

**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
A p r i l 2 0 , 2 0 1 5 M I N U T E S**

Members Present: David Sander; Ellen Kane; Bard Hill; Lincoln Bressor
 Absent: Taylor Yeates
 Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Joy Reap; Bob Reap; Keith Frantz; Sean Foley; Kristen Hayden West; Wright Preston; Judy Rosovsky; Cara LaBounty; Brad Worthen; Roger Pederson; Matthew Dyer; and Ruth Miller was present to videotape and live-stream the meeting for MMCTV Channel 15.

David Sander called the meeting to order at 7:00 PM.

1. Welcome and Public Comment

Mr. Sander asked if there was any comment from the public for items not on the agenda.

Douglas Barnes passed around photos of the Milton CAT property located on West Main Street. He complained that a lack of screening for their equipment was presenting an unattractive view, not fit for the character of Richmond. He asked why Richmond was allowing this and asked what we could do about this?

Bob Reap said that this looked better than the old run down hotels and house that were there.

Joy Reap suggested Mr. Barnes attend the Town Plan steering committee meetings, on the first and third Wednesday of each month.

The Selectboard considered a discussion of this at a later meeting.

Jack Linn thanked the Fire Department for putting out the fire at his home recently and thanked the Water Resources Department for making sure water was available for them to do so.

Cara LaBounty talked about the Animal Control Ordinance and asked if there was any provision in there for running at large of sheep. She said that the sheep at the small house on Route 2 near the monitor barns kept getting loose and into the roadway. Mr. Hill said this could be talked about later on the agenda.

2. Items for Discussion with Those Present

Repairs for Library Roof and Building

Keith Frantz, the Treasurer for the Library Board of Trustees, was present to discuss the condition of their roof and other building issues. Mr. Frantz said that the library roof was recently repaired, however, there were some serious issues identified that caused the repair bill to exceed what was anticipated and then also identify much more expensive repairs which were outlined in an estimate provided to the Selectboard. Mr. Frantz talked about the large steeple and some other roofing items and noted that the roof on the building might be original but could approach \$200,000 to repair fully if

1 it was done the way it is set up now. He said that this was essentially a building owned by the town
2 and the library was just using the building and the board didn't have the expertise needed to identify
3 repairs and how to approach them. Other decisions, such as whether or not to keep the steeple, would
4 be political decisions that the town needed to address and he felt that having the Selectboard take
5 control of that discussion was the best way forward.

6
7 Kristin Hayden West, also a Library trustee agreed and said it had been quite complicated to even get
8 this far and called for an ad-hoc committee of the Selectboard and Trustees to determine a solution.

9
10 Mr. Sander asked if we could develop a committee to address all facilities in town.

11
12 Mr. Hill said we needed to determine the costs and what revenues might exist to cover this. Where
13 else could funds be found? There was discussion on this.

14
15 Mr. Sander asked if there was any apparent water intrusion into the building and Mr. Frantz said no, a
16 full inspection was not made but someone did the best they could with the access they had and it
17 appeared that water was not leaking into the large steeple.

18
19 The Selectboard agreed to form a committee, and find a way to solicit participation from community
20 members, including Front Porch Forum posts. It was urged by the library trustees and agree by the
21 Selectboard that the Selectboard would be in charge of the committee.

22
23 Mr. Hill offered a motion to develop an ad-hoc committee to address the needs of the library building,
24 with Mr. Sander as chair and including members of the Library Trustees and volunteers. The motion
25 carried 4-0.

26 Assessment Services – NEMRC

27
28
29 Ed Clodfelter of NEMRC was present to talk about their first year providing assessment services to the
30 town and request a renewal contract. The Manager explained that this was their first year since the
31 town voted to eliminate elected listers and go with appointed assessors and he had felt they had
32 handled problems well and there were no significant complaints that he was aware of. He said that
33 staff recommended a renewal of their contract.

34
35 Mr. Clodfelter talked about the NEMRC assessment service and noted that when he was owning his
36 private assessment service he did the prior to revaluations in Richmond, the last one being an update in
37 2008. He explained his methodology and provided some charts to show where Richmond was in its
38 Grand List value status. He explained the Common Level of Appraisal, which was at 99.25. He said
39 that as the market to assessment ratio declined to approach 80%, the state wanted to see a reappraisal.
40 He said that the town should be stable for many years to come. He also spoke of the Coefficient of
41 Dispersion, which was at 10.53. He explained that right at about 10% was where you wanted to be,
42 but when you approached 20% it was that one class or another was skewed in valuation and it might
43 be time for adjustments. There was some other discussion on these points.

