

**RICHMOND SELECTBOARD  
REGULAR MEETING  
November 4, 2013 MINUTES**

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Members Present: June Heston, Chair; Amy Lord, Vice Chair; Chris Granda; Ashley Lucht; Taylor Yeates

Absent: None

Others Present: Geoffrey Urbanik, Town Manager; Bruce and Sheila Bailey; Mary Houle; Ann Cousins; Mark Fausel; Erin Wagg; Lou Borie; Peter Gosselin, Highway Foreman; Kristen Hayden-West; Rebecca Mueller, Director of the Richmond Free Library; Mary Ellen and Tom Bednar; Susan Whitman; Dianne Prevo; Jim Prevo; Joan and Gary Holman; Bryden Danilich and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

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June Heston called the meeting to order at 7:10 PM.

**1. Welcome and Public Comment**

June Heston asked if there were any comments from the public, but there was none.

**2. Items for Discussion with Those Present**

Bryden Danilich Eagle Scout Project

Bryden Danilich was present to discuss his recent Eagle Scout project. The project was a cleanup of the Richmond Hill cemetery and an improvement of the walking path leading to it. Mr. Danilich explained the many hours and volunteer time he and others put into the project and showed some pictures of what the cemetery looked like and how it was improved. Mr. Danilich spoke of how he developed his idea, raised money and got volunteers to do the work.

The Selectboard thanked Mr. Danilich for his work and said that it certainly helped improve the town's oldest cemetery.

**3. Items for Discussion with Those Present**

Discussion of REDC Items from October 17th

Ms. Lord explained that at the last Selectboard meeting, Ann Cousins of the Richmond Economic Development Committee had presented a list of priorities for the Selectboard. Tonight's discussion was a response to that request.

**We urge the Selectboard to put the water/sewer rates problem at the top of its agenda.**

Plan: Phase in the water/sewer rate increase for all users

Action: Refinance the 20-year Bond with a 30-year Bond [work with Beth Pierce]

The Manager noted that this had been discussed previously with the State Treasurer and the Executive

1 Director of the Vermont Municipal Bond Bank and it was not feasible at this time.

2

3 Plan: Reallocate Costs

4 Action: Recalculate different rates for different users—residences, businesses, and civic users.

5 Increase rates for civic users: Town Offices, Fire District, and Schools.

6 Action: At Town Meeting, bring to voters a recapitalization plan that shifts some water system  
7 improvement costs to the Town.

8 Action: Quantify the contribution of Richmond village businesses to the tax base and advocate for  
9 Town-wide capitalization for some of the repairs.

10

11 Mr. Granda said that the rates had increased from a significant restructuring, not a lack of revenue.

12 Adding revenue wouldn't necessarily go directly to those who were suffering the most under the rates.

13 He spoke of different rate classes and how it might be implemented. He had spoken to the schools'

14 Superintendent, John Alberghini and also RES board member John Milazzo about the rates and it was  
15 difficult to increase rates mid-year because of their budget.

16

17 Plan: Access Jericho Road Bond Division

18 Action: Do further analysis of the Jericho Road construction project and bond division to access  
19 whether the division of costs between Town and Water District was correctly assigned.

20

21 The Manager said that this could be looked at again, although the difference between the two shares  
22 was minimal.

23

24 Plan: Redevelop the Creamery Parcel to bring in more users

25 Action: Expedite rezoning of the "creamery parcel" to allow for mixed use and density bonuses

26 Action: Town, RDC, or NPO should pursue with Craig Caswell a transferable option to purchase the  
27 property and apply for DEC Brownfields Program grants for Corrective Action Planning, due Nov. 4,  
28 2013.

