

**Dover Select Board
Meeting Minutes
Dover Town Office
Tuesday, September 19, 2023**

These minutes are not official until approved by the Dover Select Board

Zoom Meeting recording link: https://youtu.be/Z_JZXJeMeNw

Select Board in person: Victoria Capitani, Sarah Shippee, Joe Mahon, Dan Baliotti, Scott Salway

Also, present in person: Office Manager Jeannette Eckert

Public present in person: Eric Durocher, Jim McDevitt, Randy Johnson, Susan Luchsinger, Jody Keeler, Carole Holland, Tabi Freedman, Phil Bowen, Mike Eldred, Keith Sullivan, Marco Tallini, Mike Arbogast, Sue Rand, Andy McLean, Dianne Guminak, Francis Donahue

Public present via zoom: Michelle Mann, Edie Mas, Will Galway, Hugo(no last name)

Regular Meeting Called to Order at 6:30pm by Chair Capitani

I. Public Comments:

Randy Johnson introduced Susan Luchsinger who is replacing Michelle Mann at the Police Dept. She will be taking a training course next week and then begin work in the office October 1. Keith Sullivan expressed appreciation to Scott Salway for his response to his email; also wanted an update on the Ridge Trail parking lot as well as the paving certification process

Eric Durocher: Its has been on the schedule to be done this year, flooding derailed the timeline

Vicki Capitani: Travis was prepared just prior to the flooding and then the paving project began

Joe Mahon: It is on the priority list but there are other things going on that are out of our control

Vicki: Travis is working on certification and it got sidelined due to emergency situations that

came up this summer; will place an item for an update on the trails project for the next agenda

Dan Baliotti: DHS will be presenting Bill Shontz in concert on September 23 at 2pm at the

Historical Society with a rain location of the Town Hall

Vicki: Additions to agenda: Consider a board member voting delegate at Town Fair as well as Personnel Executive Session

II. Police: Michelle Mann, Randy Johnson, Mike Arbogast

A. Consider Appointment of Tabi Freedman as 9-1-1 Coordinator, Effective 9/25/23

- Michelle Mann has been in the training process with Tabi
- Comprehensive training, hands on understanding of the system
- 9-1-1 Board needs a copy of the meeting minutes to make the appointment
- Both Tabi & Michelle feel confident that this will go forward easily

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously agreed to appoint Tabi Freedman as 9-1-1 Coordinator effective 9/25/23

B. FYI: Revised Retirement Letter from Michelle Mann

- Letter was read into the record and the Board thanked Michelle for her many years of service to the Town and wished her well

C. FYI: Damage to Cruiser

- 2 weeks ago, cruiser was parked at 7-11 on an investigation
- Individual who was also parked and saw the cruiser but backed into it and damaged its front headlight
- Working with VLCT and the individual's insurance company to resolve the claim

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D. Discuss Purchase of Body Cameras

- Warranty ran out on the current body cameras—battery issues
- They don't last more than two years
- Looking to get 6 new body cameras
- All companies work on a 5-year subscription process

Three options:

- Safe Fleet Mobile Vision – suggested*
 - Would provide for 6 new body worn cameras (BWC) and cloud storage for all evidentiary video systems
 - Year 1: \$13,963 for hardware, software, training, installation, cloud storage for all video
 - Years 2-5: \$8202 yearly subscription cost for cloud storage, warranty coverage, new BWC every 2 years
 - 5-year total: \$46,795: this price would eliminate a \$1325 yearly maintenance fee on current equipment that is already budgeted for
- Axon
 - 5-year total for 6 BWC on the cloud, with cruisers and in-house not on cloud: \$53,030.70
 - 5-year total for 6 BWC, 5 cruiser cameras, new tasers, and new in-house cameras, all on cloud: \$237,392
- Watchguard – no quote
 - 5-year total for 6 BWC on the cloud, not cruisers or in-house: approx. \$50,000
- Could budget yearly for it; presently not in the budget
- At least looking for \$13,963 for year 1
- Eric is looking into back funding through ARPA for purchases—still not defined in the program, not getting the answers
 - It is eligible for ARPA funds
 - Need to have that discussion in a public meeting before expending ARPA funds
- After signing contract, 3 weeks to a month for installation
- There is flexibility in spreading out the payment amounts
- Potential to extend the contract to a 10-year subscription—awaiting confirmation

