

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
J u n e 1 5 , 2 0 1 5 M I N U T E S

Members Present: David Sander; Ellen Kane; Bard Hill; Taylor Yeates; Lincoln Bressor
 Absent: None
 Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Chris Granda; John Hammerlsough; Ian Bender; Bob Reap; Cara LaBounty; Bruce LaBounty; Peter Pochop, Green Mountain Engineering; James and Diane Prevo; Earl Wester; Tim Kane; Kevin Kennedy and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

David Sander called the meeting to order at 7:05 PM.

1. Welcome and Public Comment

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

Chris Granda said thank you to the Highway Department for a job well done in getting the roads passable, especially Wes White Hill. The recent flooding really did significant damage.

Mr. Granda also said that the town now owns an acre of land on Cochran Road, from last year's hazard mitigation buyout, and he wanted to volunteer to develop a plan for public access. He wanted to develop a process to determine how to use it, and wants to present this plan at the next Selectboard meeting.

Mr. Bressor said that this was a good offer from Mr. Granda, and Mr. Hill said it would be good to have someone take this up.

John Hammerslough said he would like to mow this property to keep it from getting too grown over. He would be willing to do this and it wouldn't be any inconvenience to him. The Manager was concerned that Mr. Hammerslough might hit debris, and Mr. Hammerslough said that he could raise and lower the deck of his mower and he wasn't concerned.

Ms. Kane asked if the town had any liability for this. The Manager said yes, all volunteers run the risk of injury when they do jobs for the town, such as the Trails Committee when they maintain or cut new trails. The high school students did some work for the town and had they been hurt it would be a liability claim against the town.

Mr. Yeates said if this property needs to be mowed, then the town personnel should mow it. Mr. Yeates said it should be on a bi-weekly schedule. The Manager said the Highway Department had not planned on mowing it, but he would speak to Pete Gosselin about doing so.

Cara LaBounty said that last year there was a presentation on a community garden presentation and would the town still do that? Mr. Granda said he remembered being in favor of this. The Manager said that the Selectboard never formally accepted this offer but considered it. Mr. Granda said that this could be considered as part of the public process he wanted to direct.

1 The Selectboard agreed that Mr. Granda should develop a plan and present it at the next Selectboard
2 meeting.

3
4 Ms. Sander also thanked the Highway Department for their recent efforts.

5
6 The Manager noted that there was one item he wished to add, which was an Internal Control report
7 from the Finance Office. Mr. Sander said that if there were no objections this would become item IIg.

8 9 **2. Other Business**

10 11 Zoning Officer Offer of Employment

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13 The Manager explained that he and the Town Planner, Clare Rock, had interviewed four candidates for
14 Zoning Officer, and recommended three come back for a second interview with the chairs of the
15 Planning Commission and Development Review Board as well as one Selectboard member, Bard Hill.
16 Of those, two finalists were named and the town decided to make an offer, which has been accepted,
17 by Niels Rinehart of Jericho. The position is a 20-hour per week position, and would be paid at
18 \$20.00 per hour. Further, the Planning Commission must recommend this candidate, and they have
19 not as of yet done so. The Manager explained that he was requesting a provision hire, conditioned on
20 the Planning Commission recommending him for the position at their meeting on the 17th. The
21 Selectboard discussed how to proceed, and Mr. Hill offered a motion to appoint Niels Rinehart to the
22 position of zoning officer, 20-hours per week at \$20.00 per hour conditioned upon a successful
23 recommendation from the Planning Commission and was seconded by Ms. Kane. The motion carried
24 5-0.

25 26 River Float Trip Concerns

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28 The Manager explained that Fran Thomas recently gave him a heads up about a float trip on the
29 Winooski originally scheduled for August 1st, being loosely organized by someone named Mike
30 Trimboli. This is the same person who organized a trip last year with no notification to the town
31 where a few dozen people floated and ended up partying on the river bank at the Bressor farm, without
32 any permission from the Bressors. From the online correspondence it appears that Mr. Trimboli is
33 trying to get more people to participate this year and the Facebook event page has over 1,000 people
34 saying they will attend, on the same day as the GMAA Round Church Run, where we are sure to have
35 a couple hundred racers. There is no clear plan on how Mr. Trimboli intends to address traffic,
36 sanitation or permission from landowners at the end point. The origin is the canoe access owned by
37 Richmond Land Trust. Since this first came to our attention, Fran Thomas has posted on the Facebook
38 event site some of her concerns and contact information for her and the Manager. Mr. Trimboli has
39 moved the date to now August 8th but has not contacted us.

