

# **Town of Richmond Selectboard Meeting Minutes of December 19, 2022**

**Members Present:** Bard Hill, David Sander, Jay Furr, Jeff Forward, June Heston

**Absent:** None

**Staff Present:** Josh Arneson, Town Manager; Duncan Wardwell, Assistant to the Town Manager; Linda Parent, Town Clerk; Connie Bona, Finance Director; Ravi Venkataraman, Town Planner; Allen Carpenter, Interim Water Resources Superintendent; Benjamin Herrick, Interim Police Chief

**Others Present:** Meeting was recorded by MMCTV, Anthony Cambridge, Cara LaBounty, Clint Buxton, Connie Van Eeghen, E C Parke, Erin Farr, Heather Parker, Jenna Baker, Jim Feinson, John Linn, Lauck Parke, Leandro Vazquez, Patty Brushett, Samuel Waters, Stefani Hartsfield

**Call to Order: 7:00pm**

**Welcome by:** Heston

**Public Comment:**

Parent: Thanks to everyone who did a beautiful job in the Celebrate Richmond VT 2022 Light Show Extravaganza. A list of the winners went out. It was fantastic. Those people who won can get a hold of me for their certificate and check. Ruth Miller went with Heidi Bormann, and they filmed for MMCTV.

Heston: Shout out to Pete and his Highway crew for their great job getting the roads cleared quickly during our recent snowstorm.

LaBounty: I want to thank Celebrate Richmond for inspiring people to put lights up. At a previous Selectboard meeting, Jay presented on behalf of the ARPA Committee for \$600,000 of ARPA funds going to Water & Sewer Gateway expansion. I am questioning if those funds are needed for that project and development. The Reaps were paid by the State of Vermont for the temporary use of their property and the State constructed a road for their development to their specifications. I confirmed with the State of Vermont that the Reaps received \$525,000. I want to make you cautious of using those ARPA funds for Gateway when the ARPA Committee has not discussed the use of \$600,000 for that project.

**Additions or Deletions to Agenda:** None

Heston: We have an executive session on our agenda.

**Items for Presentation or Discussion with those present**

**Executive Session: evaluation of an employee**

Heston: The Board will meet with Interim Chief Herrick and go through some issues and concerns.

*Forward moved that we enter into executive session to discuss the evaluation of an employee under the provisions of 1 VSA 313(a)(3) and to invite Town Manager Josh Arneson and Interim Police Chief Benjamin Herrick into the executive session. Hill seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

*Sander moved to exit the executive session. Furr seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Consideration of approval of submitting an application to the FY24 Unified Planning Work Program for a corridor study on Cochran Rd.**

Heston: Ravi is here to fill us in on this.

Venkataraman: The Transportation Committee is interested in applying for a UPWP (Unified Planning Work Program) for a long-term study of Cochran Rd. There were alternatives suggested in the Bike, Walk, Trails plan. The Traffic Calming Study will start early next year. This will provide a 5–7-year vision for Cochran Rd so all users could use the road safely. The cost of the project would be \$50,000 in total with the Town’s share at \$10,000. There are details in the memo for the Transportation Committee’s motion last meeting.

*Furr moved to approve pursuing the Cochran Road Scoping Study project through the FY24 Unified Planning Work Program and allocating \$10,000 towards funding from the Transportation Planning budget for the required 20 percent match for the Cochran Road Scoping Study project. Sander seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Consideration of approving access permit for 65 Highland Dr.**

Heston: This is an access permit for a new driveway for a future development. The new access point will allow for a shorter and less steep driveway than the existing access. The existing access point will be closed when the new access is established. More information is included in the packet.

Forward: It is a fairly steep hill and moving it to a less steep access.

Arneson: They want to keep the grade under 12%. The actual driveway will go through the permit process. We are not asking the board to approve that. The Board can approve closing one access and opening up the new access for this driveway. Pete looked at the sightlines and it has good sightlines up and down the road. You are approving that.