- Believe Board should come to a vote on the body cameras as it is a needed tool for public safety
- If vote goes forward, the \$13,963 is due now with a contract for the subsequent years
- These are necessary item for officers to have
- Not sure where the money is coming from in this budget
- Can try to flatten the yearly payments

E. Discuss Purchase of New Cruiser

- 2023 Chevy Tahoe Fleet preferred equipment package from MacMulkin Chevrolet in Nashua, NH: Retail \$52,355
 - 10 weeks out in getting it outfitted
 - Already made the decision to purchase since it is budgeted
 - Needed to get it as it was there and available

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- Our cost \$46,511 plus \$472 admin fee = \$46,983
- 7 Officers working with 5 cruisers which is not ideal
- Hold onto the older one that was to be replaced—can eke out another year with it
- Would not be swapping out equipment in this case
 - Lights, sirens, graphics, barriers etc. from Global Public Safety: \$17,525.10
 - New Motorola Radio from R&R Communications with programming: \$9,956.67
- Impacts Capital Equipment budget planning
 - Capital Equipment for 2023 cruiser: \$50,000 minus \$6000 trade in = \$44,000; \$2983 over budget
 - \$27,481.77 approx. for all new equipment - \$10,000 if not using a 6th cruiser
 - \$46,795 for 5-year subscription with Safe Fleet Mobile Vision
 - \$74,276.77 request for ARPA funds
- With the auto strike going on, it could be 2024 before a new cruiser would come in
- Cruisers are scattered around with officers living outside of Dover
 - Personal vehicles being used
 - Realize timing isn't good
- Should order a new car now even though not budgeted; don't have to pay for it until it comes in

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously agreed to authorize the purchase of Safe Fleet Mobile Vision body cameras for \$46,795 with an effort to flatten 5-year payments and approve the purchase of the 2023 Chevy Tahoe for \$46,983 with the money coming from Capital Equipment fund

Schedule ARPA meeting at Town Hall in October the week of the 23rd; Eric will confer with WRC on the specific date

III. New Business:

A. Town Fair Delegate (addition to agenda)

On a motion by Scott Salway, seconded by Dan Baliotti, the Board voted to appoint Sarah Shippee as voting delegate at Town Fair

B. Town/Municipal Library Discussion (Jody Keeler, Carole Holland, Sue Rand, Dianne Guminak)

- Discussion with the Board was sparked by two events
 - A former employee filed an unemployment claim
 - Dept of Labor notified the Library that it had never filed unemployment
 - Neither the Town nor the Library had ever filed on behalf of the Library
 - Needed to send 12 quarterly reports of wages
 - Reached out to Sullivan Powers regarding an audit
 - They needed to know whether the Library was part of the Town or not
- Since the director's dismissal, the Board of Trustees and bookkeeper have taken over various duties
- Dover Free Library is a municipal one which means it is part of the Town; created by the Town in 1913; Andy McLean provided research into many Library documents
- Libraries have their own set of statutes in Vermont
- Funded by the Town every year at Town Meeting; Trustees are elected every year
- Once a Library is funded, the Trustees have the full power to run its funds