40 On June 10th the Manager held a meeting with Chief Buck, Rescue's Mike Chiarella, Fire Chief Tom
41 Levesque and Deputy Chief Dennis Gile, Fritz Martin of the Richmond Land Trust and Fran Thomas.
42 We discussed our concerns about safety and organization and what our options might be. Chief Buck
43 was able to find a statute, 23 VSA 3316, which regulates regattas; races; marine parades; tournaments;
44 etc. Staff feels that this statute applies and Mr. Trimboli needs to apply to the State Police for a permit
45 for this event. On Thursday, the Manager received a call from Mr. Tromboli. He and the Manager
46 discussed his event. Mr. Trimboli said he only had about 70 people come last year and it was just
47 something where they all decided to go and float. He said that's what it started out as this year, too,
48 but people have shared it and he claims he is surprised to see this many people coming and he
49 understands we're concerned. The Manager would send him a copy of the law and permit, and suggest

1 he try to arrange something with a farmer to host the end party or if he used Volunteers Green there
2 would be no alcohol. Also explained were the parking concern and need for sanitation. Mr. Trimboli
3 did confirm that the Richmond Land Trust's canoe access was the put-in point. The primary issue for
4 the Selectboard is public safety: traffic; sanitation; emergency services in a complex environment –
5 water. We are able to handle a larger crowd for the July 4th celebration, but with advance planning
6 and organization. If the float-a-palooza was handled as well it might not be an overwhelming issue for
7 us. Rescue has expressed a strong concern about the nature of water rescues and the fact that neither
8 the Fire Department nor the Rescue squad have that capability. If Mr. Trimboli was to work to
9 address these concerns how would we feel about this event? If he is not, what are our plans? Even if
10 the event were “canceled” online, people may still desire to float en-masse. Should we also be
11 prepared in that case, and how?

12
13 Mr. Sander reiterated that our concerns were public safety, traffic, sanitation and rescue availability.
14 Ms. Kane agreed, and said that Mr. Trimboli also needed the town’s event policy.

15
16 Mr. Bressor said that last year they came onto his parents property and left trash. The Facebook event
17 page says to park at the Round Church, meaning they will try to use their land again. There was some
18 confusion on whether this would be August 1st or August 8th.

19
20 Mr. Yeates said that the State’s permit process is fine but we can says yes or no. Anything over
21 twenty or thirty people and we can’t handle a water rescue. Colchester Technical Rescue is the only
22 department in the area with that capability and even three hundred people is an overload.

23
24 Mr. Hill asked for a description of a safety boat. There was some additional discussion. The
25 Selectboard did not offer solutions to these issues but rather wanted Mr. Trimboli to address their
26 concerns through the state’s permit process. The Manager would be in touch with Mr. Trimboli.

27 Amendments to Ethics Policy and Fraud Policy

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29
30 Mr. Sander explained that the administration office had made some minor amendments to the Ethics
31 and Fraud policies. The Manager explained that they were minimal and not substantive and had
32 mostly to do with updating to the Manager form of government.

33
34 Mr. Hill offered a motion to approve the changes to the Ethics Policy and was seconded by Ms. Kane.
35 The motion carried 5-0.

36
37 Ms. Kane offered a motion to approve the amendments to the Fraud Policy and was seconded by Mr.
38 Bressor and the motion carried 5-0.

39 East Main Street Bond Vote Discussion

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42 The Manager mentioned that Mr. Hill had prepared an information sheet for voters for the East Main
43 bond question. Mr. Hill reviewed the information on the sheet and explained that he hoped this would
44 educate voters on the project, the question and inform voters of other projects either in progress or

1 recently completed. Key to the issue were the two issues of the negative interest rates for the State's
2 priority funding list and the Route 2 construction work slated by VTrans in the next two years.

3
4 Peter Pochop, of Green Mountain Engineering, explained a little about the project and added that the
5 negative interest rate might be lower than the -0.7% for the water storage tank, perhaps -2.2%. The
6 Selectboard requested this information be placed online, and the Manager added that it would appear
7 in the Times Ink! as well. The board thanked Mr. Hill for his efforts.