*Furr moved to approve access permit AC2022-03 for an access at 65 Highland Dr. Sander seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Consideration of approving Drinking Water State Revolving Fund application**

Heston: This is an application to the Drinking Water State Revolving Fund (DWSRF) for waterline replacement projects on Tilden Ave., Bridge St., and Cochran Rd. This will be paid back by the water and sewer customers, borrowing authority lies with the Selectboard. The application is in our packet.

Forward: I have a small correction. The final number \$517 is correct but the 76650 should 95.6, I think.

Arneson: I will make that amendment.

Furr: This repair on Tilden Ave. could not come sooner. The cast iron piping was brittle, and we are at risk for future failure. This is not a luxury.

*Furr moved to approve the Drinking Water State Revolving Fund application for Step II engineering for the waterline replacements on Tilden Ave., Bridge St, and Cochran Rd. Hill seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Consideration of waiving zoning permit fees for installation of a bench on Richmond Land Trust Land on the Rivershore Trail**

Heston: We talked about this at a previous meeting. The Richmond Land Trust will be the entity that received the funding and will purchase and own the bench. Their request is to waive the \$65 permit fee as the bench will be open to all Richmond Residents. A request is included in the packet.

Arneson: You are the only authority who can waive the fee.

Sander: I don't have a problem with that. My only concern is I don't want to be in the practice of waiving fees.

Arneson: I think the last time you did it was for the parking at Bombardier Meadow.

*Sander moved to approve waiving the \$65 permit fee for installation of a bench on the Rivershore Trail by the Richmond Land Trust. Furr seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

Forward: Thank you to Gary Beckwith who raised money and is overseeing this project.

Feinson: On behalf of the Land Trust, thank you very much.

## **Consideration of approving the 2022 Grand List Errors and Omissions**

Heston: The Grand List is finalized based on changes to properties as of April 1 of each year.

Arneson: If there are changes to properties prior to April 1 that come to the attention of our assessor after that, then an errors and omissions report is issued. That is in the packet. This year, there were property changes based on current use status, partial transfer that resulted in adding a parcel, there reducing of square footage, and a demolished dwelling. The net changes will decrease the grand list from \$4,830,493 to \$4,830,053. It doesn't change the tax rate but the affected properties will receive a new tax bill for FY23 based on the changes.

*Furr moved to approve the 2022 Grand List Errors and Omissions report. Hill seconded. Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

## **Consideration of increasing the use of Conservation Reserve Funds for the Ecological Review at The Andrew's Community Forest**

Heston: The Selectboard approved the use of \$3,500 for this ecological review of the Andrew's Community Forest. The final bill came in at \$3,590. Andrews Community Forest Committee Chair Jesse Cray stated in an email that the \$3,500 was an estimate of the cost and he would like to request the additional \$90 from the Conservation Reserve Fund. His email request is included in the packet.

Hill: In principle, we should generally be clear if something is an estimate or fixed-price bid or something else.

*Forward moved to increase the use of Conservation Reserve Funds for the fine scale ecological review at Andrew's Community Forest from \$3,500 to \$3,590. Sander seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

## **Consideration of retail cannabis question for Town Meeting**

Heston: This is a follow up on questions around Zoning and Local Cannabis Control commission and retail cannabis. There is information in our packet. We previously voted to include the question on retail cannabis on the 2023 Town Meeting ballot. More questions and email have come up from people in Town. Is this something we want to re-consider. There is still an opportunity for it to be put on the ballot with a petition of 5% of the voters (or 165 people) received before January 19.

Arneson: It would have to be 2 days after your last regularly scheduled meeting on January 17. You would have to have a special meeting if it came in after the 17<sup>th</sup>.

Furr: I was not at the meeting when it was passed. I would have spoken against it. I am not a big fan of either gambling or drugs. It was voted down fairly recently. I do not think it should be back on the ballot. I would strongly suggest it does not go on the ballot.

Arneson: The last vote was in 2021.

Hill: Factually, it is actually two years ago as of this Town Meeting. I don't know what the evidence is of putting it up every year and then it will pass.

Heston: If this goes on the ballot and it is voted for then it does not benefit Richmond with tax dollars. All of that money goes to the State.

