

**Dover Select Board  
Meeting Minutes  
Dover Town Office  
Wednesday, March 8, 2023**

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

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: Randy Johnson, Mike Eldred, Jim & Judy McDevitt, Tabi Freedman, Walt Bansley, Eric Durocher, John Hannon, Andy McLean, Robert Mola, Linda Kersten, Travis Briggs, Marco Tallini, Michelle Pinkham

Public present via zoom: none

**Re-Organizational Meeting Called to order at 6:31 PM by Office Manager Jeannette Eckert**

I. Welcome Newly Re-Elected Select board Members:

Jeannette Eckert welcomed the new re-elected Vicki Capitani and Scott Salway to the Board and administered the oath of office to them

Jeannette then requested a motion to appoint a Select board Chair

II. Select board Chair Appointment:

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board voted unanimously to appoint Vicki Capitani as Select board chair

Jeannette turned the meeting over to Vicki who entertained motions for Vice Chair

III. Select board Vice Chair Appointment:

On a motion by Scott Salway, seconded by Dan Baliotti, the Board voted unanimously to appoint Sarah Shippee as Select board Vice Chair

IV. Select board Meeting Rules & Procedures: done annually, no changes over last year

On a motion by Scott Salway, seconded by Dan Baliotti, the Board unanimously adopted the meeting rules and procedures

- A. Consider Adoption of Select Board Duties and Guidelines – this was an addendum adopted last year and a copy could not be found in Jeannette's records. Sarah will reproduce and adoption will be deferred until the next meeting on March 21

V. Meeting Schedule: 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays at 6:30pm

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board voted unanimously to maintain the meeting schedule of 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays at 6:30pm

VI. Selection of Official Newspaper: (Deerfield Valley News)

On a motion by Sarah Shippee, seconded Scott Salway, the Board voted 4-0-1 to maintain Deerfield Valley News as its official newspaper (Capitani abstained)

VII. Town Attorneys: (Cady & Dugan, and Stitzel, Page & Fletcher)

On a motion by Sarah Shippee, seconded Dan Baliotti, the Board voted unanimously to maintain Cady & Dugan and Stitzel, Page & Fletcher as Town Attorneys

VIII. Town Officer Appointments (current appointments)

- A. Assessor: (Linda Sherman)
- B. Civil Defense Officer: (Select board)
- C. Conservation Commission: (Chris Cady)
- D. Council on Aging Representative: (Becky Arbella)
- E. Energy Coordinator: (Joe Mahon)

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- F. Exposure Control Officer: (Richard Werner)
- G. Green Up Day Coordinator: (Lori O'Hern)
- H. Animal Control Officers: (Meaghan Audet & Richard Sedlack)
  - I. Road Commissioner: (Travis Briggs)
- J. Town Service Officer: (Linda Holland)
- K. Town Agent: (Linda Holland)
- L. Tree Warden: (Andy McLean)
- M. West Dover Fire Chief: (Richard Werner)
- N. Windham Solid Waste Representative: (Dan Baliotti & Kevin Stine)
- O. Windham Regional Commissioners: (Sarah Shippee & Kevin Stine)

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously agreed to the above appointments as listed

IX. Appoint Department, Committee, Board and Commission Liaisons (current appointments)

- A. Administration: (Joe)
- B. Bi-Town Committee: (Vicki)
- C. Development Review Board: (Dan)
- D. Economic Development: (Vicki)
- E. Fire Department: (Sarah)
- F. Highway Department: (Dan)
- G. Library: (Scott)
- H. Planning Commission: (Sarah)\*\* incorrectly listed as Vicki
- I. Police Department: (Sarah)
- J. School Board Liaison: (Scott)
- K. Zoning Office: (Joe)

On a motion by Sarah Shippee, seconded by Scott Salway, the Board unanimously agreed to the above appointments as listed

Dan Baliotti and Linda Kersten suggested that the Board consider rotating the liaison appointments in future to give Board members a valuable opportunity to learn more about each Dept.

Board will consider a transition period if that should happen in future

**Regular Meeting Called to Order immediately following Re-Organizational Meeting at 6:42pm**

**I. Public Comments:**

Vicki Capitani suggested an agenda change to move Liquor Control to right after Public Comments to discuss Snow Republic's liquor license with Walt Bansley sooner rather than waiting to the end of the meeting

Randy Johnson introduced Robert Mola, the new part time officer in training; will be at Police Academy for a few weeks; went to Twin Valley and lives in Dover

Dan Baliotti thanked the Fire Dept for showing up at his business this morning within 10 minutes due to an electrical problem

Jim McDevitt volunteered some information on the Jamaica gravel pit purchase which was discussed at the last meeting; it was cited in 2013 for wetlands violations and in 2019 they

