow Road

C. Van Vlaanderen referenced her letter regarding the dangerous driving conditions near Paddock Farm Lane (Upper Hollow Road) when the roadway is being plowed. It was noted that she had a serious incident with the plow truck not being able to stop and she had to backup to avoid a collision. She asked why the Town could not use a smaller plow truck for this road. C. Brooks explained that a survey was done years ago asking residents about widening the roadway for safety and there were many of people against the idea. J. Stannard felt that widening the road was not the solution and that he also had an incident with a snow plow in the area as there is not enough room for a car and snow plow to pass each other when there are snow banks. R. Gaiotti noted that the large truck was eleven feet wide and the smaller truck was ten feet wide with the snow plow blade attached. The section of roadway varies in width from eighteen to twenty feet with the section under discussion measuring approximately sixteen feet wide and less than that with snow banks. B. Tyler commented that a smaller truck would not make a difference in width when the snow plow wing is present on the truck. D. Pinsonault remarked that it was not the width of the truck, but the weight of the truck and R. Gaiotti noted that the size and weight of both trucks were similar when loaded. M. Connors stated that the tandem is used to clear the snow out of the ditches and the Road Crew would not plow if they felt it was not safe.

cc: Listers, Planning, Zoning, Select Board, Town Clerk, T/C Record, Foreman, School Board  
Copy Posted: Town Clerk's Office, S-Board Mtg Room, E. Dorset & Dorset Post Office

R. Gaiotti informed everyone that J. Hewes (Road Crew Foreman) could not be present due to the current weather conditions, but that in his opinion it was a better idea to widen the road so that it was safe for use by all large utility trucks (oil, propane, trash, etc). J. Stannard suggested making the roadway a one way loop before an employee or citizen gets hurt if the Town waits until summer for a solution. P. Van Vlaanderen suggested warning signs and noted that he would not have a problem with making the road one way. R. Gaiotti stated that due to the crown in the road, it would not be possible to plow it correctly if made a one way road. C. Brooks recommended re-grading the road in the summer and J. Stannard suggested making it one way from November to April. M. Connors and B. Tyler objected to making the road one way as they felt this would create a high risk for a head on collision. J. Saint Germain agreed with J. Stannard that it was not the road, but the trucks which are the problem and believes that there would be strong objections to widening the road. J. Stannard felt that it would be a major construction job to widen the road.

M. Oltedal asked if other large trucks created the same problem and J. Stannard responded that there are a lot of trucks on the road, but he could get by all of them except the plow. M. Connors noted that all trucks are eight feet "on rubber" and the plow adds width. M. Oltedal commented that if the roadway is sixteen feet in some sections that two eight foot trucks could not pass each other. C. Brooks liked the idea of making the road one way and B. Tyler remarked that he was in favor of widening the road in certain sections. M. Connors stated that the volume of material loaded on any truck is still a lot and using chains on them would make a difference. D. Pinsonault commented that the people need to decide on safety or keeping the road the same. R. Gaiotti noted that the larger trucks are used as they do a four hour route and this is the best truck to do so; switching trucks is difficult. J. Stannard suggested using signs to close the road while plowing. P. Van Vlaanderen felt chains were a great solution. J. Menson suggested a sand pile at the bottom of the road so the trucks could use smaller loads while plowing there and C. Brooks responded that you can't have salt/sand piles near the river. It was the consensus of the Select Board to have the trucks use chains for the short term and have a questionnaire sent to residents about widening the road. M. Freed stated that if this was a safety issue, then there should be no question about taking a tree down. C. Van Vlaanderen commented that it would be terrible to alter the whole road.

### **Liquor Licenses**

M. Connors moved and M. Freed seconded to adjourn as the Select Board and convene as the Liquor Board. Motion carried 4-0.