Furr: We could have control with a Cannabis Control Commission. Otherwise, we have very little power. If it passes, I strongly advocate for a Cannabis Control Commission.

Heston: Do we have enough time to make the changes with a Cannabis Control Commission if the vote is a yes? I had an email since our last meeting that made me reconsider. This was brought to the Selectboard by an individual who was speaking on behalf of another individual. If you feel strongly about it, then you should speak here to champion that cause. I have had a change of heart.

Forward: No matter what we put on the ballot and what the voters decide, there will be cannabis in Richmond. There is cannabis in Vermont. There are retail sales, manufacturing, processing, and it is legal since the last vote. There are a bunch of stores all over the State. I think it is appropriate to ask the voters. I thought our discussions were intelligent and respectful on both sides of the issue. I am comfortable with letting the voters decide. If it goes down this time, I do not think we need to revisit it again for quite some time. It didn't lose by much.

LaBounty: My concern is the time for the Planning Commission to update your Zoning by-laws for where these locations should be. You have to plan ahead. If the public really wants this, then they can get this on the ballot. You need to have 165 registered voters in the Town of Richmond. They have all the power to make the decision if the voters want it. Reconsider this decision and allow the proper process to occur. It should not be Selectboard's decision to get this back on the ballot. It is a cash business, so we need to plan accordingly.

Hartsfield: I am speaking for myself and on behalf of The All Together Now which is our community well-being effort focused on youth and prevention. We need to look at the impacts on a community when a State legalizes cannabis sales. I am looking at it from a public health standpoint. We know the youth in our community are already using cannabis and other drugs. If it is in the center of Town, then it creates extra regulation issues and guidance. It is a burden for the Town and the Police. We put our youth at an additional risk. I think it takes a decent amount of time to properly educate people on what we are voting for. What is the Town of Richmond doing to regulate and who is going to be on the Cannabis Control Board. No Town is guaranteed to get money as it gets put into a State-wide fund. We are currently not eligible to get it. No advertising is allowed where more than 15% of the people who will see it will be under 21. How are we going to make sure that is going to happen.

Forward: This is not yes or no cannabis in Richmond. One rationale for legalizing is that it has rules and regulations. Would this vote just deal with retail?

Arneson: The Town votes for retail or not.

Forward: I think we would set it up similar to the Liquor Control Board which is the Selectboard.

Hill: Regardless of my personal opinion, the question before us is do we put it on the ballot or throw it to citizens to get enough names to put it on the ballot. We side-step if we are for or against it.

Furr: It seems like we are in a real rush to prepare voters and Zoning.

*Furr moved to take the cannabis retail question off the Town Meeting ballot. Hill seconded.*

*Furr, Sander, Hill, Heston in favor. Forward not in favor. Motion passed.*

Sander: It is nice to see a non-unanimous vote that was done very civilly. It is something to be proud of.

### **Consideration of altering police cruiser replacement cycle**

Heston: At the budget meeting we discussed possibly not replacing two cruisers in FY23 and also not replacing cruisers in FY24. There was discussion of selling the Tesla in FY23 and replacing it with either a Dodge or Ford. We did get quotes from Chief Herrick. Another option would be to sell the Tesla and not purchase another vehicle until staffing increases make that necessary. Included in the packet are the quotes on the new Ford and new Dodge and the mileage on the current cruisers.

Arneson: Connie and I also looked at the financials of this. Currently the FY23 budget has \$76,000 for replacement of two cruisers and \$23,000 for equipment for those two cruisers. There is \$24,750 budgeted to come from reserves. There is \$51,250 budgeted to be raised by taxes. If we decided not to purchase any cruisers this year, then the \$24,750 would stay in the reserves. The \$51,250 would be unspent but auditors confirmed it could not be put into reserves unless approved by the voters. We could offer that for the FY24 budget. The sale of the Tesla would have to be booked as revenue. There is \$5,000 in the FY23 budget for revenue from PD Sale of Town Property. If we put that money into Capital Reserve, we could skip raising money for FY24 and then get back into a regular purchase cycle in FY25 for two cruisers. That depends on the future of the department and staffing. Right now, we are budgeted for \$358,987 for salaries and we will be probably saving about \$150,000 over a year's salaries. We did spend \$20,000 of vacancy savings for the radar feedback signs.