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reached an agreement with the State to remediate and pay a fine; believe it to be a troubled piece of property; hope the Town would review the report before any purchase is considered  
Travis Briggs also noticed the violation during a google search of the property  
Vicki commented on the grader being parked by her house on Holland Rd. Travis informed all that there was a computer issue and the machine was asked to be shut down by the manufacturer who sent a technician to resolve the issue  
Sarah Shippee thanked the 6<sup>th</sup> grade class for the nice lunch provided at Town Meeting

**II. Highway:**

- A. Certificate of Highway Mileage – no changes over last year  
On a motion by Sarah Shippee, seconded by Joe Mahon, the Board unanimously approved the certificate of highway mileage
- B. Town Road and Bridge Standards – no changes over last year  
On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously approved the road and bridge standards
- C. Certification of Compliance – no changes over last year  
On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously approved the certification of compliance

FYI: both new hires are doing well; the Board thanked Travis for the information he provided at Town Meeting

**III. Fire Dept.:**

- A. Update on New Truck Purchase and Status on Disposal of Old Truck
  - Rich Werner was not present to discuss but he had informed Randy Johnson that once the new vehicle is in, the old vehicle would be put out to bid; there is already some interest in it

**IV. New Business:**

- A. Hazard Mitigation Plan Questions for Towns and Cities
  - This was sent by Windham Regional Commission
  - Need to speak with Rich Werner as emergency coordinator about these questions
  - Will defer to a future meeting for discussion; deadline is April 28
- B. Housing Coalition of Southeastern Vermont Meeting on March 13
  - Eric is already in on it; online meeting from 3 to 4:30pm

**V. Economic Development: Eric Durocher**

- A. Continue Discussion on Valley Trail A- Options
  - Updated expense sheet as provided by Fuss and O'Neil and one with rough estimates on the costs provided by Eric
  - Phone conversation with VTrans' Ross Gouin and Fuss & O'Neil
  - Moving forward with this project if so desired would require signed easements before applying for the 2<sup>nd</sup> round of funding
  - Can't get the signed easements without updated engineering
  - Our cost for new design work on the project is estimated at \$95,000; most firms are too busy to accept the work and just throwing numbers out there
  - Can't retroactively pay for any past expenses but we can reallocate parts of the original grant to cover these expenses

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- Of the \$292,500 in the 2014 grant, could re-up the grant and reallocate funds towards the new engineering expenses
- Easements need to be reviewed by legal dept. and then the State
- Fuss and Oneil would be drafting the easements so the legal expense would not be as high
- Conservative estimate of \$921,148.00 total including a 10% contingency
- Original grant funding of \$292,500 with match of \$32,500 based on original agreement
- 2024 potential grant funding of \$476,919.00 with 20% match of \$119,230
- Leaves the Town with a total required match of \$151,730
  - Plus 10% contingency = \$170,152.00
  - Plus 20% contingency = \$188,576.00
- Hinges on the easements getting signed after new engineering, approval of new grant and we complete the project
  - Grant will not be awarded if the project is not completed
- There is a path to complete the project; the community would like to see it completed
- BUT it may not solve all the problems with foot traffic in itself with the bridge
- Will get people safely over the river but that is not saying we will safely get them across the bridge
- Crosswalks are not guaranteed or flashing lights
- State cannot guarantee the signification of the crosswalk
- Currently no plans to go further south than this point with the trail
- Completions of the bridge will not solve problems with pedestrians getting further south
- Path to complete the project and this number makes it more palatable but it is not the only battle
- Agree that there is potential for economic development with this project
- Thank you to John Hannon for his presentation which has been shared with the Board and others
- Easement was cleared up with the former owners of 1 Bogle Rd who then sold the property; new owners are verbally in favor of the project
- New owners at Toll Gate Plaza have not been contacted yet

Board comments:

- Easements were what held this up a long time ago; now there are new owners
- Expend money for new engineering with no guarantee especially with new owners on Bogle Rd
- Can't get behind it at this point; need to end it at a residential property like Dover Green
- Would presumably want to make another crosswalk to the only retail property in that stretch which is even closer to the blind curve
- Crosswalk at corner of Dorr Fitch is scary; cars are cutting corners; people see a crosswalk and figure they can cross safely but that is not the case

Eric: It is VT State law that vehicles yield to pedestrians in a crosswalk; As a test, stood at the crosswalk at Deerfield Valley Inn and three cars went by without slowing down in a straight away in a 35mph zone; needs to be re-evaluated for safety. Consider the flashing lights

Jim McDevitt:

- Potential usage by pedestrians or bike riders; rarely see them in that stretch of road
- Unsure how to get an accurate count on who is using the roadway

