

**Town of Plymouth, Vermont**

**Select Board - Regular Meeting**

**Monday, June 19, 2023 @ 6:00 PM**

**Community Center Meeting Room**

**Board Members Present:** Jay Kullman Rick Kaminski Keith Cappellini

**Staff Members Present:** Angela Kissell Michael Coleman Frank Vetere

**Others Present:** Dave Olster Karen Evans Steve Radonis  
James Tepper Matt Broadwell Tina Fletcher  
Craig Obriskie (zoom)  
Vitoria Herrmann (Telephone)  
Okemo Valley TV (Peter van Gorder)

1. Call to Order:
  - a. Jay Kullman called the meeting to order at 6:02 pm followed by an introduction of those present.
2. Consideration of Any Changes, Additions or Removals to Agenda:
  - a. None
3. Approve Meeting Minutes:
  - a. **Jay made a motion to approve the meeting minutes from May 15, 2023. Rick seconded the motion. The motion carried.**
4. Review and Possibly Approve Policy Changes:
  - a. There was discussion on a few minor Policy revisions.
  - b. The Select Board reviewed and discussed the changes to the *Cash Receipts and Returned Check Policy*. The Town does not have petty cash therefore that section was taken out of the current policy. Additional changes were as to who accepts funds on behalf of the Town as well as when deposits are made.
  - c. Jay did comment that we should look at having two (2) people open the mail together.
  - d. **Jay made a motion to approve the changes. Keith seconded the motion. The motion carried.**

- e. The Select Board reviewed and discussed the changes to the *Reserve Fund Balance Policy*. The addition of the Fire Equipment Reserve was added to the Reserve Fund Balance Policy.
  - f. **Jay made a motion to approve the changes. Rick seconded the motion. The motion carried.**
  - g. The Select Board reviewed and discussed the changes to the *Facility Use Policy*. The previous \$500.00 security deposit was reduced to \$250.00. This is a refundable deposit as long as there isn't damage to building being used. There is an outline of acceptable Events that the building could be used for. Depending on the Event there may be a requirement for a liability insurance certificate.  
The Select Board really wants to encourage residents to use the facilities and doesn't want to charge any fees to rent the building(s).
  - h. **Jay made a motion to approve the amended Policy. Rick seconded the motion. The motion carried.**
5. Review and Approve NEMRC Bulk Time Purchase Agreement:
- a. The Select Board reviewed and discussed the Purchase Agreement that the Town has with NEMRC.
  - b. Jay talked about Cynthia Stoddard from NEMRC and how she acts as a business manager and supports the Town Office with functions pertaining to accounts payable, accounting and balancing of accounts.
  - c. Jay commented that Elaine does a great job and that Cynthia has been there to help when Elaine was learning or now when she has questions.
  - d. Jay also noted that the Town's books look good and that the auditors are happy.
  - e. **Rick made a motion to approve the purchase agreement. Jay seconded the motion. The motion carried.**
6. Discussion on Traffic Ordinance:
- a. Rick discussed his concern of the current speed of traffic on TH50 - Town Office Road, specifically in front of the Town Offices/Municipal Building. He feels that this is a safety issue for employees as well as people working on the building. This concern comes from comments from employees as well as the burn marks on the pavement.
  - b. **Rick made a motion to change the speed limit to 25 MPH on TH 50 - Town Office Road within the Traffic Ordinance. Jay seconded the motion. The motion carried.**
7. Discussion on Phone System:
- a. Rick presented a proposal for re-wiring a new phone system. It includes moving the panel, installation of Cat-6 Data Network, new racks, POE, and switches. The cost for the installation is \$8,654.18. This will improve the quality of our internet. Rick will meet with the contractor onsite, if approved.
  - b. **Rick made a motion to approve the phone system upgrades and also noted that this amount is not part of the contract for current renovations taken place at the Town Office. Jay seconded the motion. The motion carried.**

8. Highway Department Report:

- a. Rick said that the Town of Plymouth has been approved for another grant in the amount of \$200,000.00 for the repair of Billings Road. The estimated cost of the bridge is approximately \$250,000.00 and it will take about two (2) months to complete the work. Part of the estimate will include the refacing of the dry hydrant that is currently there. It looks like the work may begin next year, but Rick will keep everyone up-to-date as things progress.