Hill: By the end of the year, we will have substantial vacancy savings that would be adequate to pay for two cruisers if we chose to spend it that way.

Furr: We have a window of two weeks to obtain new cruisers?

Herrick: Correct. You needed to order it soon according to the dealers a month ago. If we ordered a car today we are probably looking at a year.

Hill: I am thinking about not having to ask for money for cruisers next year. With unassigned funds, we have some latitude. We have money that could impact our asset management and replacement plans in the future. How many cruisers do we need and when do we need them?

Heston: We are not managing our assets well now because we have cruisers just sitting. They are depreciating. We should be looking at least getting ride of one, the Tesla since it is not the best Police cruiser option. We should not purchase a cruiser this year. If it is a year from now, then maybe we will need it but I don't know.

Forward: The Tesla issue is a separate issue from buying two cars this year. We have lots of vehicles. Selling the Tesla is not an urgent issue as it would just be money in the bank. We do not know what our Police Department will look like in 6 months. In many Police Departments there are different cars for different purposes. The decision for tonight is not to buy two new cars as we do not need them right now. A year from now we can make a decision on the Tesla.

Furr: The Tesla is basically a commuting car. So, we essentially have 5 cruisers and one vehicle for Officer Wilson with 100,000 miles (Car #3). The plan is to put him in the 2022 Dodge Durango so that leaves us effectively with 4 cruisers. We have the money to buy another car so that every officer would have a car. We are still not going to get the car within a year.

Sander: So, sell Car #3 (2017 Ford Explorer) and buy one cruiser in this fiscal year.

Forward: The Tesla is not useless. If you average out the mileage and the time we have them then it has about 15,000 miles per year. It is not a bad use to have it as a commuter.

Furr: We essentially have four cruisers because Car #3 is that the end of its life. We have a problem if we get another officer and do not order another car.

Hill: I am not comfortable telling the taxpayers we have 6 vehicles for 3 officers. Don't get rid of the 2017 Ford Explorer as the safety net vehicle. Even if we have the money, it is not prudent to buy another vehicle if we have 3 officers.

Furr: We do not need to budget more money. The money is not only useful for cars.

Hill: If we have 5 plausible cruisers and 3 officers using them, then that doesn't make a case for replacing one of them.

Furr: I am anxious about the delay to get one.

LaBounty: Just because you have the money and you have taxed it for it doesn't mean you have to spend it. The Tesla was a pilot project and has 20,000 because our previous Chief commuted from Randolph. I want the Chief of Police to have more than just a commuter car so they can be available for work. I am passionate about asset management. The Tesla at 20,000 miles is at its peak value right now and we can invest in a hybrid.

Forward: I do not think we need to make a decision on the Tesla right now. We need to make a decision about whether we are buying any cars this year or next year. I would recommend that we don't.

Heston: We have heard loud and clear that the Tesla is not the best cruiser. It is being used but our officers do not like driving the Tesla.

Hill: What do we want to do with purchases this year and next year? I propose that since we bought one recently, we do not buy another one this year and we do not budget for one next year. We have the money to do it if we need to, recognizing there is a time lag.

*Hill moved to not buy a cruiser this year and do not budget one for FY24. Furr moved. Roll call vote follows discussion.*

Bona: The FY23 budget has already been voted on and there are two cruisers in there. Nothing has to be decided on the Tesla tonight. The FY24 budget is what we need to focus on the next two meetings. We cannot make a motion to take the money that we raised in taxes approved by the voters to move it from a cruiser purchase line to a capital reserve. So we are going to have savings and extra revenue. The Police Department will have savings but that does not translate to the General Fund budget will have unassigned funds. It is not done by Department. Not all of that savings will go to the Department. FY23 has already been voted on.

Hill: My motion is about FY24.

Heston: The motion is about FY24. We are talking about the cruiser replacement cycle.

