

**R I C H M O N D S E L E C T B O A R D
R E G U L A R M E E T I N G
O c t o b e r 2 0 , 2 0 1 4 M I N U T E S**

Members Present: Taylor Yeates; Chris Granda; Bard Hill; David Sander; Ellen Kane
 Absent: None
 Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Maureen Kangley; Ian Bender; Cara LaBounty, Bruce LaBounty; Ernie Buford; John Hamerslough; Jon Low; Andy Solomon; Brad Elliott; Rick Barrett; Keith Frantz; Kristen Hayden West; Rebecca Mueller, Library Director; Erik Filkorn; Elizabeth Wright; Bob Low; Gary Bressor; Marie Thomas; Joy Reap; Bob Reap; Rod West and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

Taylor Yeates called the meeting to order at 7:00 PM.

1. Welcome and Public Comment

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

Jon Low said that the Girl Scouts had filed for a permit to remove the dam at Gillette Pond, and there would be a hearing in November on this. Mr. Low then said that regarding applications for the Conservation Commission, out of the four or five applicants and he felt that one new person (one who had not served previously) should be appointed to the board. Mr. Low commented that on Wes White Hill, the State put up quite a few signs on a grant. He suggested using a different program because these signs blocked views and were out of character for the road. He said over 80 reflectors had been installed and 12 new signs. The Manager said this was from the High Risk Rural Roads grant that the state managed, and a few years ago Huntington Road had this done. He had not heard any complaints from it, but some of the signs on Wes White Hill were in bad spots and might be relocated after the first year following installation.

Mr. Granda reported that he was supporting the school consolidation, which was a question on the November ballot. He felt that the long-term demographic for the area dictated the long-term strategy, which was to consolidate schools and curriculum.

Bob Low commented that the voters needed to know the details on this important issue before they voted.

Gary Bressor said he did not support the merger and this had come up two years ago with little change in the issue.

Wright Preston, Health Officer, said he had taken two reports of dog bites recently, and was looking for advice on how to deal with the second dog bite. He would be in touch with staff regarding this. Mr. Hill suggested he contact other towns for advice on how to handle repeat offenders.

Jon Low said he should further explain the Gillette Pond issue. He said that there would be a public comment period, but the issue was that to remove the dam would make it much more difficult than just a replacement. He felt that anyone interested should write comments to the State on this, and come to the hearing.

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2
3 **2. Items for Discussion with Those Present**
4

5 Conservation Reserve Fund Renewal
6

7 Ernie Buford of the Conservation Commission was present with several members to request that the
8 Selectboard place a question on the ballot for Town Meeting to renew the funding. Bob Low, also on
9 the Commission, provided a brief computer slideshow showing the benefits of conservation and some
10 of the past projects funded by the town.
11

12 Mr. Hill spoke about Gillette Pond and asked if there were any suggestions on using the Conservation
13 Reserve Fund for this project. Mr. Low said that there could be a plan to use some of the fund to
14 replace the dam, but there was a larger effort to get the State and Girl Scouts to recognize the resource
15 there and that there should be a public interest in preserving the pond. The Town of Huntington may
16 also play a role in this.
17

18 Mr. Granda asked if the Girl Scouts filing was coordinated with any local conservation efforts. Mr.
19 Low said no, but the Friends of Gillettes Pond have made an offer to take the dam but have received
20 no response.
21

22 Mr. Yeates asked about the question and why it was only asking for a five-year term on the funding.
23 Mr. Buford said that a longer term wasn't discussed. Mr. Low said that a five-year limit allows for
24 good accountability and a revisit of the issue on a regular basis.
25

26 Mr. Yeates said that we may consider the language of the question but it would come back for a vote
27 on November 17th.
28

29 Bruce LaBounty asked about a project that was mentioned, that Mr. Low said he wouldn't be able to
30 speak about. Mr. Low said that he was approached by a property owner in confidence, and wouldn't
31 be able to speak more about it until the time was right.
32

33 Library Budget
34

35 Rebecca Mueller, Library Director, reviewed the Library's budget proposal. In the audience were
36 board members Kristen Hayden West and Keith Frantz. The only big item, she said, was the Library
37 Reserve was doubling, from \$8,000 to \$16,000, for repairs to the physical plant. She said the building
38 was built in 1879 and although it has been renovated recently, was still an old building. She spoke of
39 several recent repairs – to the front steps, siding, and now the roof has some missing slates and needs
40 quite a bid of repair. She noted that the building did get recent press coverage in the Burlington Free
41 Press, and the building is well-used by many community groups, including the Selectboard and Water
42 Commission.
43

44 Mr. Granda said that the overall budget, with maintenance and reserve lines, is up by \$26,000 which is
45 10% of the total budget. Ms. Mueller noted that some other line increases were because they were
46 operating at maximum efficiency and they expected increases in utility costs, inspections, and other
47 operational items.
48

49 Mr. Yeates reviewed several items in the Library capital plan and Ms. Mueller said that some items
50 will be pushed back and the roof repairs would come first. Mr. Yeates said that the capital plan would

1 have to be revised at the next meeting. He also said that paying for capital repairs through the reserve
2 wasn't the best use of the reserve, which should be for emergencies. Ms. Mueller agreed.

