

**R I C H M O N D S E L E C T B O A R D
R E G U L A R M E E T I N G
S e p t e m b e r 3 , 2 0 1 3 M I N U T E S**

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

Absent: None

Others Present: Geoffrey Urbanik, Town Manager; Mary Houle, Lister; Wright Preston; Peter Gosselin, Highway Foreman; Sue Glennon; Rick Niquette; Chris Carfaro; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

June Heston called the meeting to order at 7:45 PM.

1. Welcome and Public Comment

Ms. Heston asked if there were any comments from the public.

Wright Preston said he had heard about ISO regarding the new water tank, but asked if someone could explain what that had to do with the size of the water tank.

The Manager explained that the Insurance Services Office did calculation for water needs for fighting fires. This meant that the available storage in the new water tank had to be a certain size, however, the final tank design had not been completed.

Ms. Lord thanked the members of the Parade and Fireworks Committee for their successful August 24th celebration.

Mr. Granda noted that there was still a need for better timing for the lights at Bridge Street/Route 2, because there wasn't enough time for pedestrians to cross. The Manager was directed to research this and try to get a four way stop activated that would allow better timing for pedestrians.

2. Items for Discussion with Those Present

Parade and Fireworks Committee Request for Coin Drop

Sue Glennon and Rick Niquette were present to request an additional coin drop for raise funds for next year's fireworks celebration. The Manager explained that in 2004 the Selectboard enacted a policy to restrict coin drops to just two organizations, the Parade and Fireworks Committee and the Fire Department, and only allow one coin drop per organization. If either organization failed to hold a coin drop in a year, their ability to do so would expire. To change this would mean a change in policy.

Sue Glennon explained that with the rain rescheduling on July 4th, the committee lost food and other expenses, and with last year's storm that destroyed some tents, the committee was almost out of money. She also explained that the annual parade and fireworks were funded entirely from donations, and not town support. She would like to hold one more coin drop this Fall to be able to raise additional funds, and without them the committee would not have enough money to pay for the fireworks in February.

1 Rick Niquette added that only half of the expected turnout was on August 24th, and the sales from
2 food and the auction were way down. He said that the only way to raise money was through the coin
3 drop, the auction, and food sales.

4
5 Mr. Granda asked if one more coin drop would be enough to get the committee to where it needs to be,
6 and Mr. Niquette said yes. Ms. Glennon said that another \$1,500 would be enough.

7
8 There was some discussion about the amendments to the existing policy. Ms. Heston said that the
9 permanent forfeiture of the coin drop needed to be removed. Other changes would allow two coin
10 drops in a year for each organization.

11
12 Ms. Lucht offered a motion to amend the current Coin Drop Policy and was seconded by Mr. Yeates,
13 and the motion carried 5-0.

14
15 Ms. Glennon then asked to hold the coin drop on Columbus Day weekend, that Saturday. Mr. Granda
16 offered a motion to approve the request for a coin drop on Columbus Day Saturday and was seconded
17 by Ms. Lord and the motion carried 5-0.

18 19 Complaint About Non-issuance of Zoning Violation

20
21 Denise Curley of 72 Huntington Road was present to call for action on a zoning violation from her
22 neighbor at 64 Huntington Road.

23
24 The Manager explained that the new zoning administrative officer, Neal Leitner, had received this
25 complaint back in April, and had been trying to work with the neighbor to get compliance. The issue
26 was the location of several accessory structures that were within the setback to the side property line,
27 bordering Ms. Curley's home. Ms. Curley could not refinance since the mortgage company wanted to
28 see a surveyed line that indicated Mr. O'Brien's structures were not on her property. Mr. Leitner had
29 spoken with Mr. O'Brien, and Mr. O'Brien had applied for a permit to have the structures, and move
30 them away from the property boundary, and outside of the setback. However, the application was not
31 complete and there was no accompanying fee. Therefore, no permit had been issued and the zoning
32 administrative officer wanted to give an additional month to comply. The Manager said that time was
33 up, and the neighbor would be given a Notice of Violation. This was another example of things
34 dragging out to the point where it is difficult to keep them under control. This was a goal, to speed
35 this process up, and not give people five months to comply.

36
37 Ms. Curley said that if he couldn't produce the necessary permits, then he is in violation. She added
38 that they recently conducted a survey and he agrees with where the property boundary is.

