

## Selectboard Minutes 5/18/2020

Members Present by Zoom: Christine Werneke, Katie Mather, Bard Hill, David Sander, Roger Brown

Members Present by phone: none

Absent: none

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Others Present by Zoom: Josh Arneson, Town Manager; Kathy Daub-Stearns, Admin. Assist.; Connie Bona, Finance; Pete Gosselin, Hwy; Superintendent; Kendall Chamberlain, Water & Sewer Superintendent; Kyle Kapitanski, Police; Linda Parent, Town Clerk and Angelica Contis recorded the meeting for MMCTV Channel 15, also present: Jake Kornfeld, Martha Nye, Judy Rosovsky, Kristen Santor, Mike Paulsen, Dan Noyes, Jon Kart, David Sunshine, Greg Western, Lou Borie, Nick Neverisky, Wright Preston, Carole & Jay Furr, Halle Harkloau, Jeff Forward, Patty Breshett, Rosealie Sander

Called to Order: 7:06 PM

**Welcome** by David.

### **I. Additions or Deletions to Agenda-**

- A. Martha Nye asked if the Town was honoring 2020 graduates from MMU this year adding that the senior center is interested in doing something, seniors honoring seniors: David suggested that anyone with thoughts on the subject should contact Josh.
- B. Patty Breshett reported that municipalities can make rules about opening up and asked if the Richmond Selectboard was considering an order that masks be worn by all persons when in public so that employees and customers wear masks. Rosealie Sander liked that idea because there are people walking around the Richmond Market with no masks.

### **Discussion included:**

- David said he has been looking at the guidance and a lot of the enforcement has been left up to the municipalities.
- Bard agreed that the Governor mentioned deferring to towns and Selectboards if they wanted to do something more than they could
- Katie was in favor of Richmond saying we want people to wear masks but wondered if it was enforceable
- A resident added that in Burlington the idea is to educate, warn, but not be heavy handed. if towns show the example it may become the norm as people from outside the Town come in
- David noted that Lucky Spot has sign on the door that says customers need to wear masks to enter and has one-way isles unlike the Richmond Market where you can't help but run into someone

It was decided to have language to look at for the next meeting.

### **II. Items for Presentation or Discussion with those present**

**a. Consideration of a request by the Richmond Land Trust, supported by the Richmond Conservation Commission, to use \$4,500 Of Conservation Funds for a conservation easement on the Stage Road Community Forest**

Josh reported that Selectboard had previously approved the easement and thought the funding had already approved but at the urging of Wright Preston it was researched and found that approval needs to be granted. Wright Preston added that the cost to the Town is going to be at or below \$3500, not \$4500..

Roger moved to approve the use of funds for the conservation easement on Stage Road in an amount not to exceed \$4500 Bard seconded. Roll Call Vote: Roger, Katie, Bard, Christine, and David voted affirmatively,

**b. Consideration of a request by the Cross Vermont Trail Association, supported by the Richmond Conservation Commission, to use \$8,400 Of Conservation Funds to repair damage to the class 4 section of Johnnie Brook Rd.**

Dave reported that this was damage from 10/31/2019. Josh added that this is a class 4 road not maintained by the Town, therefore, it is not eligible for FEMA funding. Josh noted that there is not a formal agreement between the Cross Vermont Trail Association and the Town that covers responsibilities. An agreement is being worked on. Greg Western of Cross Vermont Trail Association proposed clearing the culvert and returning the trail to a usable state with minimal repairs that could be expanded if there were funds to do so in the future. Greg said that the State permit needed for work in the waterway has been applied for.

Christine moved to approve the request for \$8400 from the Conservation Fund to repair damage to Johnnie Brook Road, Roger seconded

Discussion included:

- Christine asking about approving the money before having the permissions and permits necessary to do the work. Greg Western asked that the Board approve the request assuring them that no work would be started without all the proper approvals.
- Roger asked about parking situation at the far end of the trail nearest to Huntington Rd. Greg Western responded there is no parking there.

