

**RICHMOND SELECTBOARD
REGULAR MEETING
June 3, 2013 MINUTES**

Members Present: June Heston, Chair; Amy Lord, Vice Chair; Chris Granda; Ashley Lucht; Taylor Yeates
 Absent: None
 Others Present: Geoffrey Urbanik, Town Manager; Cara Labounty, Lister; Mary Houle, Lister; Bruce Bailey; Wright Preston; Jane Miller; Denise Barnard; Neal Leitner, Zoning Administrative Officer; Mark Fausel and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

June Heston called the meeting to order at 7:00 PM.

1. Welcome and Public Comment

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

Cara LaBounty provided an update of lister activity. She said they had been looking at values and noted people weren't happy with their taxes. They wanted the listers to review their cards for accuracy. Change of appraisal notices will come out soon, and not everyone has filed their homestead rebate paperwork. Grievances were expected to be heard on June 21st.

2. Items for Discussion with Those Present

Jonesville Estates and Parking Issues

Denise Barnard and Jane Miller were present to explain their concerns about parking along Wes White Hill and Jonesville Estates. Traffic had been moved from Dugway Road to their area, because of the work that was done on Dugway. Ms. Barnard said that people have begun to trespass and park on private property, using the Huntington River and leaving behind trash. Ms. Miller said that it felt like three sides of her home were used by people who believed it was public land. Ms. Barnard said that maybe people were confused with the location of the Richmond Land Trust land, which was across Cochran Road.. She suggested that locations on Cochran Road and Wes White Hill Road be posted as no parking allowed.

Mary Houle said that parking on Cochran Road at the pull-off (where Wes White Hill used to intersect) was to be used as Land Trust parking.

Ms. Miller spoke of the triangle of land between the new and old Wes White Hill were and said she'd be happy to purchase it, to eliminate its parking availability. Ms. Barnard wanted boulders along the sides of the road.

Bruce LaBounty suggested people park in a small lot to be made on the Bomberdier field (Richmond Land Trust property).

Ms. Miller asked if there was resistance to this, and Ms. Barnard suggested better signage to point people to the right areas, and to keep off of private land.

1 Cara LaBounty said that boulders needed to accommodate room for plowing. We should also plan for
2 parking when we do land preservation.

3
4 Ms. Miller said she hated to post her land, but people are using private property.

5
6 Wright Preston said that he was on the board of the Richmond Land Trust and asked if we could find
7 out what the destinations were, and then try to point them to parking nearby.

8
9 Ordinance 01-2013 No Parking on Railroad Street, Wes White Hill and Establishing a Parking Ticket
10 Appeal Procedure

11
12 The Manager then explained that a section of Wes White Hill between Cochran Road and Jonesville
13 Estates was added to the proposed traffic ordinance amendment from last meeting. Parking was to be
14 prohibited. The Manager then read the ordinance aloud, stating that there would be a public hearing
15 on July 1st at 7:30 pm.

16
17 Ms. Lucht offered a motion to approve on first reading Ordinance 01-2013, Amending the Traffic
18 Ordinance for No Parking and Establishing a Parking Ticket Appeal, with a public hearing date of July
19 1st, at 7:30 pm in Town Center. Ms. Lord seconded the motion.

20
21 Mr. Granda said that additional parking was needed in the Jonesville area.

22
23 The motion carried 5-0.

24
25 Notice of Zoning Violation: KR1961

26
27 The Manager explained that two years ago there was a complaint to the Health Officer that an
28 apartment in this dwelling was substandard. It was determined that the garage of this single family
29 home had been converted into an apartment, without proper approval from either the zoning officer or
30 the Development Review Board. Subsequently, the tenant left and the owner also went away, leaving
31 the property in the care of a relative. A Notice of Violation had been issued, and was not appealed.
32 Since the problem had abated, no further action was taken. Recently, the owner had returned and the
33 Health Officer again received a complaint about the premises. It has been determined that the
34 unpermitted apartment was again in use. With the prior Notice of Violation still in effect, the question
35 was whether or not to enforce fines.

36
37 Neal Leitner, the Zoning Administrative Officer, was present to explain further. He added that there
38 was considerable materials on the premises, and outdoor storage was not a permitted use. He gave the
39 owner, Deborah Mobbs, seven days to respond but she did not. Wright Preston added that the
40 apartment is inadequate according to state health standards. If it becomes permitted, improvements
41 would need to be made.

42
43 The Manager explained that the original fine was \$100 per day for the continuing violation, however,
44 the town wanted compliance and not a large fine.