Forward: It does relate to FY23 because the request came in to order a car now in FY23.

Hill: My motion said do not buy another one this year and don't budget one for the plan in FY24.

LaBounty: That is why the Tesla was being discussed. The Chief was here to discuss FY23 cars. Thank you for having that public discussion. How far down the road will we consider selling the Tesla because it is part of the Capital Plan?

Heston: We have the Capital Plan on the agenda tonight. The motion shifts the cruiser replacement cycle to FY25. Anything about the replacement cycle?

Furr: We have a question that is going on in the chat about letting the Police take the cruisers home. Dozens of large cities do that. Does any other Department in Chittenden County allow Officers to take cruisers home?

Herrick: The Sheriff's Department. Burlington and Williston do not but I do not know about Essex or Colchester. State Police do.

Heston: It is currently part of the Collective Bargaining contract with our Police. I think it expires in January 2024 for FY25?

Arneson: It expires the end of June in 2024 so we have another 18 months.



Sander: I want to hear what Ben thinks.

Herrick: I am currently filling two positions. At this point I could see us hiring one position. We have a car for that person. I do not see an issue with deferring purchasing cars. Next year remains to be seen. There are work arounds or things we could do in the next few years.

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Discussion of police governance**

Heston: We are pausing our partnership with Hinesburg until they complete their public safety study. A few possible options are to remain with Interim Chief Herrick and continue to attempt to fill the open patrol position. Under this structure we can't fill the patrol position that would be occupied by Interim Chief Herrick, because he would need a position to return to if he were not named the full time Chief. Or we could proceed with the hiring process for a full time Chief, while being transparent that the department is currently in a transitional phase. We might still be looking at putting together a Joint Survey Committee. This would allow us to evaluate potential candidates on how they could assist in such a transition. If we proceed with this route, we could state that non-certified candidates may be accepted but if awarded the job it would be an interim basis. We would want a certified position.

Hill: One scenario is to recruit a Chief who leads the strategic planning process. Someone who is not looking to stay in a Chief position for 10-20 years might be willing to do it for a couple of years.

Heston: There is a lot on Ben's plate right now. A long-term temporary position might be over 3 plus years of the process.

Forward: I would recommend looking at the Hinesburg RFP Strategic Planning process. It is broader than just Police. This is a conversation the community needs to have. Hinesburg and Richmond demographics are similar.

Heston: Hinesburg is going down their road and they shared their RFP information and proposals. The RFP mentioned a merger or municipal district. They didn't want to alter their process.

Hill: We have Police and Fire in our Town so do we want to deal with Police and Fire? Their Rescue is in a different arrangement. Does that influence our recruitment for a position? We have a procurement policy as a procedural element.

Forward: I am looking forward to our discussions about number of officers and cars, but it is also about what do we want. What do we want our public safety to look like?

Heston: We are not in a position to start a strategic planning process with the limited Police we have now. We can not put this on Ben's plate. We might get to the point where we engage in a union municipal district as it is always a possibility.

Arneson: It sounds like we want to find someone who helps us through our next decision-making process. Is that person an Interim Chief or a Town employee or a contractor?

Heston: If we did a director of policing as we did in the past, then our officers could do their jobs.

Arneson: I think this would be a new position where we keep Ben as Interim Chief with the Officers. This person would be defined as temporary and the scope of work.

Heston: I think we would want a director of policing who can do all of the administrative stuff. Ben would become an officer again unless he applied for the temporary position. I think we want to find the job description from the past. We can open it up to Chief or Director.

Hill: It depends on who the person is.

Furr: We can reach out to local resources like the State Police.

Forward: This should be a focused agenda item.

LaBounty: I think we need to determine what we call this position and establish that it will take over the administrative duties if Ben is going to be an officer. It is really important that it is a small-town person for strategic planning. Also see how many times our volunteer Fire Department has been unable to respond to calls. Do we need to look at that as part of our emergency piece as well. Include that part of the job description and strategic plan.

Heston: We have a general direction.

Forward: One of the ways to structure a schedule is to see when we need somebody.