44
45 Cara LaBounty talked about the mobile home park, and asked Mr. Clodfelter if he recommended
46 people appeal if their dispersion was high. There was some discussion on this, and Ms. LaBounty
47 urged people in mobile homes to appeal their values.

48
49 Mary Houle asked when Mr. Clodfelter would reappraise a property like a mobile home park that was
50 out of sync. Mr. Clodfelter said this was typically done when the COD for that type of community

1 was more out of sync than others. A mobile home park was a specifically bounded, homogenous
2 community that could be modified outside of a town-wide approach and not be spot-appraising.

3
4 After some additional discussion, Ms. Kane offered a motion to approve the one-year agreement with
5 NEMRC for assessment services in the amount of \$19,500 and was seconded by Mr. Hill, and the
6 motion carried 4-0.

7 Interviews for Planning Commission and Development Review Board

8
9
10 The Manager explained that candidates for these two boards were present to interview for spots on the
11 boards. The Development Review Board had two full terms, one unexpired term ending in 2017 and
12 two one-year alternate spots.

13
14 Mr. Sander asked Brad Worthen to come forward and interview. Mr. Worthen explained why he
15 wanted to be reappointed, his background as a land developer, and preferred an alternate seat.

16
17 Mr. Sander noted that Ian Bender was not able to be present this evening, but had provided a letter of
18 interest, which Mr. Sander then read.

19
20 Roger Pederson was present, and spoke about himself and noted he was a new resident to town and
21 explained more about his background as a real estate attorney.

22
23 Matthew Dyer lived in Richmond for about 2.5 years but has worked in town for longer and has
24 training as an architect.

25
26 There was quite a bit of discussion by the Selectboard, and then appointments were made.

27
28 Ms. Kane nominated Brad Worthen to serve as Alternate #1 and was seconded by Mr. Hill, and the
29 motion carried 4-0.

30
31 Mr. Hill nominated Roger Pederson as Alternate #2 and was seconded by Ms. Kane, and the motion
32 carried 4-0.

33
34 Mr. Hill nominated Cara LaBounty for a full term expiring in 2018 and was seconded by Mr. Bressor
35 and the motion carried 4-0.

36
37 Mr. Kane nominated Ian Bender for a full term expiring in 2018 and was seconded by Mr. Hill, and
38 the motion carried 4-0.

39
40 Mr. Hill nominated Matthew Dyer to fill the unexpired term ending 2017 and was seconded by Ms.
41 Kane, and the motion carried 4-0.

42
43 Next, the Selectboard interviewed candidates for the Planning Commission. There were two full four-
44 year terms and one unexpired term ending in 2016.

45
46 Mark Hughes was present and stated that he was first appointed because of his interest in the flood
47 regulations and is also interested in business development. He was seeking reappointment.

48
49 Sean Foley was present, seeking reappointment, and said he brought a regulatory background that
50 would be useful on the Planning Commission.

1
2 Joy Reap was seeking her first appointment and provided her background in project planning and her
3 construction business with her husband.

4
5 There was discussion by the Selectboard and then appointments were made. Ms. Kane nominated
6 Mark Hughes and Sean Foley to the two full term seats, and Joy Reap to the unexpired seat ending in
7 2016 and was seconded by Mr. Hill. The motion carried 4-0.

8
9 The remaining board appointments were made without interviews. Applicants had been asked to
10 provide letters of interest in lieu of interviews and those that responded were given priority in
11 appointments. Mr. Sander read the letters of interest as applicable.

12
13 Conservation Commission: Five applicants for two terms

14
15 Mr. Bressor nominated Elizabeth Wright and was seconded by Ms. Kane, and the motion carried 4-0.

16
17 Ms. Kane nominated Jacob Davignon and was seconded by Mr. Bressor and the motion carried 4-0.

18
19 Trails Committee: Six applicants for three terms

20
21 Mr. Hill nominated Martha Marciel, Jim Monahan and Veronique Beittel and was seconded by Ms.
22 Kane and the motion carried 4-0.

23
24 Economic Development Committee: one-year terms, membership varies

25
26 Mr. Hill nominated Anne O'Brien, Paul Hauf, Denise Barnard, Lauck Parke, and Joy Reap and was
27 seconded by Ms. Kane and the motion carried 4-0.

28
29 Richmond Rescue Liaison: special appointment

30
31 Ms. Kane nominated Veronique Beittel and was seconded by Mr. Bressor and the motion carried 4-0.