29 Action: Once the Town/RDC/NPO has the Corrective Action Plan and transferrable option, there are  
30 two possible actions: 1) issue an RFP for a private developer to purchase, implement the Corrective  
31 Action Plan, and redevelop the site; or 2) the Town/RDC/NPO exercises its option and purchases the  
32 property in order to apply for grants to clean the site; once clean, the Town/RDC/NPO issues an RFP  
33 to a private developer to purchase and redevelop the site. (The Town/RDC/NPO can apply for grants;  
34 a for-profit developer only has access to low interest loans.)

35

1 Ann Cousins said that the owner has offered a purchase option to the Senior Citizen Center group that  
2 will allow the application for Brownfields Planning grants. This was the first step in getting a  
3 redevelopment plan together and the possible future application for cleanup funds.

4  
5 The Manager also spoke about a proposal for interim zoning on the creamery parcel. There was a  
6 group of members of several town boards, town staff and REDC members to try and develop an  
7 interim zoning proposal to allow for more room to select what development might go there, and to  
8 relax certain restrictions to better economize possible development.

9  
10 Ms. Lord added that with interim zoning, projects go before the Selectboard instead of the  
11 Development Review Board. Ms. Cousins said that we needed public input on interim zoning before  
12 we adopted it.

13  
14 Plan: Increase Septage Fee Returns

15 Action: Create a Septage Hauler program that is competitive and brings more haulers to Richmond.

16 Publish a list of preferred haulers who agree to use Richmond for their Septage pump out.

17  
18 The Manager explained that the town had in the past published a list of companies that did business  
19 with the Wastewater Treatment Facility. He added that Richmond residents alone were not going to  
20 make up a \$100,000 shortfall, but it was good business to get the word out on which haulers were  
21 likely to use our facilities.

22  
23 It was agreed that these items would continue to be a priority for the Selectboard and they would work  
24 to improve difficult situations in the water district.

25  
26 **4. Other Business**

27  
28 Budget Discussions

29  
30 Library Budget

31  
32 Richmond Free Library Director Rebecca Mueller and Board Chair Kristin Hayden West were present  
33 to discuss the Library's budget proposal. Ms. Mueller said that the increases were simple, in salaries,  
34 maintenance and capital reserve funds. Overall, the budget was down and Ms. Hayden West said that  
35 the Library was being responsible with its funds.

36  
37 Ms. Lucht asked if the roof repairs had been done yet. Ms. Mueller said no, it was a smaller job than  
38 first thought but it is still outstanding. It would be paid from the reserve funds, but there were always  
39 choices to be made.

40  
41 Mr. Granda said he had met with members of the Library and was impressed with what they've done  
42 with a tight budget. Ms. Mueller said that they were doing more outreach to grow programs. Ms.  
43 Hayden West said that so much of library work was digital now and training was more intensive.

1  
2 The Selectboard thanked Ms. Mueller and Ms. Hayden West for coming in.

3  
4 Highway Budget

5  
6 Highway Foreman Peter Gosselin was present to discuss his budget with the Selectboard.

7  
8 He noted that salaries were up 2% but some auxiliary salaries were increased due to additional hours.  
9 The healthcare was also up, and the Manager explained that there was one extra plan built in, which  
10 was a conscious budget move. Mr. Gosselin continued, and said that diesel was up from \$70,000 to  
11 \$80,000 due to high cost and use of fuel. The gravel and retreatment budgets were up according to  
12 plan and salt was increased by \$5,000. He explained that signs were increased since the average cost  
13 of a sign was \$100 and all roads had to have new signs as they were improved, and there were a fair  
14 number of missing signs to be replaced each year.

15  
16 Mr. Gosselin said that the eight year replacement plan for trucks was working well. The town was  
17 avoiding expensive repairs and trade value was still good, which kept replacement costs down. This  
18 had been in place for about six years and was working well. A new truck would cost around  
19 \$140,000, and last year one truck was deferred, meaning one truck would be nine years old next year.

20  
21 Mr. Gosselin said he had prepared the Recreation budget also, which was down by \$23,000 since the  
22 roofing for the park structures would be complete this year. Those items had come in under budget  
23 this year. There was some additional money in the maintenance budget, otherwise it remained  
24 unchanged.