Christine amended her motion to approve the request for \$8400 from the Conservation Fund to repair damage to Johnnie Brook Rd once the appropriate permits and permissions are in place and provided the scope of work does not change, Bard seconded. Roll call vote: : Roger, Katie, Bard, Christine, and David voted affirmatively,

**c. Update on Volunteers' Green projects**

Jon Kart reported that the Volunteer's Green Committee took a step early last week and planted about 200 trees as a buffer between the river and the green to slow erosion. Jon added that another 250 trees are planned for planting this fall and the Commission is hopeful that students will be able to participate by then. Jon said there are 4 more projects that were approved including a canoe /boat ramp just beside bandshell has been eroding more since riprap went in, signage to let people know

about boating and fishing opportunities, Jon noted that the Lake Champlain Commission will be paying for the signage with the Selectboard having approval of the sign wording and the need for a study of the Winooski River regarding erosion.

Discussion included:

- Bard observing that the riverbank is dynamic and that tree plantings slow down, but do not eliminate erosion
- Katie asked if the new trees would be watered each day since the next 10-day forecast is for sunny warm days? Jon responded that the trees will be watered by utilizing either a firetruck or a pump system using water from the river.

#### **d. Update on voting procedures for the August and November elections**

Linda reported that Town Clerks are still in the dark as the Governor and Secretary of State have not issued guidance for voting yet. Normally elections take place at CHMS but this year we may have to mail ballots out to everyone. Linda noted that for the general election, the state will probably handle mailing ballots to the voter list.

Discussion included:

- David asking about the cost of mailing ballots and party information, Linda responded that the cost would be about \$1 per envelope
- Bard was concerned that we need to plan for voting as some of the needs will be time sensitive
- Linda noted that it is up to Secretary of State & the Governor
- Roger asked Linda if she thought we should we be voting in person? Linda replied that if it was determined that voting would be in person the plan would be to enter by the gym door, get checked in to vote by the principal's office and exit by the other door. Her preference would be to vote by mail
- Bard said we should consider encouraging people to vote in advance. Linda agreed adding that there was still the issue of same day voter registration to deal with. election.
- Bard suggested that the middle course would be to encourage people to vote in advance. Katie asked if there was a way to vote outside, Linda responded that the Justices of the Peace would need to help. Jay Furr suggested renting a tent.
- Linda noted that there are about 2900 non-challenge voters and that absentee ballots could be sent to everyone with postage only on ballots going out because ballots get returned to town center by individuals or ballots get mailed in at the voters expense
- Roger suggested that card be mailed out to everyone letting residents know to request a ballot. Linda replied that if things don't get worse absentee ballots requests could be made by calling or a link on Front Porch Forum and the Town website to request a ballot.

**e. Consideration of request to construct the private road Whistle Stop Lane without curbing or a sidewalk**

Josh reported that Public Improvements provide that the Selectboard has to approve no curbing or sidewalks for new development.

Discussion included:

- Bryan Currier, the engineer for Dan Noyes, reported that the design is for roadside ditches, not curbs or sidewalks. Dan Noyes added that the DRB has approved the complex and that there's no sidewalks down to that point of the new construction.
- Bard added that stormwater with modest slope and ditches is better than curbs and will be subject to a state permit as well
- Katie said that there had been a similar discussion about the Peaceable Kingdom property and that the Selectboard gave them the same consideration. Does anyone remember why? Pete responded that there were no systems to tie into that there are open ditches adding that It has to do with the topography of the land too.

Katie moved to approve the construction of Whistle Stop Lane as presented without curbing or sidewalks, Bard seconded. Roll call vote: Roger, Katie, Bard, Christine and David voted affirmatively.

**f. Interviews with applicants to Town boards/commissions/committees**

Roger requested looking at the uncontested seats as one motion then move to contested seats. Josh responded that there were only a few seats that were contested, one of those is the Weigher of Coal position that has two applicants. Josh suggested that there could be two Weighers of Coal.