45
46 Ms. Lucht said she was okay with the original fine of \$100 per day for the continuing violation.

47
48 Mr. Granda said that we needed to get them in for a conversation. Mr. Leitner agreed, and in terms of
49 fines, the town could only recover actual costs involved in prosecuting the case.

50

1 Mr. Granda said we should notify the property owner and remove the For Rent sign. A letter telling
2 them what the violation penalty should be sent.

3
4 Mr. Yeates asked if they were only in violation when there was a renter. He did not agree to a high
5 fine over an issue that has been resolved.

6
7 Mr. Preston said he hoped that this will not be rented again.

8
9 Ms. Lucht asked how would we know, and Mr. Leitner replied that he could check periodically.

10
11 Ms. Heston said that as part of the conversation, the debris should be removed. Ms. Lucht asked what
12 timeframe would be given, and Mr. Leitner said fourteen days.

13
14 Cara LaBounty said this was very reasonable, and the town should identify what they want removed.
15 There may be some value to things and the town should not seek to get rid of everything.

16
17 Mr. Preston said that it should include trash and tires. Ms. Heston said any fine should be higher than
18 cleanup costs, and Bruce LaBounty said it would be great to have people to help.

19
20 The Manager recapped the conversation, that there would be no fine at this time, but if there were no
21 progress on cleaning the property or getting a permitted apartment, staff would return to the
22 Selectboard to request a penalty.

23 24 **3. Other Business**

25 26 Confirming Permanent Status for Neal Leitner

27
28 The Manager explained that Mr. Leitner's three month provisional status was due to expire on June
29 9th. The Manager and Cathleen Gent recommended his permanent status.

30
31 Mr. Granda offered a motion to grant permanent status for Neal Leitner as of June 9th and was
32 seconded by Ms. Lord and the motion carried 5-0.

33 34 Discussion of Planning Commission Appointments

35
36 The Manager explained that the Selectboard had interviewed six candidates for three vacancies on the
37 Planning Commission. There were currently two immediate vacancies, and Lou Borie had said he
38 would resign shortly. The Selectboard was free to appoint three new members, fewer than three
39 members, or appoint no one and readvertise for candidates. The candidates were:

40
41 Daniel Begins
42 Brian Tellstone
43 Bruce LaBounty
44 Mary Houle
45 Ernie Kelley
46 Ann Cousins

47
48 Mr. Granda said he had spoken to Mr. Borie and said that Mr. Borie didn't want to leave the town in a
49 pinch but he still wanted to go. Mr. Granda recommended Ernie Kelley, said he was a staff member

1 and the Vermont Agency of Natural Resources and had an understanding of what the Planning
2 Commission would deal with.

3
4 There was a discussion on how to make nominations. Mr. Yeates suggested just nominating, and
5 voting as they were nominated and the Selectboard agreed.

6
7 Ms. Lord agreed with appointing Mr. Kelley and nominated Ann Cousins also, since she had been a
8 member of the Planning Commission and was focused on the downtown area. Ms. Lucht nominated
9 Brian Tellstone, saying he was level-headed and straight forward.

10
11 Ms. Heston nominated Bruce LaBounty, saying he had experience in the field and knew some of the
12 history involved with our regulations.

13
14 Cara LaBounty said that the Planning Commission should go back to seven members, but Mr. Granda
15 said that the Selectboard has made a prior decision to stay at five members now. Ms. Heston said that
16 Mark Fausel, the Planning Commission chair, had wanted to stay at five until new members could be
17 oriented and then move up to seven at a later time.

18
19 Ms. LaBounty said that five new members could move as fast as three. Mr. Granda said it was the
20 Selectboard's intention to eventually move back to seven members.

21
22 Ms. Heston said that there was one opening on the Development Review Board, and candidates should
23 consider that position also.

24
25 There was discussion on how to vote nominations. Ms. Heston said that they should be voted on in
26 order of their interview.

27
28 Brian Tellstone: Ms. Lucht offered a motion to appoint Mr. Tellstone and was seconded by Mr.
29 Granda, and the motion carried 5-0.

30
31 Bruce LaBounty: Ms. Heston offered a motion to appoint Mr. LaBounty and was seconded by Mr.
32 Yeates, and the motion carried 3-2 with Mr. Granda and Ms. Lord voting against.

33
34 Ernie Kelley: Mr. Yeates offered a motion to appoint Mr. Kelley and was seconded by Mr. Granda,
35 and the motion carried 5-0.

36
37 There being no further need to vote on nominations, the appointments were finalized.

38
39 Cara LaBounty said that a note should be sent to all applicants regarding who was appointed.

