

**Dover Select Board  
Meeting Minutes  
Dover Town Office  
Tuesday, August 16, 2022**

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

Join Zoom Meeting

<https://us02web.zoom.us/j/86800444071?pwd=RIU2WDQ0cDM3d3AwSGREeFNON2tnQT09>

Meeting ID: 868 0044 4071

Dial in: 929 205 6099

Password: 052648

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

Also, present in person: Office Manager, Jeannette Eckert

Public present in person: Tabi Freedman, Randy Johnson, Rich Werner, Mike Eldred, Paul Fisher, Jim McDevitt, Diana Dee & her mother, Jon Abel, Josie and Burt Meerow, Tamara Allen, Matt Murano, Tom Oakley

Public present via Zoom: Eric Durocher, Michelle Mann, Kathryn & Darren Romano, Shannon Wheeler, Michelle Pinkham, Donna Darnell, Ted Redin, Mike Garber, Adrianne Vivencio, Travis Briggs, Jeff Babbit, Randy Capitani

### **Road Naming Hearing Called to order at 6:30pm by Chair Capitani**

#### **I. Road Naming Hearing: Josie's Way off Burchard Rd (Michelle Mann)**

- Cul de Sac which has one house on it and other lots are being sold
- There will be more development so the road needs to be named
- Burt and Josie Meerow (whom the road is named after) own the one existing house

On a motion by Sarah Shippee, seconded by Joe Mahon, the Board unanimously agreed to name the road off Burchard Rd, Josie's Way

On a motion by Sarah Shippee, seconded by Joe Mahon, the Board unanimously agreed to close the road naming hearing at 6:32pm

### **Dog Order Enforcement Hearing Called to Order at 6:32pm by Chair Capitani**

#### **II. Enforcement Hearing: Gemini**

- Enforcement of the Protective Order that was issued July 21, 2020 by the Dover Select Board
  - Amended order was issued Sept 1, 2020, also by the Dover Select Board
- The Order was appealed to the Superior Court by Gemini's owner Diana Dee
  - The Superior Court upheld the Select Board's decision on May 26, 2022
- Ms. Dee has 4 options in this situation:
  - Move out of Dover taking Gemini with her. Gemini may never return to Dover
  - Move Gemini out of Dover, never to return
    - Town will need evidence to its satisfaction verifying either of these moves
  - Have Gemini humanely euthanized
  - Surrender Gemini to the Town of Dover
- The Board may vote to allow Ms. Dee 7 days to consider these options: August 25 by 5pm
  - If no communication is made by this date, the Town of Dover will take action to seize the dog
- No testimony is being taken tonight; this incident happened two years ago and the Board is executing its order
  - This should not be a surprise to anyone
  - The Court's decision was affirmed on May 26, 2022 so there has been time
- Several people appeared on the Zoom connection and attempted to give testimony at a point where no testimony can be taken; others could not be identified when asked

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- Ms. Dee's mother offered comments on Diana's behalf: Gemini has been with a professional trainer, does not come off the property unless going to the vet, when walked wears a shock collar, is leashed and muzzled. This has been a rough year with health issues for both
- This a regrettable thing that the Board has to do and it is nothing that anyone wants to do
- However, we have a responsibility to the residents of this Town and if not enforced and this happens again, the liability changes and we have to do this

On a motion by Sarah Shippee, seconded by Joe Mahon, the Board unanimously agreed that the protective order be completed as delineated by the Town Attorney as read into the record

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously agreed to close the enforcement hearing at 6:42pm

**Regular Meeting Called to Order at 6:42pm**

**III. Public Comments:** hearing none, the Board moved on to Highway

**IV. Highway:** Travis Briggs

A. Update on Quotes for Energy Efficiency

- Reached out to original contractor Danda Electric as well as two other contractors
  - Danda Electric will hold his previous price
  - Two other contractors did not respond
- Uphold the prior decision to move forward with Danda Electric

B. Tree at Brick Building

- Outside of Brick Building there is a rock maple tree that is slowly dying
- Recent calls from the Daycare and concerned residents
- David Smith has picked up multiple limbs when he mows that area
- Sought out arborists to see if it could be saved
  - Can try to save it and trim the dead limbs
  - Might need to be cabled
  - Pricing is \$1600 to \$2000
  - One limb leans out towards the day care swing set
  - Recommend injection into root system to help it survive, added cost
  - Won't know exactly until it is investigated
- Will change the way the whole building is shaded and how the whole common looks
  - Only shade tree in the area
  - Emotional topic, tree has been there for many years
- Plant some trees now in the event that the tree has to come down in future
- Playground is fenced off underneath the tree for safety
  - Root system of the tree goes under the new section of the building
  - Would have to grind it out to remove the stump
- No guarantee that if this work is performed, the tree can be saved
- Tree has been slowly deteriorating