39
40 The Selectboard asked for an update on this for the next meeting.

41 42 Waiver of Late Homestead Filing Penalty

43
44 The Manager explained that he was dropping his objection to the penalty. He had been mistaken that
45 this was a new penalty, but in fact the town was collecting it all along. There had been two changes
46 recently that confused the issue. The first is that the annual filing was temporarily changed to
47 biannually, then changed back. The second was the method of calculating the penalty, which was new
48 this year. However, this penalty has existed for several years and the town has routinely collected it in
49 the past, as evidenced by information provided. Therefore, there was no reason to suggest the town

1 not collect the penalty since there was nothing new about it. The Manager added that the language of
2 the law indicated that the Selectboard could waive the penalty for everyone, if they chose to do so.

3
4 Mr. Yeates said that the penalty seems to have been working, and he said it was not fair about the
5 changes to the filing, or that the legislature chose to impose this penalty but he now had no objection
6 to how this was implemented.

7
8 The consensus of the Selectboard was to take no action to waive the penalty.

9 10 Highway Department Status Update - Pete Gosselin

11
12 The Highway Foreman, Pete Gosselin, went through a damage report and update from the summer
13 flooding. He said 25 roads were seriously impacted, and some contractors had been used to repair
14 damages. He said that the damage was 90% repaired but small work remained.

15
16 Mr. Gosselin also explained that the annual work program was out the window, and the usual summer
17 and fall road program would now have to wait until May and June. He thanked the work crew, and the
18 outstanding job they did this Summer. He mentioned that Troy Liberty took photos and helped with
19 FEMA.

20
21 Mr. Gosselin said that the paving plan would begin on September 16th, with Sherwood Forest, East
22 Hill Road and Bridge Street being worked on. Depot Street would be part of the job also, and perhaps
23 Southview.

24
25 Chris Carfaro asked when the sidewalks on East Main Street would be done. The Manager said that
26 engineering plans existed as part of a larger streetscape and water/sewer project. This was not on any
27 current timetable yet. The Selectboard thanked Mr. Gosselin.

28 29 **3. Other Business**

30 31 FY2015 Budget Introduction

32
33 The Manager provided last year's budget status to allow the Selectboard to see where the town spent
34 its money, and where problem areas were located. The Manager said that department heads would
35 soon provide budget requests and the Selectboard had a chance to suggest changes now, before those
36 budgets were prepared.

37
38 The gravel plan was discussed, and asked if additional funds were necessary next year in light of the
39 delays in the gravel plan this year. The Manager said he would ask Mr. Gosselin, however,
40 department heads would be asked to come and present their budgets.

41
42 There was discussion on a general guideline for operational increases. Mr. Granda suggested 2%, with
43 any deviations being explained by the Department Head. There was discussion on whether this should
44 be 3% or 2%, and the Selectboard ultimately decided on a 2% increase on operations, but not that all
45 lines should be increased that much. Capital items would be discussed on a case by case basis.

46 47 Request for Refund of Technical Review Fees

48
49 The Manager explained that a written request had been received from members of the Andrews
50 family, and heirs to the Andrews Farm which was recently subdivided and partially conserved. The

1 Andrews explained that they paid \$1,800 in technical review fees, but they didn't plan on perfecting
2 the lots to be sold, so they requested their review fees back. There was much discussion on why the
3 town charged a technical review fee, and who should pay. The Manager said that if the town refunded
4 the fees, someone else at some point would need to pay to have our engineer review the plans for a
5 home, to ensure they met appropriate law and regulation.

6
7 Cara LaBounty said that the Development Review Board approved this as a five lot subdivision with
8 waivers. She said that this had final approval, while the memo from Cathleen Gent said that only
9 preliminary approval had been given.

10
11 Mary Houle said that as a matter of reason, the fees were there to confirm the subdivision. She said
12 that when she was on the board, Brad Worthen had the same issue and the town denied his refund until
13 the lots were reviewed and complete. This wasn't pay as you go, but pay in advance.

14
15 The Selectboard agreed that no action should be taken on this request at this time.

16
17 Award of Contract for Cleaning of 43 Bordeaux Lane

18
19 The Manager explained that he had solicited for bids to clean 43 Bordeaux Lane, in accordance with
20 the Health Order and Court Order. Two companies responded, and the low bid was 1-800-Got-Junk at
21 \$13,500. There was discussion on the bid, and the job.