40 41 Governance Committee Discussion

42
43 Mr. Yeates explained that he had more prospective members, and it was possible for a five member
44 committee. He wanted all present to do short interviews on June 17th.

45 46 Vermont Health Connect and Employee Health Benefits Discussion

47
48 The Manager had prepared a lengthy memorandum outlining the issues for employee benefits.
49 Vermont was enacting a Health Exchange in accordance with the Federal Affordable Care Act. On
50 January 1, 2014, healthcare for the town's employees would be only available through the Health

1 Exchange and the current plan would cease to exist. This deadline was only for individuals and
2 employers with fewer than fifty employees.

3
4 The Manager went through the discussion in detail. It was clear that there was more to learn and
5 understand, and the town had to do this before the end of the year. He suggested a committee to
6 outline the changes and recommend options for the town and the employees.

7
8 Ms. Heston and Mr. Yeates volunteered to serve on the benefits committee. Ms. Heston said it would
9 be important to know what is the industry standard.

10 11 Approval of Minutes of May 20, 2013

12
13 Mr. Yeates offered a motion to approve the minutes of May 20, 2013 with minor amendments and was
14 seconded by Ms. Lord. The motion carried 3-0-2 with Ms. Heston and Mr. Granda abstaining.

15 16 Reports from Selectboard and Town Manager

17
18 Ms. Lord reported that the Economic Development Committee had met with Curt Carter from the
19 Greater Burlington Industrial Corporation to discuss brownfields options for the creamery. The end
20 use was important to the cleanup, since some cleanup costs would be concurrent with site costs. The
21 total overall costs would vary from project to project, but the building appeared to be the single largest
22 concern. There were also private investment alternatives, in some cases, where public funds did not
23 get involved.

24
25 Ms. Lord noted that the ammonia, asbestos and lead or mercury were throughout the building.

26
27 There was additional discussion on the ammonia tank, and how to handle it. The Manager said that
28 the owner had suggested that the ammonia had been removed, but there was no documentation on it.
29 The Manager suggested writing a letter to the owner requesting documentation, or removal of the
30 ammonia now.

31
32 Ms. Lord recommended getting the Health Officer involved. Mr. Yeates added that if this was a real
33 concern, then we had a responsibility to act on it now. Mr. Granda asked how would be gauge if this
34 was an immediate threat? Ms. Heston said that the moment it becomes an emergency, it would be too
35 late. The town would also have to seek to recover the costs.

36 37 Depot Street Parking Lot

38
39 The Manager explained that the engineer, Mike Weisel, had met with members of the Economic
40 Development Committee and residents and business owners on Depot Street. The preliminary plans
41 were reviewed and good feedback was received. The project continues to develop, and the waterline
42 was concurrent with this project. Permits for both the water line and the parking lot would be
43 necessary, as would permission from the railroad to utilize their right of way.

44
45 Ms. Lucht added that the Water Commissioners would also have to approve the Depot Street water
46 line before it could move forward.

47 48 Replacement of Bridge over Snipe Island Brook

49

1 The Manager explained that the State wanted to replace this bridge/culvert. They had issued several
2 questions to be answered, but it was clear that US Route 2 would be closed for some time while this
3 would be done. The detour route would be Cochran Road. This was not an imminent project,
4 however, it would be some time before it was constructed. The Manager said that if anyone had any
5 concerns about this, to contact him.

6
7 Hazard Mitigation Buyout Update
8

9 The Manager explained that there had been a conference call with the State Hazard Mitigation
10 program and the State Historic Preservation Office. The State Historic Preservation Office had
11 demanded that an inspection of the home be done to determine suitability for relocation. The town
12 had requested that a scope of work be submitted, since it appeared that the town was not satisfying
13 FEMA's demands and goals constantly shifted. The State had agreed to this, and the town had also
14 requested a list of possible relocation sites since a relocation estimate could not be made unless a site
15 had been selected. Therefore, the alternatives review was ongoing.

16
17 The Manager noted the department reports.

18
19 The warrants were approved.

20
21 Ms. Lord asked for an executive session to discuss personnel.

22
23 Mr. Granda offered a motion to enter executive session to discuss personnel matters, at 9:00 pm and
24 was seconded by Ms. Lord and the motion carried 5-0.

25
26 Ms. Lord offered a motion to adjourn the executive session at 9:30 pm and was seconded by Mr.
27 Yeates and the motion carried 5-0.

28
29 **4. Adjourn**

30 Motion by Ms. Lord to adjourn the meeting at 9:30 p.m. Seconded by Mr. Yeates. So voted.