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board voted 4-1-0 to expend no more than \$2500 to attempt to retain the tree in a safe manner and abide by the tree service that is selected

C. Update on Transfer Station Hours

- Would like to close the station for ½ hour for Chris to take a lunch break

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- Would close starting at noon to 12:30 each day the transfer station is open except Sundays when it closes at 11:30
- Can't always spare someone to take over for him
- It is an issue with the higher volume of trash being collected
- Other Town depts take a lunch break or close down for lunch
- Still only allowing one vehicle in the station at a time
- Concern on the weekend when there are 4 or 5 cars deep, having them wait, are we being fair to the taxpayers
- Labor Law allows 30 minutes of uninterrupted lunch break
  - Every Town employee gets paid for lunch
- Will post signage at the Transfer Station so folks can prepare for the change

**V. Economic Development:** Eric Durocher, Shannon Wheeler

A. Event Grant Application—CarnageCon

- Approved previously prior to Covid in 2020 but was not held
- Change of pace from normal events that we put on
- Did happen on a much smaller scale last November 2021
- This year's will be a full-size event, first in our area; projecting 500-1000 attendees
  - Requesting \$12,500
- Will take place at Mt Snow but will have less sleeping accommodations
  - Have already reached out to area inns
- Early November date: Nov 4-6, 2022

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously agreed to expend \$12,500 from 1% funds for the 2022 event

B. Phil Bartlett Memorial Plaque for Town Forest Dedication

- Huge thank you to Andy McLean for speaking with the Bartlett family to get the verbiage
  - And for getting quotes for the plaque
- Recommend Citizen Bronze quote for \$1970.00 for bronze and additional \$79.00 for aluminum plaque
  - Would allow for the commemoration to take place with the aluminum plaque and then be replaced with the bronze once it comes in
  - Perhaps gift the aluminum one to the family
- Takes about 6-8 weeks to make the bronze plaque
- Hope to get this in place before the snow flies

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously approved the expenditure for the Philip Bartlett memorial plaques for the Town Forest dedication in both the bronze and aluminum for a max of \$2200

C. Valley Trail A- Options

- Defer this item awaiting more information on expenses

Joe Mahon requested to circle back to the previous discussion on the lunch breaks; there is no requirement on paying lunch as long as it is an uninterrupted 30 minutes; in Vermont if you give an employee an uninterrupted 30 minutes for lunch you do not need to pay them for it; you need to pay them while eating lunch if still at work

Other Town employees are being paid for lunch; however, it is not a law but a benefit for employees

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**VI. Police: Randy Johnson**

**A. Update on Cruiser Sale**

- Approached by Capt. Paul Samataro from Windham County Sheriff's office about selling Dover's police cruiser to him
- Dover had bought a new one and was looking to sell the old one; usually put out to bid
- Previous bids on other vehicles were \$7200-7500
- Looked at Kelly blue book numbers but were not available on Police interceptors
- Also looked at NADA (national automobile dealers association) and it was listed at anywhere from \$13,000 to \$17,000
  - Cruiser needs some work
  - Will save from not having to take the decals off
  - Selling to Windham County Sheriff's dept for \$13,000

**B. Dispatch Presentation from Wilmington Police Chief Matt Murano**

- Dispatch in Police services in VT is changing out of our control at the municipal level
- Historically Wilmington dispatch has gone through the Dept of Public Safety at night, own dispatch during the day
  - Dover is similar in dispatching services
- Prior to that Wilmington PD did 24-hour dispatch
- DPS put in dispatch in West Brattleboro and was a savings for the tax payers and worked well
- Then consolidated dispatch center to Rockingham and from there to Westminster's Regional cutting-edge dispatch center
- Dept of Public Safety no longer wants to dispatch for outside agencies
- Number of attempts from the State including fees but the Legislature put a stop to that
- Now faced with staffing crisis and using that for momentum in shedding dispatch services
- For municipal public safety we are now:
  - Faced with an unfair situation as DPS is no longer providing service for local agencies
  - Don't know yet when it will happen
- Would like to explore the possibility of a regional dispatch based in Wilmington for Wilmington, Dover and Winhall
  - Same environmental impacts and traffic flows for the three towns
  - More fiscally responsible and easier to manage
- Grant application program by the State for \$11,000,000 which ends Sept 4
  - \$6.5 million will be available now
  - Will know by December if grant is awarded
  - Can be used for infrastructure builds, communications equipment. No personnel costs would be covered
- Looking at other options in more detail as December approaches
  - Contract with other agencies a possibility
- Recommend that towns do everything they can to prohibit DPS from shedding local agencies
- What is the best way forward if we have to go out on our own?
  - Sharing services to keep costs down and provide a better service
  - Keeping money in the valley
- Requesting a letter of intent from the Select board if there is interest in exploring this possibility
- Don't have to use the grant money but would be good to have; prudent way to go