Roger moved to appoint Jeff Forward & Jay Furr as Weighers of Coal, Bard seconded. Roll call vote: Roger, Katie, Bard, Christine and David voted affirmatively.

Josh reported that in addition to the list previously provided Ken Heskett has applied for the position with the Richmond Rescue Board of Directors liaison position.

Bard moved to appoint Ken Heskett to the Richmond Rescue position, Roger seconded. Roll call vote: Roger, Katie, Bard, Christine and David voted affirmatively.

Uncontested positions (listed below) were voted in at one time:

**Animal Control:** Andy Squires,  
**Conservation Commission:** Max Krieger  
**Development Review Board:** David Sunshine and Matt Dyer  
**Emergency Management Director:** Josh Arneson  
**Energy Coordinator:** Jeff Forward  
**Fence Viewer:** Carole Furr and Jared Katz  
**Inspector of Lumber, Shingles and Wood:** Jon Kart  
**Parade & Fireworks Committee:**

Susan Glennon	Barbara LaPlant	Donna Niquette
Richard Niquette	Justin Spense	Linda Parent
Amanda Cobb	Trish Healy	Stephani Hartsfield
Harland Stockwell	Rebecca Roose	Norman Perkins
Connie Carpenter	Ken Nussbaum	

**Planning Commission:** Jake Kornfield, Joy Reap and Mark Fausel  
**Service Officer:** Martha Laing  
**Tree Warden:** Matt Leonetti  
**Water & Sewer Commission:** Fran Huntoon

Bard moved to appoint the slate of candidates just named, Katie second. Roll call vote: Katie, Roger, Christine, Bard, and David voted unanimously.

### **Contested seats:**

**Andrews Community Forest Committee** has three, 3 year terms open and  
Amy Powers  
Nick Neverisky  
Peter Halvorsen  
Wright Preston

Discussion included:

- the possibility of appointing all the applicants to the committee, Judy Rosovsky noted that Wright Preston has been on the committee since the beginning and had been told there was someone who was thinking of resigning from the committee though she did not know who that person was. Wright Preston added that there has been a nice balance on the committee and that the four applicants would continue that balance.
- Marshall Paulson asked if a quorum could be reached easily with so many committee members. Josh responded that a quorum would be reached if there were no fewer than 5 members present adding that the bylaws would need to be amended to have 10 people on the committee.
- Bard asked if there could be alternates, non-voting members, unless they were needed? Josh responded that there is no mention in the bylaws regarding alternates adding the bylaws would need to be amended. Josh wondered if since the Conservation Commission is down one seat maybe whoever does not make the Trails Committee would want the seat on the Conservation Committee.
- Katie asked about drawing names since the applicants are all qualified for the positions available. Nick Neverisky volunteered to be next in line should someone wish to resign as had been indicated. Bard thought Nick was very gracious in offering that solution.

Roger moved to appoint Amy Powers, Peter Halvorsen and Wright Preston to the Andrews Community Forest Committee, Katie seconded. Roll call vote; Katie, Christine, Roger, Bard, and David voted unanimously

Josh reported that the Recreation Committee had 2 people interested and thought appointing them to see if they could come back with more people to fill out the committee was reasonable stating that if the 2 were appointed they could work with Rise VT.

Bard moved to appoint Harland Stockwell and Kirsten Santor to 3-year terms and to ask them to secure additional members to have a full Recreation Committee, Katie seconded. Roll call vote: Roger, Bard, Katie, Christine and David voted unanimously.

Discussion moved to the Trails Committee:

With 4, 3-year terms and 2, 1-year terms open it was decided that incumbents would be appointed for 3 years and new comers appointed for 1-year terms. The newcomers agreed.