32
33 Miscellaneous appointments:

34
35 Ms. Kane offered motion to appoint the uncontested appointments and was seconded by Mr. Bressor,
36 and the motion carried 4-0.

37
38 **911 Coordinator - one appointment - one year term**

39 Neal Leitner

40
41 **Chittenden Solid Waste District – (and Alternate) two year terms**

42 Adam Sherman

43
44 **Parade and Fireworks Committee - eleven members - one year terms**

- 45 - Sue Glennon - Barb LaPlant
- 46 - Ken Nussbaum - Reggie Mobbs
- 47 - Linda Parent - John Durant
- 48 - Justin Spence - Rick Niquette
- 49 - Eric Andrews

50
51 **Town Fence Viewers - three appointments; 1 year terms**

52 Jared Katz

1 Carole Furr

2
3 **Energy Coordinator - one appointment - one year term**

4 Jeff Forward

5
6 **Transportation Advisory Committee and Alternate position– two year terms – ending in June**

7 Geoffrey Urbanik

8 Pete Gosselin

9
10 **Weigher of Coal - one appointment; 1 year term**

11 Jay Furr

12
13 **Inspector of Lumber, Shingles and Wood - one appointment; 1 year term**

14 Jon Kart

15
16 **Tree Warden - one appointment; 1 year term**

17 Matt Leonetti

18
19 **Civil Defense Director - one appointment - one year term**

20 None

21
22 **Animal Control**

23 Chris LaBerge, Bolton

24
25
26 Emergency Management Coordinator

27
28 Mr. Sander noted that the Town Manager had been serving as the Emergency Management
29 coordinator and it was probably good that he continue due to his role in managing town staff.

30
31 Mr. Sander offered a motion to appoint Geoffrey Urbanik as the Emergency Management Coordinator
32 and was seconded by Mr. Hill and the motion carried 4-0.

33
34
35 Animal Control Ordinance – continued

36
37 The Manager explained that there were some concerns expressed following the public hearing at the
38 April 6th meeting. The town's Health Officer, Wright Preston, was present to answer any questions
39 and explain his opinion on why the changes were needed.

40
41 Mr. Preston explained that he has seen an increase in the number of dog bites, as well as an increase in
42 the number of serious bites. He felt much of the time these dogs were new to the town, being rescued.
43 He said that this ordinance would give the Selectboard the ability to take control of situations and
44 quarantine dogs that had bitten people, and he felt we needed this.

45
46 There was quite a bit of discussion on the ordinance, in concept and wording. Mr. Hill was concerned
47 about abuse of complaints and Mr. Preston said that hearings would only be for bite incidents. There
48 was more discussion.

49
50 Mr. Hill said that the discussion on the ordinance was focusing on three issues that were preventing
51 approval. The first was the on-premises/off-premises enforcement question. The second was the
52 "potentially vicious" definition being too broad and the third was the timeframe to act of seven days.

1
2 Ms. Kane said she did not want to have a hearing on every complaint filed. Mr. Hill objected to the
3 on-premises enforcement.
4

5 Brad Worthen spoke and said that having a dog bark for 60 minutes was too long before a complaint
6 could be filed.
7

8 Cara LaBounty said that there should be an exception for dogs biting intruders. Mr. Preston said that
9 there was an exception for when the dog was tormented or provoked.
10

11 There was additional discussion and the Selectboard agreed this ordinance should be revised before
12 brought back in for reconsideration.
13

14 **3. Other Business**

15 Police Cruiser Cameras

16
17

18 The Manager explained that during the budget review, the Police Chief had requested additional
19 funding to replace video cameras, one year at a time, over five years. An additional \$6,500 was
20 approved to be able to do this. Later, Mr. Yeates and the Manager discussed this and decided that it
21 would be better to replace all five cameras now and take a short-term note out for the purpose. Since
22 two cameras needed immediate replacement, the Chief developed an RFP and returned the results.
23

24 There were three bidders, Watch Guard, Kustom Signals and Coban. Coban, being the lowest bidder,
25 also had an option on body cameras. This would be a new use of technology for the department but
26 was receiving interest in police agencies across the nation. The Manager explained that the price of
27 the cruiser cameras was \$20,985 body cameras was \$6,070. The financial plan was to put \$2,000
28 down from the Police equipment budget and take a four-year note out for the remaining \$25,055.
29