22
23 The Manager noted that the town could only do so much, and the value of the property precluded a
24 high priced cleanup due to the lien required.

25
26 Mr. Granda asked what would prevent Mr. Bordeaux from continuing to do as he was, and place
27 garbage, etc., on the property. The Manager said that at some point this would become a police matter
28 and he would have to be handled through the courts.

29
30 Mr. Yeates offered a motion to approve Purchase Order 3136 to 1-800-Got-Junk to clean 43 Bordeaux
31 Lane, in an amount not to exceed \$13,500 and was seconded by Ms. Lucht and the motion carried 5-0.

32
33 Ms. Lucht offered a motion to direct the Town Attorney to prepare a lien on the property for the
34 \$13,500 cleanup plus associated costs and was seconded by Mr. Yeates. The motion carried 5-0.

35
36 Award of Contract for Depot Street Parking Lot

37
38 The Manager explained that the town's engineer, Mike Weisel, and he had spoken with the low bidder,
39 Engineers Construction, Inc., (ECI), and had agreed on a way to reduce the scope of work and fit
40 within the town's budget. The curbing along the railroad had been deleted, as was some of the
41 pervious pavement. The bond had been eliminated also. This would then fit within the town's budget,
42 including \$94,800 from the bank note, \$30,000 from the stormwater ecosystem restoration grant, and
43 the town's paving budget. The Water Commission had approved their portion, which included a 1/3
44 cost of mobilization.

45
46 Mr. Yeates asked what exactly had changed, and the Manager said the bulk of the cost change was in
47 the curbing. Mr. Yeates said he did not want to do this project without the curbing. He felt it wouldn't
48 be right, and he wanted to do the right thing. He wanted to find a way to do this as designed, even if it
49 meant having to wait.

1
2 Cara LaBounty asked if the curbing was a decoration or really needed? The Manager said it was to
3 direct water flow next to the railroad, however, with the rain garden area, the water would still be
4 filtered prior to the discharge into the railside ditch.

5
6 There was some discussion. Ms. Heston said that there were valid points, but this was a parking lot
7 that was needed.

8
9 Ms. Lucht offered a motion to approve Purchase Order #3138 to Engineers Construction Inc. in an
10 amount not to exceed \$124,800, for the Depot Street Parking Lot. Ms. Lord seconded the motion,
11 which carried 4-1 with Mr. Yeates voting against.

12 13 Reports from Selectboard and Town Manager

14
15 Ms. Lord reported that the Richmond Economic Development Committee was meeting on September
16 12th to discuss zoning of the creamery, with Hinesburg officials and members of the Regional
17 Planning Commission.

18
19 There was discussion on the digital economy grant. Ms. Heston said that the deadline may have
20 passed already, but this needed to be looked into quickly. The Manager noted that he and Ms. Lucht
21 have a scheduled online demo with CivicsPlus, which does website for towns.

22
23 The Manager reported that the Route 2 bicycle and pedestrian path presentation was being provided at
24 the library tonight, and they planned on being at the October 7th meeting. Ms. Heston said that she
25 and Mr. Granda would be absent, but maybe another meeting date.

26 27 Approval of Minutes: August 19, 2013

28
29 Mr. Yeates offered a motion to approve the minutes of August 19, 2013, as amended and was
30 seconded by Mr. Granda and the motion carried 5-0.

31 32 Approval of Warrants

33
34 Mr. Yeates offered a motion to approve the warrants and was seconded by Ms. Lucht and the motion
35 carried 5-0.

36 37 Consent Agenda

38
39 The Manager explained that the Vermont Gas ROW application 13-097 was amended from the prior
40 meeting, to allow the gas connection from Pleasant Street instead of another Bridge Street crossing.

41
42 Mr. Yeates offered a motion to approve the consent agenda and was seconded by Ms. Lord and the
43 motion carried 5-0.

44 45 Executive Session

46
47 Mr. Yeates offered a motion to enter executive session at 9:30 pm to discuss the Town Manager's
48 evaluation and was seconded by Ms. Lord. The motion carried 5-0.

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50

1

2 **4. Adjourn**

3 Motion by Mr. Yeates to adjourn the meeting at 10:40 p.m. Seconded by Ms. Lucht. So voted.