Bard moved to appoint Ben Reller and Haile Harklau to 1-year terms and Mike Donohue, Tyler Merrit and Willie Lee to 3-year terms on the Trails Committee, Christine seconded. Roll call vote: Roger, Katie, Christine, Bard and David voted unanimously.

**g. Appointments to Chittenden County Regional Planning Commission Board of Directors, Transportation Advisory Committee, and Clean Water Advisory Committee**

Josh reported that there are 3 appointments, the CCRP request is for a current or previous Selectboard member. Roger is currently the alternate and Bard is the member. Bard stated that he has been asked to serve on the executive committee and needs to be on the regional planning commission to do so.

Roger moved to be the alternate with Bard remaining the representative to the Regional Planning Commission, Katie seconded. Roll call vote: Roger, Katie, Christine, Bard and David voted unanimously.

Josh reported that he can continue to serve the Transportation Advisory Committee and Ravi Venkataraman can continue to serve on the Water Advisory Board.

Roger moved have Josh Arneson continue to serve on the Transportation Advisory Committee and Ravi Venkataraman continue to serve on the Water Advisory Board, Katie seconded. Roll call vote: Roger, Katie, Christine, Bard and David voted unanimously.

#### h. **Update on COVID-19 response**

- Josh reported that Connie let him know that property tax collections are ahead of last year. Connie added that all but \$158,000 was collected
- Josh added that related to taxes, S344 was signed into law allowing municipalities governing bodies to make changes in the way taxes are collected, the property tax rate and penalty if they want. Connie added that correspondence with Chris Sumner regarding the education taxes in July showed that taxes should be the same as physical year 20. Another thing Connie noted was that related to education taxes, there was a bill passed last week that may transfer billing and collection of education taxes to the state.
- Connie reported that MVP has decided that any member using insurance for COVID will not need to pay toward their deductible and that Delta Dental has leveled premiums for the year and there will be a credit coming back to the Town since employees cannot use the benefit. The amount being credited is approximately \$750.
- Connie reported that May was not a problem for property tax collection but that August may be a hiccup with November being the biggest concern. Connie stated that we need to look at what is essential and what is not. We need to be mindful when approving money for different things Connie said. She did not want to pick on anyone but thought the Conservation Fund monies approved was a good example of non-essential work that has been approved. Citing additional expenses due to COVID and Dugway Rd expenses of \$500K, when construction can be done, and the FEMA reimbursement takes about a year, her concern is that surplus funds will be gone this year. Josh responded that it remains to be seen whether we will have approval out of the right a way for Dugway Rd so he was not sure what the construction season will look like for this year in the fall. Spring may be a more realistic goal.
- Bard asked about how much accessible cash the Town had? Connie responded that she couldn't say right then that the bank account has money from loans in it right now. Bard responded that at Town Meeting there was \$600,000 and the Town Center fund had over \$700,000 making \$1,500,000 available.
- Katie added if we earmark money for conservation fund it cannot be used for something else. Connie responded that if we needed to pay out all the reserves we could not, that we are always waiting on more revenue to come in. Josh suggested looking at what the budget numbers and creating a cash flow document to have a better understanding of where things are. Connie reiterated that she just wants everyone to be mindful of what we are spending money on.
- Roger thought that the bulk of spending is on personnel payroll and fringes. He noted that the Town does have a substantial amount of cash on hand. Roger added that the economic picture not good in the foreseeable future and that other towns are having harder conversations.
- Connie added that the \$300,000 of the Bridge St. project is unreimbursable and that Dugway will take years to get back. Josh suggested taking a solid look at what is due in taxes, larger projects, reserve funds, restricted and unassigned funds stating that it could help make decisions.
- Bard felt that if we need to make cuts it's the departments we will be looking at. Connie said, not picking on the conservation fund, but it adds up. Bard replied that the

conservation fund money was irrelevant in the schemes of things. Being thoughtful would mean scaling back everywhere not just the conservation commission.