3
4 There was some discussion, and the Selectboard thanked Ms. Mueller for her presentation.

5 6 Assessor Budget

7
8 The Manager presented the Assessor budget, which was level funded. The former salary lines had
9 been reduced to zero to reflect the change to an assessment contract. The contract line had been
10 increased, as was the Reappraisal Reserve. The Manager said that these two lines were subject to
11 change. Mr. Yeates said that the NEMRC five-year plan should be taken into account when putting
12 money into the reserve.

13 14 Planning & Zoning Budget

15
16 The Manager said that the Planning and Zoning budget was slightly reduced to reflect salary and
17 healthcare costs under current staffing.

18
19 There then began a conversation on how to present the question on the Conservation Reserve Fund
20 with the budget. The Manager noted that in 2010, the funding line was removed and the question was
21 voted separately. The Manager said he agreed with this, since to leave the funding in the budget
22 would allow the voters to approve the budget with that amount in, while creating a potential conflict
23 with the ballot question which was voted separately. There was discussion.

24
25 Mr. Hill suggested we leave the amount in, and make a note that it is contingent upon passage of the
26 ballot question.

27
28 Cara LaBounty said that the reason it was removed in 2010 was because the voters could build the
29 funding into the budget as a line-item, and not need a ballot vote. She said we should remove the
30 funding from the budget, and add it back in if the voters support it.

31
32 The Selectboard requested that the second draft of the budget be placed online, and that at the next
33 meeting, the Fire Chief be asked to speak about his budget.

34 35 **3. Other Business**

36 37 Board Vacancies

38
39 The Manager explained that we had several vacancies, as talked about previously, and we had several
40 interested persons to consider for appointment.

41
42 Mr. Yeates said our first appointment would be to the Water Commission. He mentioned that Ms.
43 Kane was not interested, and Mr. Granda had said he would serve if no one else would. Mr. Sander
44 nominated Mr. Granda to fill the vacancy on the Water Commission through March of 2015 and was
45 seconded by Mr. Hill. Mr. Yeates asked if Mr. Granda would serve, and he said yes. The motion
46 carried 5-0.

47
48 Mr. Yeates moved to the Trails Committee. Mr. Yeates said we had two applicants for one opening.
49 John Hamerslough, of the Trails Committee said that the committee recommended Jean Bressor. Mr.

1 Yeates said he supported getting new people involved, but asked why we couldn't just expand the
2 membership of this committee to ten people. There was some discussion.

3
4 Mr. Granda nominated Callie Ewald to the Trails Committee for a term expiring in 2016 and was
5 seconded by Mr. Sander.

6
7 Mr. Granda nominated Jean Bressor to a new position on the Trails Committee, expiring in 2015, and
8 was seconded by Mr. Sander. Both motions carried 5-0.

9
10 Mr. Yeates noted that there were no applicants for the Development Review Board.

11
12 Mr. Yeates moved to the Conservation Commission. He said that there were two vacancies, for seats
13 expiring in 2015 and 2017. There were five applicants with letters of interest: Andy Solomon, Wright
14 Preston, Cara LaBounty, Mary Houle and Elizabeth Wright.

15
16 Mr. Granda asked which members have served previously? Mr. Yeates said Mr. Preston has served on
17 the Conservation Commission, and Ms. LaBounty and Ms. Houle have served on other boards. He
18 was not sure about Ms. Wright but Mr. Solomon was new to the town. Mr. Granda said he was
19 encouraging of "new blood" on the boards. Mr. Granda nominated Andy Solomon to fill the vacancy
20 on the Conservation Commission expiring in 2017 and was seconded by Mr. Hill. There being no
21 other nominations, the motion carried 5-0.

22
23 Mr. Yeates asked about the seat expiring in 2015. Mary Houle said she wanted to interview for this
24 seat. She says the town has no plan for acting on invasive insects. Trees will need replacing and the
25 town needs active engagement. The Selectboard thanked Ms. Houle for her comments.

26
27 Mr. Yeates asked if Ms. Wright would like to talk about her qualifications. Ms. Wright said that she
28 was interested and wanted to find a way to conserve the environment. She had been a resident since
29 2008, and provided some other background.

30
31 Mr. Yeates asked Ms. LaBounty if she would like to interview. Ms. LaBounty said she would
32 withdraw her name from the Conservation Commission and would like to interview for the
33 Development Review Board instead.