9. Short-Term Rental Discussion, if People Have Questions:

- a. Steve Radonis presented and read his *Notice of Petition* signed by 37 residents that reads as follows:
- b. *The Undersigned Qualified registered voters of the Town of Plymouth, Vermont request by this petition of disapproval of the Selectboard proposed amendment to the short-term rental ordinance, due no later than 44 days after May 15, 2023.*

***Knox box:*** *Shall remain a mandatory requirement for the short-term rental ordinance.*

***Insurance requirements:*** *Specific rental endorsement AKA commercial, or landlord insurance specific to short term rental PROVIDING 365 days per year coverage (economy sharing is not valid coverage). Coverages by rental representative Ex: Vacasa, Air B&B, VRBO are not acceptable.*

*All other requirements mandated by the original ordinance remain an unchanged requirement with an exception to verbiage for clarification and understanding only.*

*Conflicts of interest should not be considered for any part of the administrative process.*

- c. Steve commented that he had these signatures within six (6) hours and only one (1) of the persons that he asked, would not sign it.
- d. Members of the Select Board discussed the next steps with regard to the STR now that a petition has been presented. They will confirm with Legal Counsel as to what is next.
- e. Frank Vetere commented on the conflict-of-interest wording and how it is slanderous to be throwing that wording around.
- f. Dave Olster said we may all have a little bias in us, but need to execute the job without bringing that bias.
- g. Tina Fletcher spoke on her concerns with not requiring people to have insurance and that there should requirements on the insurance.
- h. Keith stated that it is not the Towns job to monitor the insurance. He added that if you're going to be renting out your home you should know what kind of insurance to get or don't rent it.
- i. James Tepper added that he would like to see some discussion on the STR. He is looking for clarification on items such as number of cars in the yard amongst other things.
- j. Rick asked for James Tepper to submit his comments and/or questions and the Select Board would look at them.

10. Mail and Warrants:
  - a. Mail was reviewed and Warrants were signed.
11. Other Business:
  - a. None
12. Possible Executive Session:
  - a. The Select Board went into Executive Session at 7:21 pm.
  - b. Executive Session ended at 7:37 pm.
13. Adjourn:
  - a. Meeting adjourned at 7:38 pm.

Respectfully submitted,

Angela Kissell  
Town Clerk  
Recording Secretary

**Select Board**

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Jay Kullman, Chairman

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Rick Kaminski

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Keith Cappellini

## **Town of Plymouth Traffic Ordinance**

Pursuant to the provisions of the Title 23, Vermont Statutes Annotated, Sections 1007 and 1008, and Title 24, Vermont Statutes Annotated, Sections 1971 and 2291, (1), (4), and (5), and such other enactments as may be material hereto; it is hereby ordained by the Selectman of the Town of Plymouth that this Traffic Ordinance is adopted for the Town of Plymouth.

### **Article I - Definitions**

The definitions of Title 23, Vermont Statues Annotated, Section 4, are incorporated by reference.

### **Article II - Scope**

The ordinance establishes special traffic regulations on public highways within the Town of Plymouth, Vermont.

### **Article III - Traffic Control Devices**

Section 1: It shall be unlawful for any person to disobey the direction of traffic control devise except in response to the direction of a law enforcement officer.

Section 2: It shall be unlawful for any person to intentionally remove, injure, deface, alter, or tamper with any traffic control device.

Section 3: It shall be unlawful to install any sign or device which may resemble or be mistaken for an official control device without prior approval of the Board of Selectmen.

### **Article IV - Speed Regulations**

On the basis of traffic and engineering surveys, the maximum speed limits are hereby established.

On State Vermont Route 100 and Vermont Route 100A, a maximum speed established by the Vermont Traffic Committee.

TH 2 - A maximum speed of 25 mph beginning at the junction of Vermont Route 100 easterly to the junction of TH 42 and TH3 then a maximum speed of 35 mph to the Plymouth/Reading Town Line.  
TH 3, 6, 7, 8, 9, 15, 20, 23, 37, 41, 42, 43, 44, 50, 59, 60, and 61. A maximum speed of 35 mph for the entire length of these Town highways.

TH 1 - A maximum speed of 25 mph for all of TH 1.