- Pete responded that highway has the highest budget. That there are projects and plans are over \$100,000 we may cut those plans. Pete added that he was there to ask the Board to approve the paving budget understanding come July that may not be possible. Paving is done by contractors and gravel is done by the town. There would not a problem keeping people busy if paving was not done this year. Bard agreed with Josh that it would be better to have the numbers and keep monitoring the situation. Pete said we have an aggressive schedule for paving and gravel and as long as we are able to get back on schedule next year it should be ok. Josh recommended that if we decided to not pave now we could bid it out again in March and do the work in May since it would be the same fiscal year. Katie: agreed with Josh. Roger didn't want to look at just Pete's expenses he would like all dept. heads to think about doing something similar in their departments.
- Katie was concerned that we are going to reopen, that there will be an influx of tourists, another wave of COVID and the federal money will run out and then we have a problem. Connie added that if we have a big event then we are going to be in trouble. that July 1 will not a problem and she felt the Town would be fine in Sept. too. Pete recognized there are big challenges coming up so he would understand it may be in the towns best interest to not do paving. He would rather tell a contractor tomorrow that work isn't advancing now rather than waiting until July to tell them.
- Katie suggested waiting until next week to have time to consider it. Pete was concerned that the contractor may be passing on other jobs if we don't let them know. Bard wanted to set it over to next week as Katie suggested. Pete agreed that \$300,000 is a significant amount of money and giving it a week and to warn the discussion will provide for a better discussion. Roger added that other than salaries it's the biggest number.
- Memorial day next Monday so the Selectboard Meeting will be at 7pm on Tuesday instead.
- Connie reported that Rebecca let her know that the Library Trustees decided to not pay employees who are not working so everyone is back in the library at various times.

### **III. Other Business**

#### **a. Annual report on the implementation of the All Hazards Mitigation Plan**

Josh reported that the 2017 All Hazards Mitigation Plan has been updated and that nothing has to be done with the plan tonight.

#### **b. Update on Bridge St. infrastructure project**

Josh reported:

- that everything has continued to go smoothly this 3<sup>rd</sup> week of construction.
- that there is change order being negotiated for moving a sewer line that was discovered while excavating and not on any of our plans. The contractor experienced loss of time and will need to move the sewer line. Since a 10% contingency was build into the contract it should be ok.



- that traffic problems have mostly been resolved and the contractor has been receptive to working on the issues. David noted the traffic flow is better.
  
- c. Update on Dugway Rd. project  
Josh reported that there has been some communication with FEMA that we are still figuring out when the site visit can take place as well as waiting on confirmation about working outside of the right of way.

#### **IV. Approval of Minutes, Warrants and Purchase Orders**

Bard moved to approve the Minutes of 5-11-20 Katie seconded. Roll Call Vote: Katie, Bard, Roger, Christine, and David voted affirmatively.

#### **Invoices and warrants:**

Roger asked why we are still using the Burlington Free press to warn DRB meetings when it costs so much more? Josh responded that it was due to deadlines and it was the only way to warn it. Josh added that he will get a more specific timeline from Suzanne to see if there is a work around. Roger wants to change the timeline so it is not necessary to use the Free Press. Roger looked through the invoices and thought they looked ok.

Roger moved to approve PO # 3193 to the school district to pay education taxes in an amount not to exceed \$5,705, 062.58, Katie seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Roger moved to approve warrants as presented, Katie seconded. Roll Call Vote: Roger, Katie, Bard, Christine, and David voted affirmatively,

Josh will send the warrant out for signatures using DocuSign.

#### **V. Discuss Items for Next Agenda**

Update COVID 19-

encouraging patrons to wear masks

voting

PO for paving

Tues. May 26<sup>th</sup> 7PM

#### **VI. Executive Session if necessary -none**

#### **VII. Adjourn**

Roger moved to adjourn, Katie seconded. Roll Call Vote: Bard, Katie, Christine, David, and Roger voted affirmatively. The meeting ended at 9:55 PM.