34
35 Mr. Yeates asked for nominations. Mr. Granda nominated Elizabeth Wright to the vacancy on the
36 Conservation Commission expiring in 2015. Mr. Sander seconded the motion, and the motion carried
37 5-0.

38 39 Development Review Board

40
41 Mr. Granda noted we have had a hard time finding interested candidates for the Development Review
42 Board, and felt comfortable considering Ms. LaBounty for this position. Mr. Hill said he was, also.

43
44 Ms. LaBounty interviewed for the vacant seat. She explained her background and familiarity with the
45 regulations. She said she preferred the 2015 term, to see how well she would like serving on the
46 board.

47
48 Mr. Granda nominated Cara Labounty to fill the vacancy on the Development Review Board ending in
49 2015 and was seconded by Mr. Sander.

50

1 Wright Preston asked if the Selectboard typically got the opinion of the chair before appointing
2 someone? Mr. Yeates said there was no policy or necessity on this.

3
4 Mr. Granda said that part of the chair's job was recruitment, and this board has had vacancies for more
5 than six months. The Selectboard needed to act.

6
7 Ms. LaBounty said she has had a working relationship with DRB chair Mr. Sunshine in the past and
8 believed they would have no problem working together.

9
10 Mr. Yeates asked about the potential elevation projects that would come before the DRB, and Ms.
11 LaBounty said she would obviously need to recuse herself from the board while presenting those
12 applications.

13
14 The motion carried 5-0.

15 Creamery Inspection Update

16
17
18 The Manager explained that several Selectboard members have expressed concern that the abandoned
19 creamery building was unsafe and unsecured, posing a safety hazard. The Manager had contacted the
20 State Fire Marshal for an inspection, and Jessie Dobiecki had responded. He met with him, Health
21 Officer Wright Preston, Fire Chief Tom Levesque and Selectboard members Bard Hill and David
22 Sander at the creamery. Mr. Dobiecki inspected the premises and found that the fencing around the
23 building did not extend completely around and was knocked over in places. The rear of the building
24 had an entrance that was completely open and unsecured. He said the building was a safety hazard
25 and would need to be secured and he would write this up and put the owner on notice. Mr. Sander
26 noted there were piles of combustibles on the property, also.

27
28 There was discussion. Mr. Hill said that the owner would have thirty days to respond and secure the
29 building.

30
31 Cara LaBounty said that during the Celtic New Year celebration, people had been allowed to park up
32 there, indicating that more people might be trying to go through there at times. She suggested using
33 the Community Cleanup Funds from CSWD to try and remove debris.

34
35 The Selectboard agreed that the Manager would contact the owner to speak about securing the
36 building.

37 Vermont Land Conservation Fund Grant

38
39
40 Ellen Kane explained that this grant might be a way to pay for a portion of the environmentally
41 restricted lands of the creamery in the floodplain. This had to be a part of the plan to purchase the
42 property from the owner and wasn't expected to fund the entire project.

43
44 Bruce LaBounty cautioned that if the property was subdivided for this, it would affect the
45 development potential. The density was based on the entire parcel, and if subdivided would reduce the
46 land area.

47
48 There was some discussion. The Manager said this was a pre-application, due by October 31st. A full
49 application would be due later.

50

1 Mr. Hill offered a motion to authorize the pre-application of the Vermont Land Fund Conservation
2 Grant and was seconded by Mr. Granda and the motion carried 5-0.

3
4 Kenyon Road Update

5
6 The Manager said he had not yet been given any speed cart data on Kenyon Road, and was unable to
7 comment on recent speeds. The Chief of Police was able to provide some data on tickets, but it was
8 not indicative of how much time was spent patrolling the road. Mr. Gosselin had not yet submitted
9 any information on the blind hill. Mr. Yeates requested additional information for the November 3rd
10 meeting.

11
12 Jon Low said that when the roads are regavelled the speeds go up. Making a flatter road makes other
13 jobs more difficult.

14
15 Discussion of Use of Cochran Road Property

16
17 The Manager explained that the Hazard Mitigation Grant buyout and demolition was completed and
18 final reports were being prepared. Some people had asked about the use of the property and tonight's
19 discussion was how to proceed. He noted that the property would have to be properly graveled for a
20 parking lot and there was no time or budget for that project this year.

21
22 Mr. Granda said we needed to have some public meetings where people can talk about their plans.
23 Potential uses, floodplain limits, and other thoughts.

24
25 Mr. Hill asked if anyone had any ideas.

26
27 Cara LaBounty said that we needed federal government approval before we do anything for that
28 property. She cautioned people to not walk around, and said that this was not a good site for a parking
29 area since it was in the middle of nowhere. She added that it would need fencing, also.

30
31 There was little more discussion. Mr. Yeates said we would speak about this again on November 17th
32 to open a process for public input.