Herrick: We have 12 hours of coverage 7 days a week. Four days a week we have an additional 6 hours.

Arneson: One of the concerns with having somebody in the office is we are limited on who is on the road. A resident can always get in touch with an officer by calling dispatch.

Furr: We have a lot of data about stops and calls that we can look at if there are any trends.

### **Discussion of Cemetery Commission structure and financials**

Heston: What Linda Parent sent me was very helpful. I want to know that the funds are being managed properly. As a Town Cemetery it appears you do not have to have a perpetual fund because it is on the Town if something needs to be done. We do not need to make any changes. The cemetery can have their separate accounts as the rules changed after 1933. I learned a lot.

LaBounty: We should not put their financials in our Town Report.

Heston: I think they still need to do it since it is a Town Cemetery, but they can keep their funds separate. It is Town property.

Bona: We do still have to put it into our accounting system. We do not cut any checks, but it still needs to be audited.

Heston: The Cemetery Commissions manage that fund.

Buxton: We just spent \$10,000 on tree removal. There will be a fair amount of stone repair.

Parent: We have purchased tractors to work on the cemeteries. We purchased the black fence down at Riverview. The Town takes care of the moving.

Buxton: There is fair amount of surveying that goes on with burial plots. All the Commissioners sign the deeds.

Parent: We have two signers on the checkbook.

Arneson: Linda's notes and memos are in the packet.

Heston: I learned a lot and that was helpful.

### **Review of FY24 Budget and Capital Plan**

Arneson: We reduced the New Sidewalks line to \$25,000 to be in-line with the change in the capital plan. The Police Capital Reserve is currently \$40,000. Because we are not purchasing a vehicle, do we want to put some in Reserves and off-set them with unassigned funds? One option is to leave the \$40,000 in there, off-set with unassigned funds on the other side. It doesn't affect the tax rate but earmarks the money to be used in future cruiser budgets. It would lower the tax rate right now. We can look at the Capital Plan for Police.

LaBounty: If you put the \$40,000 in a reserve fund, it restricts what you can use it for. I would recommend taking the \$40,000 out and not restrict it in a reserve account.

Arneson: We can always overspend a line.

Forward: What happens at the end of the fiscal year in June when you have un-spent funds?

Arneson: We get that number and look at it during the October time frame when we review the budget. We do not have to allocate it to a specific budget line. If we take a look at the Capital Plan in FY23, I can remove the \$40,000 for Police Cruiser #2 along with the associated costs with dash cameras, emergency equipment, and trade in.

Bona: That will put us in the red in FY25.

Hill: Maybe we can put a note in there to reflect this conversation.

Bona: We have to remember the decision we make in FY23 puts in the red from FY25 out. You are having me put together a 5-year Capital Plan that puts us in the red.

Hill: There is big money unspent in the Police Department at the end of this year. There is enough money to off-set a year's worth of expenses. That's my prediction.

Bona: My concern is if we don't do anything in FY24 then we are going to have jump even higher for FY25. Keep in mind the 5% increase from year to year is just a guess.

Arneson: If we kept the \$40,000 in FY24 then we would be positive for the next 5-years.

LaBounty: If you have savings from FY23 and FY24, you can then compensate into the Capital Plan rather than over-tax and over-reserve funds.

Bona: The unassigned funds do not exist if the other Departments gobble it up. Right now, are under the recommended two-month amount. I clarified with our auditors that it is your operating budget minus your taxes raised to contribute to Capital Reserves. You do not reduce that number with revenues on the other side because the idea of maintaining two-months of your budget is in the event of a revenue shortfall. We may or may not have the two-months' worth at the end of the year.

Heston: We have to have two-months of reserves and two-months in unassigned?

Bona: You want two-months of unassigned funds and two-months of restricted funds of your operating budget which does not include your loans. The only thing you are going to exclude are your taxes raised to put into Capital Reserve.

Heston: We are just looking at one year and not what we have in operating.

