

Village of Manchester  
Regular Meeting of the BOT  
Monday, November 7, 2022 at 4:30 pm  
Bennington County Courthouse, 45 Union Street, Manchester Village

### **DRAFT MINUTES**

In Attendance: President Tom Deck; Trustees: Nina Mooney and Anthony MacLaurin; Zoning Administrative Officer Curan VanDerWeilen; Office Administrator/Assistant Clerk/Treasurer Missy Johnson; Clerk/Treasurer and Tax Collector Donald Brodie.

President Deck brought the meeting to order at 4:32 pm.

Trustee MacLaurin moved to approve the agenda as written. Trustee Mooney seconded the motion and all voted in favor.

Trustee MacLaurin moved to approve the Draft Minutes from the October 3, 2022 Regular Meeting of the Board of Trustees. Trustee Mooney seconded the motion and all voted in favor.

President Deck provided a brief review of the proposed crosswalk near the entrance to the Ekwanok Country Club and noted that a state VTrans representative did not think this was an ideal location for a crosswalk but that he would be visiting the area in the near future and may be able to provide alternative ideas.

President Deck then asked the trustees to review several permits:

- Everton Brownie's renewal for the Jamerican Cuisine food truck at the Orvis Flagship store parking area was reviewed and it was determined that the application would be approved if the ZAO would discuss limiting the current footprint of the business as it has expanded past the food truck.
- A permit for Burgess Estate Sale to be held on November 19 and 20, 2022 was approved and it was mentioned there appeared to be plenty of parking opportunities on the property.
- A Curb Cut application was reviewed and approved for 956 West Road for digging in the ROW related to the attachment of new pipes to the Town of Manchester water system.

Mr. VanDerWeilen commented that he had addressed three inquiries from people interested in possibly opening a cannabis retail shop/dispensary. President Deck mentioned that the Village is looking for feedback on this issue. The Village can elect to allow cannabis retail establishments in the Village by holding a vote on the matter. More information will be forthcoming.

Trustee Mooney moved to, again, provide Village staff with \$100 holiday bonuses this year. Trustee MacLaurin seconded the motion and all voted in favor.

President Deck and Ms. Johnson provided an update on the new website project. As of November 7, 2022 the office staff will be responsible for posting all appropriate/approved

documents to the website. The third party contractor was terminated, and JEG Designs has started working with VTweb on getting control of the site.

#### Reports:

- Ms. Johnson provided the Administration Report:
  - The Trustees were informed of a recent discovery that the VMERS Retirement Plan, previously approved for the road crew, was mandatory for all employees working over 24 hours/week. Ms. Johnson relayed the process for formally informing the staff of the benefit and providing a mandatory “buy-in” option. She mentioned that buying in retroactively could be costly for both the employees and the Village. Mr. Brodie requested that the trustees be copied when the notices are sent out. Ms. Johnson asked that 2 line items be added to the budget (VMERS - ER Admin and VMERS - ER Zoning). Trustee MacLaurin made the motion as requested and Trustee Mooney seconded the motion. All voted in favor.
  - A new tax report was provided to the trustees and Ms. Johnson reviewed where the Village stands on taxes processed with the NEMRC system. It was confirmed that this report does not contain amounts due prior to the 2021/22 tax year. Overall, the Village is in good shape with a total due for 2 tax years totalling \$15,526.67. Collection efforts for all back taxes are ongoing.
  - Ms. Johnson has been in contact with the BCRC on potential grant opportunities for the coming year. Although budgeting has not started and key projects have not been identified, it seems likely that Seminary Avenue may need to be paved this coming summer. The BCRC and VTrans are both aware of this potential project and will alert the administrator when grant applications are being accepted. When more is known about the timing both President Deck and Road Commissioner/Trustee Lewis will be contacted to assist.
  - There are currently 7 Village properties that have been identified that are not on the Grand List uploaded from the Town of Manchester Listers. The problem with the system is being determined and it should be rectified before the next upload scheduled for August ‘23. Hand tabulated tax bills are being sent to those property owners involved.
  - The Holiday wreaths are tentatively scheduled to go up around Thanksgiving.
- Mr. VanDerWielen provided a Zoning and Planning report. This report is available as a written document and is on file.
  - The Bylaw violation on Dillingham Avenue with the Equinox Hotel (Hotel) was recapped. Mr. VanDerWeilen (ZAO) asked the trustees to approve a \$4,800.00 fine for the hotel. The timeline of the violation and source of law for the tabulation of the fine was made clear. Mr. Sheldon (Equinox GM) asked several questions regarding the amount of the fine and a confirmation of when the fines began to accrue was provided by the ZAO. Mr. Sheldon asked the board for leniency in the fine due to the Hotel’s current financial status. President Deck mentioned that he believed two of the trustees present may have conflicts of interest and therefore not be in a position to vote on the fine. Both trustees voiced their desire to keep things as consistent as possible going forward and mentioned that it was important to them to maintain a good relationship with the Hotel. A resident