25  
26 The Selectboard thanked Mr. Gosselin for his presentation.

27  
28 Administration Budget

29  
30 The Manager explained the Administration budget. Salaries were up with the 2% cost of living as  
31 well as a change in some staff salaries. Most other items were unchanged. He had split the  
32 Technology line and created a new website line of \$4,100.

33  
34 The listers budget was currently unchanged. This was due to a hold on the budget for what changes  
35 might occur with the governance committee's recommendation.

36  
37 Cara Labounty said that the Selectboard was faced with multiple options with multiple dollar amounts.  
38 Mr. Yeates said that the governance committee was meeting tomorrow and would have a better idea of  
39 their proposal costs on the 18th.

40  
41 For the Planning and Zoning budget, salaries were up as well as contract expenses.

42  
43 Ms. LaBounty asked if the police department still had five cars on the capital plan and if we still  
44 owned five cars. The Manager said that yes, this was agreed to for the FY2014 Capital Plan and we  
45 still had five cars on a four year cycle. One car was on a three year lease, which essentially extended  
46 the payments of that vehicle since two would be purchased in one year.

47  
48 The Selectboard scheduled additional budget and capital plan discussion for the next meeting.

49  
50 Discussion of Cell Towers

1  
2 The Manager explained that six months or so ago, AT&T applied to the Public Service Board to  
3 extend the cell tower at the Verburg silo, which the Selectboard did not object to. Recently VTel had  
4 applied to the Public Service Board for a new tower on Chamberlin Hill above Johnnie Brook Road  
5 and AT&T had made application for a site on Cochran Road. Additionally, AT&T wanted to site two  
6 more towers on the north and south end of town. This was unusual, and likely had to do with the  
7 pending expiration of the law that allowed these projects to obtain approval from the Public Service  
8 Board and not the local land use boards. The issue before the Selectboard was whether or not to  
9 support, deny or otherwise remain silent on the Johnnie Brook Road tower and determine how to  
10 handle the AT&T applications. The deadline for comments on the Johnnie Brook Road tower was  
11 November 5th, although the Planning Commission had recently obtained approval to extend their  
12 deadline for official comment to November 7th.

13  
14 The Selectboard agreed that tonight's discussion would focus on the Johnnie Brook Road tower and  
15 the Cochran Road tower would be held for November 18th.

16  
17 Ms. Lucht reviewed a draft letter to the Public Service Board on this matter. She said it wasn't worded  
18 strongly enough to say that the Selectboard was frustrated by the bypass of local regulation.

19  
20 There was extensive discussion regarding official correspondence. The discussion turned towards the  
21 specific projects.

22  
23 Ms. Heston asked why there was more than one tower proposed, if it was possible that one could  
24 sufficiently improve coverage.

25  
26 Mark Fausel said that the application talks about the width of the pole, but did not say it was a stealth  
27 tower, which the Richmond zoning regulations called for.

28  
29 Ezra Hall said he had lived in Richmond for 13 years, enjoyed the scenery and said that our local  
30 bylaws were important. The Town should govern within the bylaws, which are approved by the  
31 public. These towers should be stealth towers and 140' monopoles were no in character with the town.  
32 Since the town didn't have any official say in this, we need to be more of a player with the Public  
33 Service Board. There seemed to be zero coordination amongst the carriers and they were grabbing  
34 territory before the law expired.

35  
36 Ms. Lucht asked if we could ask the Public Service Board to hold a hearing.

37  
38 Earl Wester said that towns could take a position with the Public Service Board and get them to  
39 recognize the town's governance. This needed to be a formal and specific request.

40  
41 Cara LaBounty asked if we would rather have one tall tower or several smaller ones.