S. Pinsonault explained that there is only one application per applicant now for liquor licenses. Applicants were: Chanticleer Restaurant, Jiffy Mart, Haskas General Store, Dorset Field Club, Dorset Union Store, Inn at West View Farm, and Essex Green (Left Hand, LLC). It was the consensus of the Select Board members to sign all liquor licenses.

M. Freed moved and M. Connors seconded to adjourn as the Liquor Board and re-convene as the Select Board. Motion carried 4-0.

**Meet with Town Clerk**

M. Freed moved and M. Connors seconded to move to Executive Session to discuss personnel at 7:55 p.m. Motion carried 4-0.

S. Pinsonault noted that discussions for the Town Clerk should not be in Executive Session and D. Pinsonault commented that Executive Session was only for people who worked for the Town. C. Brooks noted that contracts can be discussed in Executive.

Executive session ended at 8:10 p.m. No action was taken.

C. Brooks stated that it has come to the Select Board's attention that the Town Clerk Report was submitted on a calendar year and they request that S. Pinsonault switch to a fiscal year to match the Town. The Board also felt that it would be appropriate to have an audit. S. Pinsonault agreed. C. Brooks explained that they wanted to discuss the position of Town Clerk as an employee or Town official; and this was not a personal issue. C. Brooks noted that the lines between Town employee and Town official have been blurred as benefits have been added such as health insurance, pension, etc., but there is no recourse over the number of hours worked. C. Brooks offered S. Pinsonault the option of discussion in Executive Session and S. Pinsonault declined. S. Pinsonault explained that on February 1<sup>st</sup> she cut her hours to 8:30 a.m. to 1:30 a.m. until May as it was slow at the office and she had a second job. According to the VLCT, if you work over 17½ hours, you are entitled to retirement benefits and she never works just 17 hours – tax appeals, meetings, and elections were given as examples.

S. Pinsonault noted that she sent letters to the title searchers and lawyers informing them of the change in hours and gave her phone number to all so that appointments could be made. It was noted that she was not busy enough to be in the office all day. S. Pinsonault stated that the question of income being higher than reported in the Town report was explainable as she does not turn all receipts in as they are kept for a steady income. C. Brooks stated that an audit makes sense and discussion needs to be held regarding what the Town Clerk does and what the Town offers in exchange. S. Pinsonault explained that with the fees plus the \$12,000 stipend, her salary is \$9/hr and with the health benefits included it's about \$18/hr. which is still less than others who work less hours. C. Brooks noted that the Board constantly reviews salaries to make sure they are fair and equitable. D. Pinsonault stated that if the Select Board felt the Town Clerk was under their control because they gave her benefits, they needed to figure out if she is a Town employee or not and, if she is an employee, an agreement is needed. S. Pinsonault noted that she was not against the idea of being an employee, but not with how the current salary is based. M. Oltedal brought up Article 20 in the Manchester Town report regarding their Town Clerk being an employee and suggested it was time for negotiations. S. Pinsonault noted she was open to discussions as long as the Board did not say she was worth \$10/hr. D. Pinsonault stated that he did not believe the Town could afford S. Pinsonault and, in comparison to other Towns, Dorset was not generous. C. Brooks noted that the discussion was about the Town Clerk position, not S. Pinsonault in particular and would the same perks be offered to the next person to be Town Clerk. D. Pinsonault felt that some people were not speaking up to say what was on their minds and M. Connors noted that no one was talking behind their backs. M. Oltedal stated that they were trying to work along with S. Pinsonault. B. Tyler noted that it was not a question about the job as S. Pinsonault does a great job, but due to the recession everyone is hurting. M. Freed

noted that the Town pays \$16,000 in health insurance for two people for S. Pinsonault and had added \$2,000 to the stipend to a total of \$12,000. S. Pinsonault noted that she was appreciative of what has been given, but felt that she was “raked over the coals” every year at budget time.

R. Gaiotti is to look at the perks and costs for the Town Clerk and S. Pinsonault is to discuss with R. Gaiotti what her needs are if she were to be a Town employee. Discussion ensued regarding setting up a contract, what happens if there is another Town Clerk, and placing the issue before the voters to make it a permanent change.