8 9 Flood Damages to Highways

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11 Mr. Sander explained that last week the town experienced heavy rain and flash flooding in certain
12 parts of town that damaged a number of roads. Also, a pipe broke on the water system at the Sterling
13 House driveway which emptied the water tank, and put the system on a boil notice. He mentioned that
14 the use of Front Porch Forum to get the word out on what was happening was welcomed.

15
16 The Manager explained that significant road damage occurred on Wes White Hill, Dugway Road,
17 Cochran Road and Greystone Drive. Additional damages were being discovered as time went by and
18 repairs being made. The Manager thanked Highway Department foreman Peter Gosselin and his
19 department for quickly restoring at least some access to all of the affected roads. The Manager noted
20 that the worst damage seemed to be to Greystone Drive where a significant landslide occurred, taking
21 part of the road and right-of-way and damaging utilities.

22
23 Kevin Kennedy, a resident of Greystone, mentioned that most of the landslide was on his property and
24 he was willing to help in any way he could. His septic line was damaged in the slide and he has had to
25 pump his septic tank.

26
27 Earl Wester, also a Greystone resident and member of the GERA board, said that their collection basin
28 was filled with silt and needed to be cleaned out. Some other damages were explained.

29
30 The Manager said that he estimated now that the total bill to repair the damages could approach
31 \$200,000 and may involve taking some funds from the FY2016 gravel plan to repair the roads. It was
32 not known if a disaster declaration would be made for this event.

33
34 Mary Houle said that Greystone's developer, Carl Parker (now deceased), filled in the natural flow of
35 water off of the mountain, and these problems go back to the beginning. These damages would likely
36 be a repeat occurrence.

37
38 There was some discussion on who was responsible for what, in Greystone. The Manager said that the
39 town clearly owned the road and right-of-way, but not the storm water system. Diane Prevo, a
40 Greystone resident and former board member, said that going back to 2000 Mr. Parker was cited for
41 storm water violations. The Manager continued and said that some work would be necessary on
42 private property for the road to be repaired and utilities restored to their former condition.

43
44 Cara LaBounty said that the catchbasins here were overwhelmed and never properly aligned. This
45 issue was brought up prior to 2014 and the culvert under Cochran Road at the Houle's was only 12
46 inches and not sized to handle the flow put there by the system. She said that we needed to work
47 together to make sure that this is properly engineered and bring in contractors to fix because the
48 town's crew was needed elsewhere. She also mentioned another landslide on Cochran Road from
49 above Greystone.

50

1 Mr. Yeates also mentioned this pile of gravel material beside Cochran Road. There was some
2 discussion of using the Bridge and Culvert fund for some work. The Manager cautioned against using
3 the fund for projects only loosely related to culverts.

4
5 Ian Bender asked if the Manager knew why some roads were considered “state aid roads” and some
6 weren’t. The Manager said he did not know, but typically the through-roads qualified for state grants
7 but subdivision roads did not.

8
9 There was some additional discussion. The Manager said that at the next meeting more information
10 would be provided, especially regarding Greystone and the possible use of the gravel plan funds for
11 repairs.

12 Reports from Selectboard and Town Manager

13 Economic Development

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15 Ms. Kane explained that the Economic Development Committee was recruiting new members and was
16 exploring how the Downtown program tax credits would work for owners in the village district.

17
18 The Manager noted the Police report. Mr. Yeates asked if the police video cameras were on line yet
19 and the Manager said he did not believe they were. Mr. Yeates asked for a demonstration of the police
20 body cameras when they were available, and a copy of the police department’s policy on their use.

21
22 Mr. Yeates asked about the library facilities committee. The Manager reported that they had met once,
23 and determined a closer inspection was needed. Keith Franz of the trustees said that someone had
24 inspected the library, and the facility committee decided to wait for that report. That report was
25 received just recently and noted quite a bit of detail. In short, the roof was not in serious condition
26 although it was old and likely original to the building. There were some issues with outside cladding,
27 and old slates that needed to be replaced and the report recommended spending \$10,000 on this and
28 additional maintenance monies on other projects. The board requested this report and an update on the
29 next agenda.