30 It was agreed by the Selectboard that body cameras were important and a Standard Operating
31 Procedure should be developed. Mr. Hill offered a motion to approve the quote from Coban for
32 purchase of five police cruiser cameras and five police body cameras in an amount not to exceed
33 \$27,055 and was seconded by Ms. Kane. The motion carried 4-0.
34

35 Letter to Agency of Transportation on US 2 Shoulders for Bicyclists

36

37 Bard Hill explained that during the bike path study last year, we came to the conclusion that the ideal
38 path was both expensive and politically difficult to get through. The Selectboard at that time had
39 agreed to ask the Agency of Transportation to widen the shoulders along Route 2 to make the road
40 more accommodating for bicyclists. This letter to Sue Minter explained this proposal and requested
41 cooperation from AOT in solidifying this plan.
42

43 Ms. Kane offered a motion to approve the sending of this letter to Sue Minter and was seconded by
44 Mr. Hill and the motion carried 4-0.
45

46 Adaptive Use Discussion

47

48 The Manager explained by reading a memo from the packet. During the zoning deliberations for the
49 Gateway, the Selectboard specifically eliminated restaurant and zoning uses from the district. On
50 April 8th, the Reaps had a conversation at the Development Review Board meeting regarding Adaptive

1 Use, which is a provision in the zoning that allows for older buildings to be used for purposes not
2 normally allowed in their zone provided certain criteria were met. This was a loophole in the zoning,
3 since the Reaps owned the Willis farm barn which met age and size criteria under the zoning
4 regulations. Since this came to the attention of staff, some Selectboard members had objected to this
5 applying to the property. The Manager asked how the Selectboard would like to handle this issue.

6
7 Ms. Kane said that we shouldn't make changes based on an individual. Maybe the Planning
8 Commission could recommend changes to the zone?

9
10 Cara LaBounty said that as a Development Review Board member, she didn't feel that a knee-jerk
11 reaction was necessary if the Reaps carried a successful application. One of the questions the Reaps
12 had, which weren't addressed in the regulations, was where could the building be – could it be
13 relocated or only on the same site? She was also concerned that someone could use the remnants of an
14 old structure as a "credit" towards development in this way.

15
16 Mr. Hill said that in another way, the question was how much of the original building needed to
17 remain in order to qualify, or become a new structure?

18
19 Mr. Bressor said that he spoke to Jamie Dugan at the State regarding the federal historic preservation
20 standards referenced in the Adaptive Use zoning. He said that buildings needed to be on the same site.

21
22 There was some additional discussion but it was agreed to table this until the May 4th meeting.

23
24 Reports from Selectboard and Town Manager

25
26 Economic Development

27
28 Ms. Kane reported that the Economic Development Committee had met and discussed parking in the
29 village, and signage for parking. They had also discussed the use of the creamery site for additional
30 parking, and how to handle food trucks since they were not in conformance with zoning the same way
31 that fixed restaurants were.

32
33 Mr. Bressor reported that he spoke to Bruce Hoar about Lake Iroquois costs, and Mr. Hoar provided
34 him a simple sheet recording time and equipment use and costs. Mr. Bressor provided this to Pete
35 Gosselin, who said it should not be a problem to handle.

36
37 Mr. Hill asked if we were responsible for 1/3 of the cost, how come we only have 10%-15% of the
38 participation? The Selectboard wished to discuss this again on the next meeting.

39
40 The Manager noted the Police Report and the Financial Reports, and reported that the Green Mountain
41 Bicycle Club would hold time trials on the 24th, Greenup Day was on May 2nd and the work on Bridge
42 Street was continuing.

43
44 Approval of Minutes

45
46 Ms. Kane offered a motion to approve the minutes of April 6, 2015 and was seconded by Mr. Bressor
47 and the motion carried 4-0.

48
49 Approval of Purchase Order

50

1 The Manager explained that the repairs to the library roof exceeded the original estimate and the
2 purchase order that was approved by the Selectboard needed to be amended to reflect the additional
3 costs.

4
5 Ms. Kane offered a motion to amend Purchase Order 2919 to Headwaters Construction for library
6 repairs from \$10,000 to \$13,920 and was seconded by Mr. Bressor and the motion carried 4-0.

7
8 The next agenda was discussed and the board agreed to place a discussion of Lake Iroquois, a follow
9 up with the Department of Public Safety on the inspection of the creamery from last year and continue
10 the Adaptive Use discussion.

11
12 Warrants

13
14 The warrants were approved and signed.

15
16 **4. Adjourn**

17 Motion by Mr. Hill to adjourn the meeting at 10:00 p.m. Seconded by Ms. Kane. So voted.