

**RICHMOND SELECTBOARD  
REGULAR MEETING  
November 3, 2014 MINUTES**

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Members Present: Taylor Yeates; Chris Granda; Bard Hill; David Sander; Ellen Kane  
Absent: None  
Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Marie Thomas; Michelle Boomhower, CCRPC; Charlie Baker, CCRPC; Erin Wagg; Ian Bender; Wright Preston; Bob Low; Ernie Buford; Connie Van Eeghen; Rod West; Kevin Kennedy; Thomas Paige; and Bryce Douglass was present to videotape the meeting for MMCTV Channel 15.

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Taylor Yeates called the meeting to order at 7:05 PM.

**1. Welcome and Public Comment**

Mr. Yeates asked if there was any comment from the public for items not on the agenda, but there was none.

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

Chittenden County Regional Planning Commission

Charlie Baker and Michelle Boomhower of the Chittenden County Regional Planning Commission were present to review the RPC's annual report with the Selectboard. Mr. Baker reported that submissions for the annual work plan were due on January 31<sup>st</sup>. He also reported that an update to the public participation plan would include populations, a worksheet process and improvements to engagement of the public. Mr. Baker mentioned the Neighbor Rides program, which was part of the United Way, and said it was an increasingly popular way to provide rides to elderly and disabled persons in the region. Ms. Kane noted she was on the board that managed the Neighbor Rides program, and agreed with how cost effective it was for transportation.

Mr. Hill asked what the changes to the flood maps were about. Mr. Baker explained that the Agency of Natural Resources was creating something called River Corridor maps which were an improvement on the fluvial erosion hazard maps. This would be a slow and involved process, but the end result was to show where the risk of fluvial erosion due to flooding would be likely to occur, even outside of the mapped floodplains. Development patterns could then be better managed.

The Manager mentioned that one item that had been discussed for Richmond's submission to the annual work plan would be a traffic study for the village area.

Cara LaBounty suggested we examine issues on East Main Street, or a transportation analysis.

After some closing discussion the Selectboard thanked Mr. Baker and Ms. Boomhower.

Discussion of Gillett Pond Dam

1 The Manager explained that the Girl Scouts of the Green and White Mountains had filed an  
2 application for a permit to remove the dam at Gillett Pond. The public comment period expired on  
3 November 6<sup>th</sup>, and the Selectboard had been urged to go on record with an official response.  
4

5 Ernie Buford of the Conservation Commission was present to explain the value of the pond as a  
6 resource. Its' importance as a natural, ecological, recreational and historical resource were explained  
7 and Mr. Buford suggested the Selectboard go on record to support these views.  
8

9 The Manager said that he had prepared a draft letter to ANR on this, which was open for discussion.  
10

11 There was some discussion on how the State became involved in this, and what their demands were of  
12 the Girl Scouts.  
13

14 Bob Low, a neighbor to the pond and member of the Friends of Gillett Pond group, explained that the  
15 State had inspected the dam following last year's flooding and the State was saying that the dam  
16 needed to be replaced or removed. The Friends of Gillett Pond group was negotiating with the Girl  
17 Scouts to get control of the dam, so that a permanent solution could be worked out. He said that in  
18 recent months, the Girl Scouts had not been responsive, but they were hoping for additional  
19 discussions soon.  
20

21 Mr. Yeates asked Mr. Buford if the Conservation Commission wanted more time to try and work out a  
22 solution. Mr. Buford said that others would be working on the solution but may come before the  
23 Conservation Commission for use of the fund.  
24

25 There was some discussion of the letter. Mr. Granda asked Mr. Low more about the relationship  
26 between the Friends group and the Girl Scouts, which Mr. Low answered. Mr. Low suggested that the  
27 Selectboard should conclude that additional time would allow for another solution.  
28

29 Mary Houle said this is a private matter and not likely to think that we'd engage our attorney for this.  
30 She said that this wasn't a resource that everyone in Richmond used.  
31

32 Cara LaBounty said she supported going after this as a conserved property. The Selectboard has the  
33 power of eminent domain and if we held up the permit then it could be construed as a taking or  
34 preventing an action and we have a liability that others don't have.  
35

36 Mr. Granda questioned the town's role in the permit process. There was some discussion. The  
37 Manager said that to not go on record one way or the other could be understood by the State that the  
38 Selectboard does not have any opinion on whether the dam stays or not. Mr. Sander said that the main  
39 issue that should be changed in the letter was to not object to the permit but focus on allowing more  
40 time for negotiations.  
41

42 Mr. Granda offered a motion to amend the letter with the aid of David Sander and Ellen Kane and then  
43 issue that letter. Mr. Hill seconded the motion, and the motion carried 5-0.  
44

#### 45 Our Community Cares Camp Update 46

47 Marie Thomas, director of Our Community Cares Camp, provided an annual report on the camp. She  
48 noted that it had existed since 2009 and was growing. The main purpose of the camp was borne of a  
49 summer meals program for children. The reviewed the history of the camp and how it has grown over  
50 the past six Summers. Ms. Thomas noted that the Selectboard has been very supportive of the

1 program, and has provided storage space for the camp's materials and supplies. Ms. Thomas also  
2 asked for a small donation in the town budget, to advertise their support for the program.