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- Bottom line is the Library has all the decision-making power but the Town has all the liability—not a great situation
- Functioning completely independently from the Town which is not the way its intended
- Accounts could be done by the Town treasurer
 - A. Logistically not sure that will work for either party
- Library should have communication and oversight with the Town on a regular basis and that has not been happening
- Do not have financial people employed; have a bookkeeper and volunteer Trustees
- Should be included in Town's audit every year
- Dept of Labor needs a decision regarding the unemployment claim
 - a. Taxable or reimbursable? Two ways to register with DOL
 - b. Need to make the decision by tomorrow
 - c. Fees and penalties will most likely be assessed
 - d. Registered as an entity
- Library hasn't had a close open relationship with the Town and feel that it should be
- Really would like an audit this year, doesn't have to be full audit but need to know if what we have done has been done properly; tax wise especially

Board comments:

- Funding requests at Town Meeting, no one was there to speak, no questions were asked
 - *Library budget is printed in the Town Report; Trustees were present but no questions were brought up*
- Applaud you coming to the Select board realizing it has been a difficult time
- Have to do what is right according to the State
- Claimant is applying for something that is known to not have been paid – need to fight and not pay the unemployment
- Appreciate the hours that the Trustees have put into this and thanks to Andy on the research
- Should go with reimbursable option, same as the Town
 - *Would have to pay the full salary and the funds are not there*
- Why is the Library paying benefits the same way the Town is?
 - *Benefits are not paid in the same way; Board is in discussion on that topic*
- Were always told that the Library and the Town were the same as far as benefits go
- Consider providing quarterly reports to the Board
- No one in the room is responsible for this situation, this has been going on for decades and no one was aware of it
- Prepared to help the Trustees and make it better going forward
- Discuss integrating the two entities
- Donations are received but not a major source of funding
- Come to the Town with an audit figure
- Moving forward audit should be at the same time as the Town's audit
- Appreciate looking into the audit; a lot of money has been appropriated

Sue Rand, Treasurer on the Library: Reimbursable option is a lot of money; Taxable option would be a lower amount coming out on a regular basis

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Edie Mas has been involved with the Library for many years; just because it wasn't handled properly, the employee is still owed the unemployment, there is a responsibility by the entity for unemployment

- Not placing blame at anyone's feet
- Friends of Dover Free Library (501c3) is not active and was disbanded many years ago
- If going forward as a separate entity with DOL, would need to go with the taxable as it is not feasible to go with reimbursable; 3 years back taxes possibly; would need help from the Town

Andy McLean: Audit is recommended but not necessary

- Sullivan Powers should do your audit
- Secretary of State's document doesn't state that an audit has to be done
 - Library is not functioning as the document states

Jodi Keeler: Could have a memorandum of understanding to keep things the way they are

- System works right now; checks and balances in place
- Much more aware of how things are being spent
- Nothing nefarious going on before just hadn't been open about it

New director is starting in two weeks, will have a meet and greet open house in mid-October and would encourage folks to attend

IV. Unfinished Business: Jeannette Eckert

A. Brief Update on the Town Common Well Project

- After consulting with a hydrogeologist as well as Bart Cushing (well driller), it was determined that digging deeper is not a viable solution considering that it was already fracked and did not produce any change in gallons per minute
- Therefore, according to the State requirements, a 36-hour test must be conducted Estimate of cost is between \$20,000 to \$30,000 to conduct this test
- KAS will put together an RFP for a hydrogeologist to create a 'plan' which will be submitted to the State for approval. The hope is to complete the RFP this week. Then the project would be put out to bid for the 'testing' portion by a hydrogeologist
- To date, the Town has spent roughly \$92,000 on this well project
- After much discussion, the Board would like to inquire of KAS as to whether a sample testing of the new well can be done to determine any contamination exists prior to any 36-hour pump test requirement
- Jeannette will follow up with Stephen from KAS and report back to the Board

V. Economic Development: Eric Durocher & Andy McLean

A. Discuss Potential Landowner Agreement for SOVTA

- Thanks to Andy for putting this together
- This was discussed previously
- Straight forward and to the point
- Permits and grants are the Town's responsibility – no gray areas
- Believe this document as presented covers all that is needed
- In context of things not working out with SOVTA, this takes it back to when it was successful and worked well
 - Came to Conservation Commission for approval
 - Tom Oakley has been in touch about this and is on board with it
- SOVTA not in charge of closing trails