42  
43 Gary Holman asked if the tall tower was in Bolton, there were no houses there and it is quite distant.  
44 The proposed Cochran Road tower was not similar. It was 100 yards from Ezra Hall's backyard. On  
45 Johnnie Brook Road, it was not even at the top of the hill. The view from Cochran Road would be  
46 significantly affected, as would neighboring property values.

47  
48 Earl Wester said that Act 250 and aesthetics needed to be considered. The character of the lots in  
49 Greystone would be affected and the town would lose tax revenue.

50

1 Cara LaBounty said that the property valuation changes established by the State of Vermont had no  
2 statistics that cell towers affected property values by driving them down.

3  
4 Fritz Martin, of the Richmond Land Trust, said that the Safford Preserve bordered the Cochran Road  
5 property. The Land Trust recognizes the importance of coverage but these towers were proposed to be  
6 higher than similar landscapes but only needed to be twenty feet more above the canopy. The general  
7 concern is that public use and enjoyment of the property would be affected. He believed the Public  
8 Service Board was supposed to take into account the town's plans and ordinances. The Selectboard  
9 should ask these companies why the towers would be so high, and we need to consider all towers at  
10 once.

11  
12 Susan Whitman lived next to the lot where the proposed Johnnie Brook Road tower was sited. She  
13 feels that this will have a large visual impact on a prominent ridgeline. She said that it was not  
14 properly backdropped from where she lives and an additional 1,000 of road would need to be built to  
15 access the tower from the road.

16  
17 Ann Cousins said that Mr. Martin alluded to four different applications, and the town is without  
18 understanding coverage needs or alternative options for co-location.

19  
20 Tracy Rosen said that he agreed with Mr. Martin and we needed to establish a precedent with the PSB.  
21 Unless there was a proven benefit then we need to stop until it is proven. Broadband was good but  
22 until we know how it is quantitatively better than what we have now, we need to stop.

23  
24 Cara LaBounty asked if the public could go directly to the PSB and if they could, then they should  
25 write their concerns directly.

26  
27 Bill Wheeler thanked everyone for coming out and said we need to be united. He didn't understand  
28 what the issue was or needs are, and if these towers were in their best interest. Where does the  
29 Verburg silo fit into these?

30  
31 Erin Wagg said that on Johnnie Brook Road, the tower was close to the highway, and other towers  
32 were along the highway. These were for I-89, not Richmond.

33  
34 Kevin Kennedy said that this was a grievous injury to have all of these towers. We needed to heighten  
35 our understanding of how these affect us, taxes and property values.

36  
37 Diane Wester asked why the rush and can't we request 180 days to review these?

38  
39 Fritz Martin said that the PSB was charged with streamlining the approval process. Property values  
40 were not their consideration, nor were aesthetics. They are supposed to be a proxy for the town plan,  
41 which says that towers should be lower.

42  
43 Ms. Lucht said that if we were going through the DRB, then we would require lower towers. The PSB  
44 should consider our zoning.

45  
46 Cara LaBounty said that she regularly sees the Bolton tower, she was a cell phone user, and heard a lot  
47 of "Not in my back yard." The state decides, not local zoning. If you request standing from the PSB  
48 you need to also consider those with no coverage.

49

1 Tracy Rosen said he was opposed to the towers but agreed with Cara LaBounty on the issue of  
2 residents without coverage.

3  
4 Ms. Wester said that the Selectboard needed to ask for a hearing and not an extension.

5  
6 Mr. Yeates said that the Selectboard needed a seat at the table to speak to all towers.

7  
8 Ms. Heston was concerned that it might not fit our zoning.

9  
10 Ezra Hall said we would need an attorney to go before the PSB, but focus on height. Ms. Lord agreed  
11 and asked if these carriers had considered existing locations.

12  
13 Mary Bednair asked if a citizens group could get a petition. Mr. Granda said that he believed that a  
14 group of citizens could petition for a hearing.

15  
16 Kristin Hayden West asked where the news media was. She said that people should call the  
17 Burlington Free Press and Seven Days.