#### 3 4 FY2016 Budget – Fire Department

5  
6 Fire Chief Tom Levesque and Deputy Fire Chief Dennis Gile were present to review the Fire  
7 Department budget. They had no significant changes but noted that the Telephone and Radio Repair  
8 lines could be reduced slightly. Chief Levesque noted that fuel was difficult to predict but said the  
9 current budget should be maintained.

10  
11 Mr. Hill said that the water and sewer budget for the building might change if the Water Commission  
12 increased the amount due to revisions in fire protection costs. This was pending the Water  
13 Commission discussion.

14  
15 Mr. Levesque then explained the debt cycle on the fire trucks. We had been paying them off every  
16 five years, and keeping the trucks for twenty.

17  
18 Mr. Yeates noted that the capital plan needed to be revised to show that replacement of breathing  
19 apparatus was an ongoing cycle and would not be complete this year.

20  
21 The Selectboard thanked Chief Levesque for his efforts.

#### 22 23 Charitable Appropriations

24  
25 The Manager explained that some applications had been returned but were under review. Mr. Yeates  
26 said if no application meets all criteria then it should not be included, otherwise, for discussion, put in  
27 the full amount requested by qualifying organizations.

#### 28 29 Fy2016 Capital Plan - Generally

#### 30 31 Water Fees for Fire Department

32  
33 Mr. Hill said that we will revisit the calculation for fire protection costs at the next meeting.

34  
35 Mr. Yeates noted that some of the 20-year projections had not been updated in several years. He  
36 suggested that the roof replacement cost for the Library be included in the capital plan.

### 37 38 39 **3. Other Business**

#### 40 41 Appointment of Tree Warden

42  
43 Mr. Yeates noted that at the end of the last meeting, Mary Houle had submitted her interest for the  
44 Tree Warden position. A supportive letter from Danielle Fitzko of the Agency of Natural Resources  
45 was included in the packet.

46  
47 Mr. Granda asked how long this was advertised. The Manager said it was advertised twice in the  
48 Spring but had been vacant since Town Meeting.

49

1 Mr. Hill offered a motion to appoint Mary Houle as Tree Warden. There being no second, Mr. Yeates  
 2 declared the motion defeated.

3  
 4 Ballot Items for Town Meeting Discussion

5  
 6 The Manager had prepared a time schedule and list of potential ballot items for Town Meeting:  
 7

<b>Item</b>	<b>Regular/Australian</b>	<b>Last Date for Selectboard to Approve</b>	<b>Proposed Australian Ballot Decision Date</b>	<b>Proposed Public Hearing Date for Australian Ballot Items</b>
Budget	Regular	January 5 <sup>th</sup>	N/A	Town Meeting
Capital Plan	Selectboard only	December 1 <sup>st</sup>	Public Hearing January 5 <sup>th</sup>	N/A; adopted by Selectboard January 5 <sup>th</sup>
<b>Item</b>	<b>Regular/Australian</b>	<b>Last Date for Selectboard to Approve</b>	<b>Proposed Australian Ballot Decision Date</b>	<b>Proposed Public Hearing Date for Australian Ballot Items</b>
Conservation Reserve Fund	Australian (prior authorization)	January 5 <sup>th</sup>	Australian Ballot by prior vote	March 2 <sup>nd</sup> (Day before Town Meeting)
Richmond Rescue Tax Exemption – continuation	Currently by vote of those present at Town Meeting, we could schedule meeting to consider as Australian Ballot	December 15 <sup>th</sup>	Australian Ballot Meeting to be held on January 14 <sup>th</sup> (if in fact required)	March 2 <sup>nd</sup> (Australian) or March 3 <sup>rd</sup> (Regular)
West Main Extension – Voter Request	Regular	December 1 <sup>st</sup>	January 3 <sup>rd</sup> or January 5 <sup>th</sup>	N/A
West Main Bond	Indebtedness automatic Australian Ballot	January 5 <sup>th</sup>	No special hearing required	March 2 <sup>nd</sup>
Selectboard Authority for Tax Stabilization	Currently by vote of those present at Town Meeting, we could schedule meeting to consider as Australian Ballot	January 5 <sup>th</sup>	Australian Ballot Meeting to be held on January 14 <sup>th</sup>	March 2 <sup>nd</sup>
Gateway Zoning	Presented to Selectboard on November 17 <sup>th</sup>	Public Hearing on the Regs scheduled for December 15 <sup>th</sup>	Australian Ballot Meeting to be held on January 14 <sup>th</sup>	March 2 <sup>nd</sup>