TH 4 -The first five-tenths of a mile, off from Coolidge Memorial Highway, will be 25 mph and the balance will be 35 mph.

TH 5 -The first three-tenths of a mile, off Vermont Route 100A, will be 25 mph and the balance will be 35 mph.

## Article V - General Provisions

Section 1: Each violation of this ordinance shall be deemed a separate offense.

Section 2: The provisions of this ordinance shall be cumulative to the fullest extent permitted by law with respect to all other statutes or ordinances now or hereafter adopted regardless of the order of passage or enactment.

Section 3: The provisions of this ordinance are declared severable, and if any provision hereof be judged invalid, such judgment shall not affect the validity of any provision.

Section 4: Reference is to the general highway map of the Town of Plymouth, prepared by the Vermont Agency of Transportation, dated 1986, for highway designation.

Section 5: This ordinance supersedes all previous traffic ordinances in the Town of Plymouth.

## Article IV - Speed Regulations Amendment

This ordinance was adopted on March 7, 2022. It will take effect on March 7, 2022, unless a petition signed by at least five percent of the legal voters of the Town of Plymouth is filed with the Town Clerk by April 7, 2022, asking for a vote to disapprove the traffic ordinance. If a petition is received, the Board of Selectmen will warn a special meeting and the voters may vote on the question 24 V.S.A. 1973 (E).

Town of Plymouth, Vermont

Select Board

Jay Kullman  
Rick Kaminski  
Keith Cappellini

### Article IV - Speed Regulations is further amended to read

TH 50 – A maximum speed of 25 mph for the entire length of said Town highway.

Under Vermont law, the Traffic Ordinance may be disapproved by a referendum vote of a majority of the qualified voters of the Town. In order to require a referendum vote on the adopted Ordinance, a petition requesting a vote on the question of disapproving the adopted Ordinance must be submitted to the Select Board or Town Clerk. The petition must be signed by not less than five percent (5%) of the qualified voters of the Town and submitted no later than 44 days from the date the Ordinance was adopted by the Select Board, which was June 19, 2023. If a petition meeting those requirements is submitted, the Select Board shall call a meeting within 60 days from the date of receipt of the petition to hold a referendum vote to determine whether the voters will disapprove of the Ordinance.

If no petition is submitted within the required time, the Traffic Ordinance will take effect 60 days from the date the Traffic Ordinance was adopted by the Select Board, which will be August 18, 2023.

The foregoing ordinance is hereby re-adopted by the Select Board of the Town of Plymouth, Vermont on this 19<sup>th</sup> day of June, 2023.

Town of Plymouth, Vermont

Select Board

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Jay Kullman, Chair

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Rick Kaminski

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Keith Cappellini

# Town of Plymouth, Vermont

## NOTICE OF ADOPTED TRAFFIC ORDINANCE

Please note that the Town of Plymouth Select Board voted to adopt/amend their Traffic Ordinance on June 19, 2023.

Under Vermont law, the Traffic Ordinance may be disapproved by a referendum vote of a majority of the qualified voters of the Town. In order to require a referendum vote on the adopted Ordinance, a petition requesting a vote on the question of disapproving the adopted Ordinance must be submitted to the Select Board or Town Clerk. The petition must be signed by not less than five percent (5%) of the qualified voters of the Town and submitted no later than 44 days from the date the Ordinance was adopted by the Select Board, which was June 19, 2023. If a petition meeting those requirements is submitted, the Select Board shall call a meeting within 60 days from the date of receipt of the petition to hold a referendum vote to determine whether the voters will disapprove of the Ordinance.

If no petition is submitted within the required time, the Traffic Ordinance will take effect 60 days from the date the Traffic Ordinance was adopted by the Select Board, which will be August 18, 2023.

For any questions about the Traffic Ordinance please contact the Plymouth Select Board or the Plymouth Town Clerk at 802-672-3655 or email [clerk@plymouthvt.org](mailto:clerk@plymouthvt.org). If you have questions and/or comments they may also be mailed to the Plymouth Town Office located at 68 Town Office Road, Plymouth, Vermont 05056.

The full text of the adopted ordinance may be found on the Town of Plymouth website: [www.plymouthvt.org](http://www.plymouthvt.org) under Town Administration/Ordinances.