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- Can get out of agreement if either party is not satisfied
- Town properties are held in the public trust
- Permission form can be given to SOVTA's insurance company
- Volunteers can get the Town Forest ready for the winter without this in place
- Agreement could be ready for Spring after snow melt to plan for the next season
- Extending from Sept 19 2023 through March 14 2024 and then entertain it on a yearly basis
- SOVTA's board will review and discuss signing

On a motion by Sarah Shippee, seconded Scott Salway, the Board unanimously agreed to sign the agreement for work on town land with SOVTA effective today until March 14, 2024 with the option of renewing annually

B. Discuss Potential Special Meeting Date for STR Discussion

- Unprecedented confusion on this topic
- Need to look at it in detail and set the parameters
- Entertain thoughts on when to hold this meeting
- Realtors are very interested in this discussion
- Town Hall Thursday, Oct 19 at 6:30pm

C. Dover Technical Assistance Program Applications

- 5 applications—all within the guidelines and fully supported
 - Deerfield Bar & Bottle – Point of Sale Upgrade (\$760)
 - Equipe Sport – Web Development (\$2500)
 - Vermont Academy at Mt Snow – Marketing Plan (\$2500)
 - Invasion Board Shop – Web Development (\$2500)
 - Trail 87 – Marketing Plan, Web Development (\$2500)
- 4 requested the max amount of \$2500; 1 request for \$760.00
- \$25,000 budgeted in the program
- Seeing increased interest in the program

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously approved the 5 DTAP applications as presented above

D. Valley Trail Bridge Update

- Work will begin last week of October or first week of November
- Two-week timeline to complete the work

E. Horace Hill Update

- Everyone is working in there
- Bike trail company at top; hiking trail company is at the bottom; disc golf company is all over
- Entire access is wetlands
- Boardwalk will be installed to create a dry access to the trails
- Class 3 wetlands do not need permitting
- Everything is on schedule
- Possible clean up around disc golf holes in the spring
- Grand opening next year

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- Potential trail names are being sought out and will be presented to the Board
- Wording on the shared use of the property signage is under discussion

VI. Local Liquor Control:

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously agreed to recess as Dover Select board and convene as local liquor control

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously approved the following:

- A. Special Event Permits for:
- Shelburne Vineyard LLC (W&H)
 - Eden Ice Cider Company (W&H)
 - White Mountain Distillery, LLC (W&H)

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously agreed to adjourn as local liquor control and reconvene as Dover Select board

VII. Consent Agenda:

- A. Approve the Minutes of September 5, 2023
On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously approved the minutes of Sept 5, 2023
- B. Approve the Warrants of September 16, 2023 for \$654,301.14
On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously approved the warrants of Sept 16, 2023

VIII. FYI:

- A. Dover Artisan Market, Fridays from 3-7pm at 171 Route 100
- B. Dover Conservation Commission meets Sept 20 at 7pm
- C. Planning Commission meets September 25 at 6:30pm
- D. Open Mic Night September 27 at 6pm
- E. Mike Arbogast offered additional information on the body camera contract fees—will share via email with the Board; approved for a 10-year contract

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board voted unanimously to amend previous motion to a 10-year contract with Safe Fleet Mobile Vision for body cameras for \$79,195 if all Board members agree

Board to respond after review of the contract by Friday at 10am so that Mike can move forward

IX. Liaison Reports: none

X. Executive Session for Personnel

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously agreed to move into Executive Session for Personnel at 8:26pm

Present: All five Board members

The Board moved out of Executive Session for Personnel by unanimous consent at 8:51pm

Discussed a code of conduct for the Select board

XI. Adjournment: On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously agreed to adjourn at 8:51pm

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