18  
19 There was some additional discussion. The Manager was directed to write the Public Service Board to  
20 note that the two tower applications did not address local zoning and scenic corridors, and to request  
21 intervenor status in a hearing before the board. Also, to request that these towers be considered at  
22 once and not one at a time.

#### 23 24 Chittenden Unit for Special Investigations (CUSI) Contract

25  
26 The Manager noted that Richmond had belonged to this group for some time. Their specialty was  
27 investigating sex crimes and was a valuable service to the County.

28  
29 Mr. Yeates offered a motion to approve the CUSI contract for one year, 2014, and was seconded by  
30 Mr. Granda and the motion carried 5-0.

31  
32 Maureen Kanley urged the Selectboard to add COTS funding to the FY2015 budget.

33  
34 Ms. Heston asked how would we address appropriations requests. We needed to know how much  
35 would this funding really help those in Richmond.

36  
37 Mr. Granda said the issue wasn't how the Selectboard should respond but if there was a public appeal  
38 that could do the job better.

39  
40 Mr. Yeates requested a discussion on this matter at the next Selectboard meeting.

#### 41 42 Reports from Selectboard and Town Manager

##### 43 44 Depot Street

45  
46 The Manager noted that the paving was going in this week and work would finish up the following  
47 week. The sidewalk in front of the market was not going to happen right now until the revised design  
48 would be approved by interests on Railroad Street.

49

1 Maureen Kangley said that there was a blind woman who walks around town, and the sidewalk needed  
2 to be finished, since it impaired her ability to get around.

3  
4 VYCC Tax Appeal

5  
6 The Manager noted that at the last meeting it was explained that VYCC had won their tax appeal on  
7 summary judgment. This was unusual, however, the judge agreed with their contention that they were  
8 exempt from property taxes under the public use exemption under state law. The town had 30 days to  
9 appeal, however, no Selectboard member had suggested that the town appeal.

10  
11 The Manager noted that Marshall Paulsen had also appealed his taxes to the State, following a BCA  
12 appeal where he believed the revised value was still too high. The Listers had already filed an answer.

13  
14 Cara LaBounty asked if the town needed legal representation on this. The Listers did not feel that they  
15 required this. Mr. Yeates said he saw no need for legal representation in this matter.

16  
17 The Manager noted the financial and police reports.

18  
19 There was some discussion about the financial reports. Ms. Heston asked how far along was the audit.  
20 The Manager said that the fieldwork had not yet been done. There was some discussion on why this  
21 was the case.

22  
23 Cara LaBounty said she understood that the CPA was still doing financial statements. The Manager  
24 said that was correct. There was a significant delay in getting our financial statements together, which  
25 was being performed by the CPA and not the auditors.

26  
27 Mr. Granda asked how long the current auditor had been with the town, and the Manager said since  
28 2009, about five years. Mr. Granda said that he didn't feel he needed any additional reasons to submit  
29 an RFP for auditing services.

30  
31 Mr. Yeates agreed and offered a motion to direct the Manager to prepare an RFP for the FY2014 audit.  
32 Mr. Granda seconded the motion and the motion carried 5-0.

33  
34 The Manager noted the Rescue Report. Ms. Heston asked if there was interest in the Selectboard's  
35 appointee. The Manager said there had been one person and he wasn't sure that person still wanted to  
36 be on that board, but he would follow up.

37  
38 Approval of Minutes of October 21, 2013

39  
40 Ms. Lucht offered a motion to approve the minutes of October 21, 2013, with minor corrections, and  
41 was seconded by Ms. Lord. The motion carried 4-0-1 with Mr. Yeates abstaining.

42  
43 Warrants

44  
45 Mr. Yeates offered a motion to approve the warrants and was seconded by Ms. Lucht and the motion  
46 carried 5-0.

47  
48 **5. Adjourn**

49 Motion by Ms. Lucht to adjourn the meeting at 9:40 p.m. Seconded by Ms. Lord. So voted.