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- Don't see the traffic volume by feet

Tabi has the contact information for the new Toll Gate Plaza owners and will pass it on to Eric  
Eric:

- At this point we need to make a decision to move forward or decide that it isn't the best use of our time
- The longer we wait the more expensive the project will become

Joe: Think we need to look at the bigger picture; why would the State give us money to do this? Does not make the situation better by putting in a bridge, can't get behind it anymore. Need to think about ending it at a residential section to bring those people out walking

John Hannon: Understand the reasoning. There are people out walking dogs on Dunn's curve and further up by Toll Gate Village; has gone down there to catch the Moover but it makes me nervous crossing the bridge; people are walking in traffic, main issue with the bridge is there is no walk way; would make a difference if it went to Dover Green but it is significant to get people across in a confined space with no walkway

Vicki: Never considered it going further south than Toll Gate Plaza; still trying to get easements from Toll Gate, if we don't get that, it ends there; at Town Meeting there was a lot of interest in going north

Linda: Valley has changed since the initial exploration since being given the acre at the end of Toll Gate; From Toll Gate there are three property owners down to Dover Green—would be willing to approach these owners for permission to use their land; believe it is something the Town could do as it is not in the State right of way; whole purpose is to provide a vision, use and reason to go south; look at it as an investment; State put the crosswalk where it is now

Andy McLean: Appreciate the numbers Eric put together; not doing it for a potential grant of \$151,000 would be a missed opportunity; none of us are traffic engineers but there is some of that in the landscape plan in John's report; traffic calming infrastructure can include crosswalks, planting and footbridges; it would be fantastic to have a little covered bridge to welcome people to Dover; do see people walking with and without dogs, bikers and joggers going across the bridge but it is very dangerous; investing the \$95,000 worst case scenario we would at least have the bridge which we paid for; probability of getting an easement from new property owners is pretty high; given the sentiment at Town Meeting the Board has a very difficult decision to make

Dan Baliotti turns at that corner every morning and people do cross there; originally was supposed to have a crosswalk to Dover Historical Society but that never happened; think a covered bridge would be a nice addition.

Vicki: No guarantees that we will get the grant and/or the easements; Could spend \$95,000 and not have anything.

Eric's recommendation is to allow him to extend the grant with DOT and obtain the three property owners easements; will allow the time to do due diligence; tentatively look at the prior engineering to obtain property owner agreements; will take that last run at it; would owe a little over \$10,000 at this point if it is not extended; State may not be thrilled with us if we then go and cancel.

Vicki: Must have those easements and if there is real pushback, it's not going to happen

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Scott: Need to recruit John Hannon because his presentation was excellent; believe some people think the 1% funds are never ending; a lot of benefits but believe we need to cut ties and don't take that lightly; love the vision of a beautiful covered bridge in an historic village; if one person is placed in jeopardy crossing, it is not worth it; appreciate the comments but would like to be done with it

Dan: Would like to keep going forward if it is only \$10,000.

Sarah: Not in favor of going forward; thought of the crosswalk is terrifying

Joe: If we keep going with the State and then pull the plug, they will wonder what we are doing; great presentation by John; all for a new bigger plan instead of using resources that are not going in the right direction

Jim McDevitt: what would happen if the Town built its own bridge on the east side over the river and not involve the State?

Sarah: State was concerned about how the footings would hold up; not as stable on that side

On a motion by Sarah Shippee, seconded by Joe Mahon, the Board unanimously agreed to authorize Eric to withdraw from the grant and pay out of Economic Development the funds that have been expensed to date from the State

**VI. Board of Liquor Control:**

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously agreed to recess as Dover Select Board and convene as local Liquor Control Board

**A. Discussion with Snow Republic Owner Walt Bansley Regarding Parking Concerns**

- When the Town approves liquor licenses, the Board has the opportunity to evaluate situations as related to Police Dept, public safety etc.
- Parking for 22 cars is what is permitted on the property
- A number of times, more than that amount has been witnessed at the site
- Creates a safety issue, getting in and out of the lot, turning around on Route 100, parking on private property
- Would like to mitigate the problem

Walt Bansley comments:

- Generally speaking, don't believe there is a parking issue on the property
- When opened thought it was a curse of being so limited in parking spaces
- Suggestion of a parking attendant would not solve the issue
- Do agree there is a safety issue
- **No Parking** signs were put up along Route 100
- Signs on the front door; staff is aware of the issue
- Don't believe there has ever been a problem except perhaps on a ski season Saturday
- Has been in contact with the Police
- The Town has never contacted me on this situation; email and phone number are out there
- Here to work with everyone to address the problem and open to suggestions
- Certainly, don't want any more cars in the lot or on Route 100

Randy Johnson:

- Did speak with Mr. Bansley about a year ago regarding the No Parking signage
- Had to have the Board sign off on them

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- Most recent incident Feb 4<sup>th</sup> at 2:27pm Officer Sam Morris arrived on scene
  - About 12-15 cars were parked on Route 100
  - He spoke with the patrons and staff about moving the vehicles and was told they were too busy to address it
  - Officer Morris made an announcement to the patrons and cars were moved
  - At 4:00pm, there were still more cars parked on Route 100
  - Parking tickets were issued
  - Tow companies have been called
- Spoke with Investigator Jason Elmer at DLC
  - Would be willing to come down and discuss with Randy and Mr. Bansley
  - Capacity in the building is 90 people per the State Fire Marshall
  - Officers have cited that there were way more than 90 people in the building
  - If the Board places stipulations, Snow Republic needs to abide by them
  - If violations happen, DLC would create a violation
- Conversation with former Fire Marshall Brian Johnson about the number of people in the building
  - Fire Marshall could be called and would do something immediately

Walt Bansley:

- Specifically aware of the Feb 4<sup>th</sup> incident where cars were parked on Route 100
- Would like an open dialog with everyone without feeling ambushed

Dan Baliotti pointed out that TC's has a parking attendant and it works to alleviate the problem; also, Last Chair & Sticky Fingers have parking attendants

Scott Salway: Feel badly that you feel attacked, but we are open to talking about the situation. Would you entertain the idea of a parking attendant? Yes

Vicki Capitani commented that in driving by recently on a Friday afternoon, that there were more than 22 cars; we are here to seek solutions

Dangerous situation with cars trying to access and leave the parking area at the same time

For the busy times, having a parking attendant would help with the chaos

Scott Salway: We are here to work with you and we want businesses & economic development; we also need to maintain safety

Sarah: sorry that you feel ambushed but there is ample time before the application is due; sought to have an open discussion with you

Walt: Being put on the spot without all the information

Randy would like the name and phone number of a full-time contact person when Walt is not there

Will arrange a meeting between Elmer, Bansley and Johnson along with Board members Vicki and Sarah to discuss a resolution

Linda Kersten: Seems to be two issues, parking, and occupancy; bouncer at the door may be a solution

Sarah: there are two benchmarks of occupancy: 54 people can be allowed in the building in the Town's permits; between 54 and 90, violation of the Town permit; State occupancy allows for 90 people on a fire safety stipulation

Tabi reiterated our permit grants a certain number (54 seats, 22 parking spaces) State Fire Marshall's number is the physical capacity of the building as a structure

Sarah: 54 people is based on wastewater gallonage and available parking; Fire Marshall is strictly concerned with safety; two different hurdles; seats and standing capacity are the same

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Andy McLean: As far as liquor license goes, problem and solution is evolving as a condition; as far as occupancy goes, should think about that holistically in the Town, there are other establishments in Town

Will come back to this at another SB meeting for further discussion after the meeting Randy is arranging takes place

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

Liquor Licenses for:

- a. KPLC, Inc. d/b/a West Dover Inn (1<sup>st</sup>, 3rd & OCP)
- b. West Dover Flatbread LLC d/b/a American Flatbread Company (1<sup>st</sup> & OCP)
- c. **Snow Republic (1<sup>st</sup> & 3rd) defer until a future meeting**

On a motion by Sarah Shippee, seconded by Joe Mahon, the Board unanimously agreed to adjourn as local Liquor Control Board and reconvene as Dover Select Board

**VII. Consent Agenda:**

- A. Approve the Minutes of February 21, 2023 & March 1, 2023

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously approved the minutes of Feb 21 and Mar 1, 2023

- B. Approve the Warrants of March 4, 2023 for \$179,556.07

On a motion by Sarah Shippee, seconded by Dan Baliotti, the Board unanimously approved the warrants of Mar 4, 2023

Vicki questioned paying the Town ballot clerks for the School election and why it could not be expensed to RVUSD.

Jeannette will reach out to Rich Werner and Andy McLean on this for clarification

**VIII. FYI:**

- A. Correspondence from VLCT (RE: Municipal Access Portal)
- B. Planning Commission Monday, March 13 at 6:30pm
- C. Trails and Rec Committee Tuesday March 14 at 6:30pm
- D. Reminder: Dog Licenses Expire April 1<sup>st</sup> and Liquor Licenses May 1<sup>st</sup>
- E. Select Board training essentials on March 25 in person or March 30 via zoom

**IX. Liaison Reports:**

Joe: One applicant so far for Assessor Assistant

Vicki: Need an agenda item for next meeting regarding discussion on moving forward on hiring a new Police Chief

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

**XI. Adjournment at 8:07pm by Chair Capitani**

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)