

TOWN OF PLYMOUTH
Selectboard Minutes
May 1, 2023

Jay Kullman called the meeting to order at 6:00 P.M.

Board members in attendance were Jay Kullman, Rick Kaminski, and Keith Cappellini

Audience members in attendance were Frank Vetere, Bruce Pauley, Craig O'Briskie, Terry and Willow Bascom, Julie Dupont, Karen Evans, Dave Olster, Bob and Pat Lambert, Jamie and Josh Rose, and Elizabeth Harper.

Participants via Zoom were Pete Fellows and Joan Rubin.

Changes to the agenda were stated:

Add AED Presentation from Plymouth Emergency Services.

Add Validation Resolution

Add annual financials, town roads and bridge standards and budget

The following minutes were reviewed by the Selectboard:

1. October 28, 2022 Special Meeting Minutes. Jay Kullman made a motion to approve the minutes as written. Rick Kaminski seconded the motion.
2. November 21, 2022 Regular Meeting Minutes: Jay Kullman made a motion to approve the minutes as written, Keith Cappellini seconded the motion.
3. April 3, 2023 Regular Meeting Minutes: Jay Kullman made a motion to approve the minutes as written, Keith Cappellini seconded the motion.
4. December 5, 2023 Special Meeting Minutes: Jay Kullman made a motion to approve the minutes as written, Rick Kaminski seconded the motion.
5. April 17, 2023 Regular Meeting Minutes: Jay Kullman made a motion to approve the minutes as written, Rick Kaminski seconded the motion.

Rick Kaminski re-appointed Pete Fellows as our towns 911 Coordinator. Mike Coleman had been appointed at the April 17, 2023 Selectboard meeting. After consulting both Pete and Mike after the meeting, it was decided that Pete should remain as 911 Coordinator on the State level and Mike Coleman and Margot Martell would assist Pete on a local level.

Rick Kaminski reviewed the changes to the administrators of the Short - Term Rental Ordinance. He nominated Frank Vetere as the Town of Plymouth's Short Term Rental Administrator. Frank currently serves as the towns Health Officer with responsibilities that include responding to issues with long term rental properties in Plymouth.

Margot Martell is the coordinator for the Short - Term Rental applications. She will confirm the applications are complete and then notify Frank Vetere when the properties are ready for inspection. Rick explained the Legal Memorandum received from town attorney, Bill Meub, explaining the process to amend and enforce our Short – Term Rental Ordinance.

When asked about changing the ordinance, Rick stated the Selectboard can rule on changes to the existing ordinance without voter approval. The Legal Memorandum explained step by step the process of Notice of Adoption, required Warnings, waiting period, and petition for a special meeting.

Rick Kaminski then reviewed the suggested revisions to the existing ordinance:

Regarding Occupancy, the 6 sub- items set forth in Item # 2 should apply to all sized units. Changes in the wording of the following are recommended:

Item #2 on Ordinance: Strike the words "for a Short – Term Rental with an occupancy of 8 or less guests. For dwelling units with a dwelling unit capacity of greater than 8 occupants, the following applies":
Item # 2 should read "An application for Short – Term Rental Registration shall be in compliance with the regulations as set by the Town of Plymouth as follows:

Items A,B,C, D, and F were unchanged.

Item E: Strike the words "extends bodily injury and property damage insurance coverage that occurs during or as a result of the use of the Dwelling Unit as a Short - Term Rental."

Item E should read "A certificate of insurance that states the owner has liability insurance covering the dwelling unit and rental usage."

Item # 3 on Ordinance: Strike the words "with a capacity of greater than 8 occupants".

Item # 4 on Ordinance: Strike the words: "The duration of a Short – Term Rental Registration shall be one year from the date of issuance."

Item # 4 should read "All Short – Term Rentals will renew on a set date of November 1st each year. Fees for first year of enrollment will be pro-rated from date of approval.

Items # 5, 6, 7, 8, and 9 will remain as stated in Ordinance.

Item # 10, requiring installation of a Knox Box for all Short – Term Rentals has been debated. Frank Veter recommends making a Knox Box optional, in an effort to make Short Term Rental registration more palatable.

Keith Cappellini stated that all properties with a monitored alarm system should be required to install a Knox Box. This is especially helpful when smoke and CO2 alarms result in a fire department responding to a residence and having to break down a door to gain access if no one answers when they arrive.

Julie Dupont questioned whether appointing Frank would create a conflict of interest, as he is a Short Term Rental property owner. Rick Kaminski replied that it would not.

Jay Kullman suggested the discussion regarding Short Term Rentals and enforcement be postponed until the next Selectboard meeting.

Keith Cappellini moved to approve the Liquor License for Echo Lake Inn and Inn at Waters Edge.

Rick Kaminski seconded the motion.

Jay Kullman read the Adoption of a Broadband Plan. "The Town of Plymouth is served by 2 incumbent broadband providers, VTel of Springfield and TDS Telecom of Ludlow. VTel provides fiber speeds in excess of 500 mbps to most of the town. TDS only covers a small portion of the south of town with max speeds between 75-100 mbps down.

Let it be resolved that on this 1st day of May, the Town will work with TDS Telecom, the State, and other providers to improve broadband services to their customers in the southern portion of town. The Town also offers free outdoor WiFi at the Community Center and will investigate upgrading the speeds to serve the folks in the south of town in the interim."

Rick Kaminski made a motion to approve the Adoption of the Broadband Plan for the Town of Plymouth, Keith Cappellini seconded the motion.