33
34 Tilden Elm

35
36 Mr. Yeates explained that this elm was quite old and had been diagnosed as being diseased and there
37 was concern about its health. A hearing was held earlier, but the public was welcome to add any
38 additional comments.

39
40 Mary Houle said that the law said if the tree was found to be dead or a danger then it was incumbent
41 on the town to make the tree go away.

42
43 Joy Reap said that if there was nothing we could do, then it has to come down.

44
45 Bard Hill said he lived on the street and said maybe we could do something useful with the wood.

46
47 Mary Houle said she felt conservation funds could be used to have something done with the wood.

48
49 The Manager reported that at the 5pm hearing on this, four residents attended and while all were
50 disappointed that the tree was failing, none had objected to removal.

1
2 After some discussion it was agreed that the Manager would negotiate with the tree service about
3 keeping some of the wood, if possible, and remove the tree. An RFP could be created to see who was
4 interested in the project.

5
6 Reports from Selectboard and Town Manager

7
8 Economic Development: West Main Utility Extension and Gateway Zone Development Regulations

9
10 The Manager explained that these two topics were linked in an effort to extend the water and sewer
11 lines into the area of the Gateway zoning district, beyond the school to the area of the Crate Escape.
12 Two parcels were located along Route 2 but not in this zone and would be served also. The utility
13 extension would be quite expensive and the Water Commission was working on that proposal,
14 however, the expense would not make sense to single family home development or some existing uses.
15 The zoning would need to change to allow increased development to take advantage of the increased
16 sewer capacity. The Planning Commission was working out details of a new proposal and would have
17 a special meeting on Wednesday evening to discuss this.

18
19 Ms. Kane asked if there was any analysis on a return on investment. Mr. Hill said not right now but
20 that was being developed. He wanted to have a proposal that would have a net impact on existing user
21 rates of zero percent increase, or less. The questions surrounded what new development might occur,
22 how much existing demand was there and there were still some other questions to answer.

23
24 Mr. Hill requested that the scoping study be placed on the website.

25
26 Creamery site

27
28 After some discussion, the Manager mentioned that there was an "Urban Renewal" statute that would
29 allow condemnation power, following an authorizing vote from the voters. He was not advocating
30 this, but this is an option the Selectboard needs to be aware of and attorney Mark Sperry was putting
31 together a summary of this law now.

32
33 Cara LaBounty asked if the Selectboard had considered impact fees, and whether they were necessary
34 or could be waived? What about a PILOT (payment in lieu of taxes, or tax stabilization). There was
35 additional discussion.

36
37 Cell Tower – Jericho Road

38
39 The Manager noted that although we had agreed to drop the VTel fight, we had still requested a
40 hearing and intervention in the AT&T Jericho Road tower project. He said that the Public Service
41 Board was now ready to do pre-hearing meetings and he wanted to confirm that the town was
42 dropping this legal battle also. The Manager had prepared a draft letter to that effect. The Selectboard
43 confirmed that they wished to withdraw, and the letter was fine to be released.

44
45 Mr. Yeates requested that the financial reports were to be placed as a discussion item on the November
46 3rd agenda.

47
48 Regional Planning Commission

49

1 Mr. Granda reported that he had been attending the Regional Planning Commission meetings and there
2 were quite a few I-89 interchange projects happening in Chittenden County. There was some
3 discussion about these transportation projects.

4
5 Approval of Minutes

6
7 Mr. Hill offered a motion to approve the minutes of October 6, 2014 and was seconded by Mr. Sander.
8 Mr. Sander noted that the minutes should reflect that he asked about the diesel policy and the audit.
9 With that change, the minutes were approved 4-0-1 with Ms. Kane abstaining.

10
11 Approval of Right of Way Permits

12
13 The Manager explained four Right of Way permits for Vermont Gas and one underground electrical
14 crossing for Wortheim Lane.

15
16 Mr. Sander offered a motion to approve ROW permit #14-118 for Vermont Gas with the condition that
17 the connection be bored beneath, not dug through the street, and was seconded by Ms. Kane and the
18 motion carried 5-0.

19
20 Mr. Sander offered a motion to approve ROW permits #14-119, 14-120 and 14-122 to Vermont Gas
21 and was seconded by Mr. Granda. The motion carried 5-0.

22
23 Ms. Kane offered a motion to approve ROW permit #14-130 to Jacques on Wortheim Lane and was
24 seconded by Mr. Granda. The motion carried 5-0.

25
26 Warrants

27
28 The warrants were approved and signed.

29
30 Mary Houle volunteered to be Tree Warden, and spoke some about the Law of Trees. Mr. Yeates said
31 that due to revisions in State law, the Selectboard could not take this up at this meeting and it would be
32 on the agenda for November 3rd.

33
34 **4. Adjourn**

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