M. Connors moved and B. Tyler seconded to move to Executive Session at 8:40 p.m. to discuss personnel. Motion carried 4-0. Executive Session ended at 9:15 p.m. No action was taken.

### **Review Sign Permit/Sign Ordinance**

A sign proposal was submitted to the Select Board from SSL & K, LLC asking if one sign is limited to one parcel as they will have numerous potential clients who are concerned that a 3 foot by 5 foot sign is not big enough for all of them.

R. Gaiotti informed the Board that the original sign ordinance was created in 1947 and amended in 1964. The total height of the proposed sign would be 8 foot – 6 inches; similar to the previous owner, but would have 5 panels. The proposed sign would be bigger than the ordinance allows. C. Brooks suggested that the Zoning Administrator submit a document for what he thinks is a workable sign ordinance so that the Select Board can discuss an update to the ordinance. He felt that they needed to hear from the Zoning Administrator, as the current ordinance does not say if it is one sign per property or one sign for each tenant.

### **Finance Report**

R. Gaiotti presented the bid results from three banks for a checking/sweep account with Merchant Bank having the most favorable rates and minimum balance. It was the consensus of the Select Board to use Merchant Bank for the Town funds.

R. Gaiotti reported that 66% of the budget has been expended with some overages for storm emergency and gravel/sand line items. The Town is now using a liquid treatment for road salt which has been more effective. R. Gaiotti is to call Southwest Vermont Council on Aging about their appropriation which has not been paid out yet.

### **Manager's Report**

R. Gaiotti reported that the Town now has two 3,000 gallon tanks for storing winter salt treatment and summer chloride and a slide in tank for summer chloride application.

A Dorset newsletter is being prepared for quarterly distribution to inform the public of events, businesses and locations in Dorset. The hope is to have nominal advertising fees to cover the cost of the newsletter.

Long Trail School is offering outdoor ice skating on the tennis courts and an agreement has been made to allow Dorset residents free access of the rink. This will be another outdoor recreational opportunity for residents.

R. Gaiotti has contacted Riley Rink officials to discuss resident use of the facilities. Program information is to be given to R. Gaiotti so that discount/incentive programs can be developed.

R. Gaiotti and C. Schmelzenbach have met with the VTA about 1½ months ago to consider a feasibility study and have a site visit. The one issue that came up about the location was that there was a deer yard which was confirmed by the wildlife biologist. The Planning Commission has created language for an amendment to the Zoning ByLaws keeping the deer yard protection on a case by case basis for the ZBA.

M. Connors asked about the legal cases and R. Gaiotti responded that the road discontinuance case will be going to Supreme Court. C. Brooks requested that the Select Board receive copies of the current Zoning ByLaws which are up for review this year.

**Approve Payroll & Accounts Payable for the Week of February 23, 2010**

It was the consensus of the Select Board to approve the payroll and accounts payable for the week of February 23, 2010.

**Other Business**

R. Gaiotti noted that he will need the endorsement of a supervisor for his application to Vermont Local Roads Academy which costs \$550. M. Connors signed the application.

There is a Google initiative to pick a community to supply broadband to and the VTA has asked that the Select Board, etc. support the VTA to show Google the overwhelming need in our community.

R. Gaiotti reported a handful of delinquent tax payers, but will be planning for a collection policy in March as there might be more delinquent at that point. R. Gaiotti has prepared a synopsis of information for Town meeting night.

M. Freed moved and M. Oltedal seconded to move to Executive Session at 9:54 p.m. to discuss contracts. Motion carried 4-0. Executive Session ended at 10:25 p.m. with no action taken.

M. Oltedal moved and M. Connors seconded to adjourn the meeting at 10:27 p.m. Motion carried 4-0

Respectfully submitted,

Nancy Aversano