Bona: Right now, for the General Budget in unassigned funds we are \$186,083.97 less than we should be. If we do have vacancy savings in Police and all the other Departments do not go over budget, then that number is not going to be up to where it was suggested to be. The Highway Department looks very good with the FEMA money coming in which we haven't received. I need to go through and correct those numbers excluding any of the Capital Reserves we have budgeted.

Arneson: The total we have is \$350,149.09 over and above when you combine unassigned and restricted. We are still going to have cash flow over two-months.

Heston: You still have money in your checking account. I think we are okay based on the decisions we have made.

Arneson: The Town Report can include reserves, unassigned, and restricted funds at the beginning and end of the fiscal year. It is simple, it has the actual numbers and easy for the taxpayer to look at. And it matches back to the audit.

Bona: The bottom line is we are \$186,083.97 less than the recommended amount for unassigned funds. We have budget for \$500,000 of that \$536,233.06 as an off-set in

FY24 budget. Our restricted will be down to what is recommended and our unassigned might come up with Police vacancy savings and not buying cruisers. We might be right on target for where we should be for the end of FY24.

Hill: I would like to see a comprehensive year-to-date. It looks like Police has plenty of dough.

Heston: The quarterly financials give the totals.

Arneson: If we go back to the budget, we can pull out the \$40,000 for Police capital reserve. That would put us at 3.67% increase over previous year tax rate.

Heston: That's pretty good considering we started at 19%.

Furr: That is less than inflation. It is about half of inflation.

Arneson: We can come back with a finalized version for the January 3<sup>rd</sup> meeting.

### **Review of Town Meeting Warning**

Heston: We have to decide on the information session.

Furr: I propose Saturday morning at 9 am. It is not going to be any worse than any other time.

Arneson: We will probably do it here and via Zoom.

Furr: It has to be within 10 days from Town Meeting which is Monday, March 6<sup>th</sup>. It could be the previous Monday.

Farr: The previous Monday is school vacation.

Furr: We can't do much better than the Saturday March 4<sup>th</sup> as everything else is during vacation. I proposed Saturday, March 4<sup>th</sup> at 9 am.

Arneson: Any other thoughts on the warning other than removing the cannabis question? Since we are usually scheduled for a Selectboard meeting on March 6<sup>th</sup>, we will have meetings on February 6, 20, March 6 is Town Meeting, so we could meet for Selectboard on March 13, 20 and then April 3.

### **Review of documents for bond vote for waterline replacement project**

Arneson: We looked at this at the Water Commission agenda. We will get back to the attorney on the changes that engineer Tyler Billingsley and I made. Has the Selectboard caught anything in these documents that need to be changed? We should be good to go.

Forward: This is one where the whole Town votes on it but only the Water & Sewer users are responsible for paying it back.

Arneson: Exactly. The Town has to back the bond with the Grand List. We will prepare information for the website and present during the information meeting on March 4<sup>th</sup>.

### **Update on Williams Hill Rd. lawsuit**

Arneson: The Selectboard voted to settle this suit because we didn't have the original survey build and really couldn't continue with the lawsuit. There is still a 30-day appeal period from December 1<sup>st</sup>. I sent the update to the VTrans Mapping Division to take the section of the Class 4 road off.

Furr: Please pass the information to the Trails Committee.

Hill: It is at least worth some review to see what we learned from this experience. That should happen after all the dust has settled.

Forward: I got a number of calls about people not being happy with this outcome. Do we have any other Class 4 roads, and can we declare them?

Hill: That should be part of what we learned from this.

Forward: Can we do these survey bills now? I look forward to this discussion in the future.

LaBounty: In the very beginning, this family brought forward a petition signed by others to toss up this portion of an undetermined road based on when the State of Vermont said you had to do it. I pushed hard for you not to do this. Your surveyor told you that survey wasn't found. Your lawyer said it was worth arguing in court. I hope the lesson you learn from this is if you do not have proof then do not waste the Town's dollar. You can buy it to own it. This wasn't fair to this family when they came to you with a petition. You have spent \$45,000 to argue in court over this. Finish the process so this goes away and we don't have to be in court again with a different neighboring property owner.

Hill: When we properly notice this after the 30-day appeal process then we can say what did we learn.