30
31 The discussion turned to Town Center and the needs of the building. The issue of window
32 replacement was taken up, and several questions raised. The manager said that the same old issue was
33 whether to rehab the existing windows or replace them with modern windows. There were pros and
34 cons to each – rehabbing the older windows meant removal and disassembly, paint removal, re-
35 installation with new custom storm windows. However, historic preservation grants might be
36 available for this. Replacement windows might be less expensive but would not hold the same look.
37 There was discussion on how to approach this, and other building needs.

38
39 Tim Kane of Commons Energy was present, and noted that his company might be able to do an energy
40 audit to identify what building improvements might be necessary.

41
42 Mr. Hill suggested hiring an independent consultant like the library did, to assess the condition of the
43 structure.

44
45 The manager then noted the budget status reports.

1 School Lease

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3 The Manager explained that the school had initially renewed their lease in 2012 for two three-year
4 terms, with a 30-day notice clause after the second year. They school had just renewed their second
5 term and thought they were likely to vacate the premises in the next two years to move to additional
6 space in one of their schools. They were currently paying just under \$43,000 in rent annually. The
7 Selectboard discussed this, and possible uses for the space following any departure of the school
8 administrative offices, but no further action was taken.

9
10 Route 2 speed limits

11
12 The Manager explained that the Selectboard authorized a letter to VTrans earlier in the year
13 mentioning a few key items from the Bike and Pedestrian Study Report from last year. One of these
14 items was the elimination of the 50 mile per hour zone on West Main between the village and the Park
15 and Ride. The State had responded, and was ready to implement this. The Manager noted that if there
16 were any further comments or objections, now was the time to make them.

17
18 Mr. Sander said he was in favor of the change, as did Ms. Kane. Mr. Hill asked if we should pass a
19 resolution in favor, or otherwise express support?

20
21 Mr. Yeates said he did not think this was a good idea and there was no data to support it according to
22 the State's letter.

23
24 Cara LaBounty agreed with Mr. Yeates and said she had made the same request for Route 2 in
25 Jonesville, and the State denied it.

26
27 Mr. Bressor said he was ambivalent and it was short stretch of road, but it might make it safer for
28 bikers and pedestrians.

29
30 Ian Bender said this was not a nice ride in this area. There was additional discussion. The board did
31 not take action to support or deny but overall indicated they were in favor of the change.

32
33 Cara requested the Selectboard make a resolution or second request for Route 2 in Jonesville. The
34 Selectboard considered placing this on the July 6th agenda.

35
36 Internal Financial Controls Reports

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38 This is pending further development. No reports were approved.

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41 Approval of Minutes

42
43 Ms. Kane offered a motion to approve the minutes of May 18, 2015 and was seconded by Mr. Yeates
44 and the motion carried 4-0-1 with Mr. Bressor abstaining.

45
46 Mr. Sander offered a motion to approve the minutes of June 1, 2015 and was seconded by Mr. Bressor
47 and the motion carried 3-0-2 with Ms. Kane and Mr. Yeates abstaining.

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49 Mr. Yeates offered a motion to approve the minutes of June 8, 2015 and was seconded by Mr. Bressor
50 and the motion carried 5-0.

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Warrants

The warrants were approved and signed.

Mary Houle objected to how the town processed its payroll, with estimated hours done on the final day of the pay period. She says no one else does it like this. Ms. Houle also complained that the town couldn't get the warrants produced by Friday and why was it done this way? She also said that the Selectboard does not get budget updates.

There was some discussion. The warrants were available late on Friday, but not in the Clerk's office, and the Selectboard did get the budget status updates once per month. The Selectboard discussed better ways to make this and budget status updates available to the public.

Executive Session

Mr. Sander said there was one item for executive session, and that was the review for the Town Manager. There would not be any action following.

Mr. Yeates offered a motion to enter an executive session at 9:25 pm for discussion of personnel matters to review the Town Manager's performance. The Town Manager would be invited in briefly. Mr. Bressor seconded the motion and the motion carried 5-0.

At 9:45 pm Mr. Yeates offered a motion to adjourn the executive session and was seconded by Ms. Kane. The motion carried 5-0.

3. Adjourn

Motion by Mr. Yeates to adjourn the meeting at 9:45 p.m. Seconded by Ms. Kane. So voted.