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- 24-hour regional system
- Randy recommends drafting a letter of intent and working out the details in future
  - Sheriff Anderson will be present at the next SB meeting for a presentation
  - There would be benefits to Wilmington doing the dispatching
  - It is the SB's decision
  - Don't believe the State is going to help us out
  - Dover will have to plan to pay for it
- Can it be an ugly letter?
- Article in the Rutland Herald recently about dispatching
  - Will absolutely affect the property taxes
  - If Towns don't do this, they can't shut the system down
  - Here we go again with an unfunded mandate, similar to the education tax
  - So many questions; has flown under the radar of the press and towns need to make noise about it especially going into an election
- How does it affect nickel and dime concept that every time you made a call you paid them money?
  - That scenario is off the table
  - Each town would be charged differently based on number of calls
  - Shift burden of hiring and housing employees onto local towns because the dispatch centers are understaffed
- What will it do to the fire depts?
  - Use Keene Mutual Aid at present—how is this going to affect that?
- May be a component of state funding/cost sharing down the road but that would be unusual
  - Saving by local communities, where is that money going?
- Vicki will draft a letter of support—needed by Sept 4
  - Welcome feedback from others
- How will this fragmentation affect a major event like tropical storm Irene where we learned we needed better communication/more centralized?
  - Vermont has talked for decades about inoperability in public safety
    - We are all on different frequencies; different radios
    - Having a regional dispatch as a Center of Command would be ideal; paying for it is not ideal
    - Dispatch is so fragmented
    - May not be regional for a town like Rutland
    - Over consolidated
    - Too many radio issues with two many different agencies
  - Goal is to move forward with the grant
  - Some light at the end of the tunnel
  - Funding would buy the radio infrastructure and the equipment would be owned by the towns
  - Everyone working together is a benefit
    - The cost is not a benefit
  - Regional Dispatch center--foresee bringing in other towns to expand the region? once built can we add on towns?
    - Makes sense but a big reach at this point
    - Tax money stays here but we are paying more
  - This really affects the towns that have Police depts.
  - Communicate well between the towns and fire depts—mutual aid for each other

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- Certainly, both towns respond for each other's safety issues
- Our phones are forwarded to Westminster
- Rough estimate of cost \$170,000 annually per town to run this 24-hour dispatch system
- Has Laura Sibilia been contacted for her opinion?
  - Randy had mentioned the cost to her but she needed more information
- Need for more public awareness on this topic

Board's consensus is to move forward with the letter of intent which Vicki will draft

**VII. Board of Liquor Control:**

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

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously approved the following:

- A. Request to Cater for Calcutta's LLC for Wine & Harvest Festival

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

**VIII. Consent Agenda:**

- A. Approve the Minutes of August 2, 2022 (Site visit & Regular meeting)

On a motion by Sarah Shippee, seconded by Scott Salway, the Board voted 4-0-1 to approve the minutes of site visit of August 2, 2022 as amended (Baliotti abstained)

- Jeannette pointed out a correction to the site visit minutes at Tom Oakley request, page 2 under Casey's comments sentence should read "parking lot" not property

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously approved the minutes of the evening meeting of August 2, 2022

- B. Approve the Warrants of August 6, 2022 for \$300,102.61

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously approved the warrants of Aug 6, 2022

**IX. FYI:**

- A. Last Two Concerts in the Park:

- Three Way Street, Aug 21 at 2pm, Miss Paula and The Twangbusters Aug 28 at 2pm

- B. Planning Commission meets Aug 22 at 6:30pm

- C. Trails & Rec Committee meets Sept 13 at 6:30pm

**X. Liaison Reports:** RFP for fire truck purchase is going out, Ads for Asst. position(Assessor & Fire) and Fuel Re-bid will be in this week's paper

**XI. Executive Session as needed:** none

**XII. Adjournment at 7:37pm**

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)