Heston: We will evaluate what we could have done better. We did the best we could with the information we had at the time.

### **Update on hiring of Director of Planning and Zoning**

Arneson: We advertised for the job and stated a first review on December 19<sup>th</sup>. Currently we have three applications. However, two of them only submitted a resume, they did not include a cover letter or references. So, we do not have a great start to this one. We will continue to advertise and reach out to more applicants.

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

#### **Minutes of 12/5/22**

*Sander moved to approve the Minutes of 12/5/22 as presented. Hill seconded.  
Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Minutes of 12/12/22**

*Furr moved to approve the Minutes of 12/12/22 as presented. Sander seconded.  
Roll call vote follows discussion*

Forward: On page 10, the top of the page, it was quoting me as saying “toward a bond vote in 2024” and I think I said 2023 for the Town Center renovations. I meant to say 2023.

Sander: You have to be careful amending minutes to reflect what you said and not what you think you said.

*Furr moved to approve the Minutes of 12/12/22 as amended. Sander seconded.  
Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Warrants**

Arneson: We are having an issue with payment for the WEX fuel cards for Police. This is a company that will generate an invoice that if mailed to us it takes a week. Then we turn it around as quick as we can. It then takes a week or more before it gets to the desk which results in late fees or shut offs. We have run into issues where there shut our fuel card off. Connie is requesting is we do an electronic transfer for that money to avoid shut-off.

*Furr moved to approve a one-time electronic payment of the WEX bill to meet the payment deadline and avoid the fuel cards being shut off. Hill seconded  
Roll call vote follow discussion.*

Heston: Can we switch businesses?

Bona: We have not found any good options or scenarios. If you approve this, then I will login to the WEX website and enter the information for them to pull the money from our bank account.

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

*Furr moved to approve the general warrants as presented from 12/19/2022. Forward seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

**Purchase Orders:** None

### **Discuss Items for Next Agenda**

\*Next meeting Tue, Jan 3<sup>rd</sup>

\*Warrant  
\*Budget  
\*Job Description for Police Director  
\*Police Data

## **Adjournment**

*Sander moved to adjourn. Hill seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

## **Meeting adjourned at 10:32 pm**

### **Chat file from Zoom:**

00:32:17 heatherparker: Are select board members currently in executive session?  
00:32:56 heatherparker: What topic are they discussing in ES?  
00:33:45 John Linn: "evaluation of an employee" according to the agenda  
00:33:53 Jay Furr: we are back  
01:37:27 Jenna Baker: Why does each officer need their own vehicle? Are there 3 officers on at the same time? And why do we have more vehicles than officers???  
01:37:40 Jay Furr: they take the cars home at the end of the day  
01:37:54 Jay Furr: it's part of the compensation package, essentially  
01:38:15 Jay Furr: right now we never have three officers on at a time  
01:39:01 Jenna Baker: Everyday? Why? How far do they commute? So we are paying for their gas to and from work also??  
01:41:30 Patty Brushett: Yes. One lives in Richmond, 2 live over about hour away.  
01:43:10 Patty Brushett: Yes, I believe we pay for that gas  
01:46:20 Jenna Baker: Why on earth would we pay for them to commute so far? I have never heard of every officer in a police department getting their own vehicle. That seems absolutely outrageous!  
01:47:15 Patty Brushett: Part of the union contract with our officers  
01:47:25 Jay Furr: it is very, very common that officers take their vehicles home.  
01:48:21 Patty Brushett: No towns that I know of does this. State police but not small town police  
01:48:26 Jenna Baker: Who besides state police takes their vehicle home?  
01:48:34 Jay Furr: Do a little Googling  
01:48:55 Patty Brushett: We are very unusual  
01:49:29 Jay Furr: it is not even remotely uncommon.  
01:49:37 Jay Furr: it is very, very, very common  
01:50:27 Jenna Baker: No other department in Chittenden county does.  
01:51:22 Patty Brushett: That's what I thought  
01:51:28 Jenna Baker: None of them take their cars home, let alone all of the officers in a department.  
01:53:10 Patty Brushett: Hinesburg does not