asked about the current status of the 1811 House and it was mentioned that it was currently being used for employee housing. President Deck stated that having enough housing for employees in Manchester was a serious and sensitive issue and that the Village valued the Hotel being a vibrant part for the community. A Special Hearing was suggested to handle the fine determination. Mr. Sheldon expressed the Hotel's need to have this matter wrapped up quickly and asked if he could waive the conflicts of interest in order to have an immediate determination. Ms. Johnson asked Mr. Sheldon if he would strike his previous request for leniency and he replied in the affirmative. After some discussion, President Deck moved to take a vote on whether to assess a \$4,800.00 fine for the Bylaw violation and make the decision conditional on obtaining a legal opinion on whether conflicts of interest exist(ed) and/or if the conflicts of interest could be waived. Trustee Mooney seconded the motion and all voted in favor.

- President Deck provided a brief Road and Tree Report for Jim Lewis who was not present. A large pothole, partially in the ROW in the front of the Congregational Church was repaired by the road crew recently. The new Village truck was purchased and is being retrofitted. The crew is gearing up for winter.
- Mr. Brodie provided the Clerk/Treasurer and Tax Collector:
  - A written report was submitted and is on file.
  - A Tax Sale Policy is being worked on.
  - A Tax Sale is being requested for one EOB Property that has been in arrears for several years.
    - President Deck expressed that he would like to see that all avenues of communication with the property owner are exhausted before any Tax Sales are scheduled.
  - Mr. Brodie requested that the Board move to transfer funds from the Heavy Equipment Fund and the Highway Fund into 2 new accounts with Fidelity
  - Mr. Brodie requested that the Board appoint new trustees to the Investment/Finance Committee created in 2021/22 as several of those originally on the committee are no longer serving the Village. The following slate was requested:
    - Donald Brodie Treasurer
    - Tom Deck President, BOT
    - Jim Lewis Trustee
    - Anthony MacLaurin Trustee
  - President Deck moved to transfer the funds as Mr. Brodie proposed. Trustee MacLaurin seconded the motion and all voted in favor.
  - President Deck then appointed the trustees and Mr. Brodie to the Investment/Finance Committee as proposed.

#### Old Business:

- The Short Term Rental Study the Village previously agreed to partner with the Town of Manchester on is moving forward. President Deck signed the formal agreement with the Town during the meeting.
- Trustee MacLaurin provided an update on the sign caddies being purchased for the Post Office and Courthouse.

New Business:

- President Deck moved to accept Mr. Mariano's resignation and to move forward to find a replacement who will serve until the term ends in July. Trustee MacLaurin seconded the motion and all voted in favor.
- President Deck mentioned that he would like to see the individual trustees take on different Village projects where their skills and expertise can be best utilized. He would like to see the productivity of the Village continue to move forward.
- President Deck mentioned that in conjunction with the expected decrease in business at the Village Office during this time of the year, focus would change from primarily day-to-day and seasonal priorities to progress on various projects. The BOT will be provided with a list of these projects and then periodically updated regarding progress and completion.
- A Village resident asked whether the recent Noise Ordinance had resulted in reports of noise reduction in the Village. Trustee MacLaurin mentioned confusion on behalf of the residents and police regarding the timeline. The ZAO responded. Using decibels as a measuring tool for the ordinance and future revisions to the ordinance were discussed.
- Concern was voiced regarding the review procedure for the renewal of Annual Special Events Permits.
- President Deck, several other residents and BOT members commented on improvement in the number of police officers patrolling for speeding violators.
- There was discussion about the possibility of camera ticketing for traffic violations being passed by the state legislature.

As there was no future business before the Board of Trustees the meeting ended at 5:43 pm.

The next Regular Meeting of the Board of Trustees will be held on Monday, December 5, 2022.

Respectfully Submitted,  
Missy Johnson Office Administrator