Floodplain Zoning	Presented to Selectboard on November 24 <sup>th</sup> <small>**see note below</small>	Public Hearing on the Regs scheduled for December 15 <sup>th</sup>	Australian Ballot Meeting to be held on January 14th	March 2 <sup>nd</sup>
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2 There was some discussion on the timelines. The Manager noted that for the revised zoning  
3 regulations, the timeline left no room for major changes and additional hearings. However, the  
4 floodplain regulations may be considered non-controversial and the Planning Commission may  
5 recommend adoption without voter approval. There was some discussion and it was agreed to proceed  
6 as outlined.

7  
8 Kenyon Road

9  
10 The Manager explained that the speed cart was missing its' data logger, therefore there was no speed  
11 data to reveal until it was found. However, Peter Gosselin was consulted about the blind hill. Mr.  
12 Gosselin explained that the hill was a ledge outcropping and was very shallow under the road. That,  
13 the position of the barn and the narrow Right of Way meant that elevating the road was not possible  
14 unless we either moved the barn, expanded the Right of Way or relocated it. There was no easy  
15 solution to this problem, but it may form the basis of a safety issue for the speed limit at that location.  
16 Mr. Yeates said he wanted to review this for the traffic ordinance, along with parking at the state's  
17 Park and Ride.

18  
19 Financial Reports

20  
21 The Selectboard reviewed the prior and current year financial reports.

22  
23 Reports from Selectboard and Town Manager

24  
25 Economic Development

26  
27 Ms. Kane reported that the Economic Development Committee had been discussing the West Main  
28 utility extension and how it would be paid for. Their concerns were the stress on the current rate  
29 structure and how the town would benefit from the increased development. There was some  
30 discussion on this issue.

31  
32 Ms. Kane said that the Economic Development Committee was also concerned about the status of the  
33 creamery parcel. Mr. Hill reported that the safety inspection was conducted and should help stabilize  
34 the property, but the report had not yet been received. Mr. Yeates said that the tax stabilization  
35 question might add to the interest in the property, if the ballot question is approved.

36  
37 The Manager noted the police report. There was some discussion about current and outstanding  
38 issues.

39  
40 Greystone Septic Issue

41  
42 The Manager said that dye testing was conducted at the three septic sites, and the owner of the failed  
43 septic was now confirmed. There appear to be some inconsistencies between the approved plan and  
44 septic installation. The health concerns still existed, but were closer to being resolved.

45

1 Erin Wagg, the owner of the property where the neighbor's failed septic existed, said that this needs to  
2 be resolved. The town needed to work with the owners on the installation issue, which the town  
3 signed off on.

4  
5 Mr. Yeates said if there was not adequate progress soon then a health order needed to be issued, and a  
6 hearing held if necessary, and a special meeting.

7  
8 Ms. Wagg complained about the amount of time it was taking to get this resolved. She was asked to  
9 get her own engineer involved, and that she was not negligent in this.

#### 10 11 Approval of Minutes

12  
13 Mr. Hill offered a motion to approve the minutes of October 20, 2014 and was seconded by Mr.  
14 Sander and the motion carried 5-0.

#### 15 16 Approval of Right of Way Permits

17  
18 The Manager explained there were two permits, one at Richmond Terrace for a buried Comcast cable  
19 and on Johnnie Brook Road for replacement of electrical poles. Staff had no concerns on either of  
20 these projects. Mr. Sander offered a motion to approve both ROW Permit #14-143 and #14-144 and  
21 was seconded by Mr. Hill and the motion carried 5-0.

#### 22 23 Warrants

24  
25 Mr. Granda had a question on the Staples bill. The amount of the warrant was not the full amount of  
26 the bill. It was agreed to pay the amount of the warrant, and if there was an additional amount  
27 necessary it would be approved at the next meeting. The warrants were approved and signed.

#### 28 29 **4. Adjourn**

30 Motion by Mr. Sander to adjourn the meeting at 9:25 p.m. Seconded by Mr. Hill. So voted.