Regarding the review of the Town of Plymouth Re-appraisal for the 2026 Grand List, the board asked to postpone the discussion until the Listers could be in attendance. They will ask the Listers to appear at

the next Selectboard meeting to be available if there are questions regarding the re-appraisal proposals they have received.

Next on the agenda, school choice was discussed. Jamie and Josh Rose would like the ability to send their child to a school closer to their home. They live in Tyson and would like to be able to send their child to the Ludlow Elementary School, which is only 11 miles from their home. While the Reading Elementary School is near, it only has classes for pre-K thru grade 4. Woodstock Middle School and High School accept grades 7 – 12. The choice left to them within our district for grades 5-6 are Killington, Barnard, and Prosper Valley schools.

Keith Cappellini explained the complex and timely path towards withdrawing Plymouth from the Windsor County School District.

Julie Dupont gave a detailed history as to how the Plymouth Elementary School was closed, and the subsequent decisions voters made regarding which schools Plymouth children attend.

Elizabeth Harper gave a detailed account of the educational benefits and value to students that were available after the Plymouth school closed. She urged residents to utilize the Windsor Central Unified Union School District web-site to better understand the working of the 2 Plymouth School representatives, Dr. Elliott Rubin and Josh Linton. She urged residents to read the supervisor's reports and urged the Selectboard to allow and encourage more open conversation regarding school issues that directly impact town residents with school age children.

Pete Fellow offered a possible solution in seeking a geographic waiver. Jamie Rose explained they have explored all avenues available to them. It appears their only option is to pay a tuition of \$18,000 in order to send their child to the Ludlow school.

Jay Kullman asked if residents are still interested in pursuing school choice, which would be a long term goal requiring a group of people following the steps required to bring school choice to a vote. How do we address the immediate needs, such as an exemption for hardships, such as travel time for working parents?

Next on the agenda was the Windsor County Sheriff's Department Law Enforcement Services Contract. Jay stated the contract was reviewed by our town attorney, Bill Meub. It is a one year contract for \$60,000 per year, paid in monthly installments. It described the services to be provided. Deputy Sheriffs in patrol vehicles are provided for an average of 15 to 20 hours per week. At the end of the year the total hours should be between 980 and 1040 hours. Quarterly performance reports will be provided to assess goals and to discuss any issues or concerns in order to keep a good working relationship. Keith Cappellini made a motion to approve the contract, Jay Kullman seconded the motion.

Speaking on behalf of the Plymouth Emergency Services, Dave Olster presented the town with an AED, which was donated by the volunteer organization. He will install the device on a wall in the town auditorium. He received a round of applause and gratitude for this gift to our municipal building, its staff, and all who visit during the course of a day. He also noted we have a Vermont Emergency First Responder employed as our town clerk as an added benefit to this gift.

Next, Jay read to the audience a Validation Resolution, required for the Certificate of Posting, Publication, and Vote Capital Improvements – Weatherization Project.

VALIDATION RESOLUTION

WHEREAS the convening of a Special Town Meeting of the Town of Plymouth (the "Town") on January 17, 2023, to validate the result of an earlier vote by the voters of the Town to issue general obligations

bonds in an amount not to exceed \$800,000 to fund weatherization, renovation, and refurbishment of the Town's municipal building ("Project") was approved by the Selectboard of the Town at its duly warned meeting on December 15, 2022;

WHEREAS notice of the Special Town Meeting was given in part by posting the Warning thereof in four public places in the Town (being all the public places in Town available to the Town for such posting and accessible to a broad spectrum of voters); and

WHEREAS the Town neglected to post the Warning for the Special Town Meeting on the Town's website through oversight, inadvertence, or mistake of fact; and

WHEREAS, as provided in 24 V.S.A. S 1756, because a question whether the Town should issue bonds was on the ballot at said Special Meeting, notice thereof was to be "posted in five public places . . . for two weeks immediately preceding the meeting"; and

WHEREAS the statutory requirements for posting a Warning for a Special Town Meeting containing an article of business pertaining bonded indebtedness for the Project was not complied with because no fifth public place/facility exists in Town which is accessible to and likely to be visited by the voters; and

WHEREAS the statutory requirement for posting an Annual or Special Town Meeting Warning on the Town's website was, because of oversight, inadvertence, or mistake of law, not satisfied; and

WHEREAS, at the January 17, 2023, Special Town Meeting the voters approved incurring bonded indebtedness for the Project with those voting in Favor being 94 and those voting Opposed being 55;

NOW THEREFORE, the Selectboard hereby finds that, notwithstanding the failure to comply with all the statutory requirements incident to notice and warning of said Town annual meeting, the required length of notice of and the purposes for said meeting, including to vote on the incurrence of bonded indebtedness, have otherwise been met; accordingly,

BE IT RESOLVED that, to the fullest extent permitted by law, the Selectboard hereby ratifies, confirms, and validates all action taken by the Town at its Special Town Meeting held on January 17, 2023.

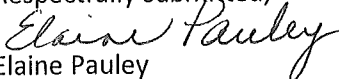
Rick Kaminski made a motion to ratify, confirm and validate all actions taken by the Town as stated in the resolution. Jay Kullman seconded the motion. All were in favor.

Next the board reviewed and signed the Annual Financials, Town Roads and Bridge Standards. Rick Kaminski made a motion to approve the documents, Keith Cappellini seconded the motion.

Julie Dupont had questions for the Selectboard regarding the use of ARPA funds. Jay explained the guidelines for ARPA fund use was very specific in it's scope. She mentioned the Community Center has need of a driveway and window upgrade.

The meeting was adjourned at 8:10 P.M.

Respectfully submitted,


Elaine Pauley


Treasurer