

**RICHMOND SELECTBOARD
REGULAR MEETING
August 21, 2017 MINUTES**

Members Present: Lincoln Bressor; Bard Hill; Steve May; David Sander; Steve Ackerman

Absent: None

Others Present: Geoffrey Urbanik, Town Manager; Linda Parent, Town Clerk; Mary Houle; Kendall Chamberlin, Water Resources; Judy Rosovsky, Conservation Commission; Heidi Bormann; Josi Kytile, Buttermilk, LLC; Guy Roberts; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

Lincoln Bressor called the meeting to order at 7:00 PM.

1. Welcome and Public Comment

Mr. Bressor asked if there were any comments from the public, but there was none.

2. Items for Discussion with those Present

Buttermilk, LLC Fee Waiver Request

Josi Kytile was present to discuss progress on the development, review fees and costs incurred so far on the project, and request waivers of the building permit fees. She provided a computer presentation illustrating the progress on environmental cleanup, demolition of the buildings, and next steps on the first phase of development. Buttermilk was preparing to install utilities, and had hired a company named Salvas Construction to do this work, and the Town was hiring Salvas also for certain related water and sewer work within the Bridge Street right of way. Ms. Kytile spoke about the overall costs of cleanup so far, which were close to \$1 million – from an initial estimate of \$356,000. The good news was that cleanup should be done by November. Ms. Kytile reviewed some of the permitting costs associated with this work, including the right of way permit, the access permit and engineering inspection fees, which they had submitted payment for.

Ms. Kytile then spoke about the building permit fee for the new building, which was calculated by square footage and estimated to be \$3,600. Ms. Kytile felt that this fee was high, and in light of the work Buttermilk was doing that the building permit fee could be waived.

Mr. Hill asked if there was any precedent for waiving fees like this. The Manager said that during the recovery from the Irene flooding permits were waived but those were for repairs, not new construction. Other than post-disaster, the town had little experience with waiving fees.

Mary Houle said that the town should identify fees over and above the square footage of the previous buildings that were removed, suggesting that a credit should be given for that square footage.

The board discussed this, and if the lots were merged or separate. The board asked if other towns might have some sort of allowance for this, but did not identify any similar situation in Richmond. Heidi Bormann suggested that since they were paying commercial tax rates, would they pay a

1 residential tax rate on the residential component of their building? The answer was no, apartments are
2 charged the non-homestead rate.

3
4 Mr. Sander agreed with the waiver approach based on net square footage. Mr. Sander offered a
5 motion to waive the \$3,600 building permit fee, and was seconded by Mr. Hill.

6
7 Mr. Hill suggested that in this case, we would need to track footage on lot one and lot two. Mr. Sander
8 asked if Dan Noyes had a similar situation when he built the market, and asked if his permit fees were
9 waived. The Manager noted that in this situation also the area was declared blighted for the purposes
10 of redevelopment, which was unique.

11
12 Mr. Bressor noted that the board needed to know 1) did Dan Noyes get a permit fee waiver and 2)
13 what was the difference in square footage of the old buildings versus the new. Mr. Sander withdrew
14 his motion. This item was tabled until September 5th.

15
16 Mr. Ackerman offered a motion to approve the access permit for Buttermilk, for Jolina Court at Bridge
17 Street (#17-092), and was seconded by Mr. Hill and the motion carried 5-0. The work within the right
18 of way was then approved by the Manager based on the plans submitted, and appropriate review
19 comments from staff.

20 21 Route 2 Bike Lanes discussion

22
23 The Manager noted that the initiator of this discussion, Ian Stokes, was not able to be present and
24 suggested that the discussion be tabled to the next meeting. Mr. Hill provided a brief overview of the
25 issue, which was that in 2014 the bike path study was released, and the best alternative at that time for
26 bicyclists was that the State widen the shoulders, and narrow the travel lanes, by striping. With the
27 overlay done on the road that year, this striping was not implemented. Putting pressure on VTrans to
28 do this was yet another priority for Route 2, as were the sidewalks. This discussion was tabled until
29 September 5th.

30 31 **3. Other Business**

32 33 Personnel and Wage Policy Discussions

34
35 Mr. Bressor explained that he and Mr. Hill had separately met with Carol Mader regarding the revision
36 of the pay grid and the basis behind it. Mr. Hill explained the grade and step system for our positions,
37 and that the grid should move annually with inflation plus the step. The steps were currently 2% apart.
38 There was some discussion on step strategy.

39
40 Mary Houle brought up a hiring and promotion policy regarding relevant education. She suggested
41 that the town needed to only reward employees upon accomplishment of education and training that
42 was directly relevant to their job and not just any education or training. Without a merit system,
43 everyone seemed to be treated the same but compensation was less equal. She asked if there were any
44 mandated maximums.

45
46 The board discussed this, and although those policies weren't the focus of the immediate conversation
47 the board agreed that there should be maximums in the grades, however the grid would shift with
48 inflation to avoid becoming obsolete.

49

1 Mr. Bressor said that all employees should have some sort of access to advancement incentives, which
2 would be a future discussion.

3
4 The board agreed that the revised grid, with 2% and inflationary moves was a sound basis, and would
5 review additional policies for the next meeting.

6
7 Mr. Sander was required to leave the meeting early.

8
9 Prevailing Wage discussion

10
11 Mr. May explained that his main concern was that the FW Whitcomb contract last year had some
12 deficiencies and the roofing contract didn't seem to be handled well at all times and he felt that if
13 contractors had used union labor or paid union wages as per the Davis Bacon act the quality of the job
14 would be better. He noted that it was the custom of the town to accept the low bid but after these two
15 contracts he was uneasy about that. He felt that requiring prevailing wage was one of many ways to
16 get the best bang for our buck.

17
18 Mr. Hill asked if this was meant to be absolute or if not, what are wages and benefits packages we
19 would require?

20
21 Mr. May asked if there might be any other guidance on these issues, and Mr. Hill asked if any towns
22 had a livable wage threshold.

23
24 Mary Houle said that there was no guarantee that prevailing wage meant satisfaction with the work.
25 Also, OSHA and VOSHA should control safety inspections, not the town. She asked if requiring
26 prevailing wage would start to preclude Vermont bidders, and attract more out of state competition?
27 There was discussion on the issue.

28
29 Mr. Bressor felt we needed to develop a concrete plan on how to tighten contract awards. Mr.
30 Ackerman said he had read some information against Davis Bacon that referred to price fixing. Mr.
31 May said that case was eventually denied by the Supreme Court.

32
33 The board agreed to continue the discussion at a later agenda.

34
35 Tax Billing and Address Change Policy

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37 The Manager explained that this was a policy to review all tax billing address changes by a second
38 person prior to issuance of tax bills.

39
40 Mr. Hill offered a motion to approve the Tax Billing Address Change Policy and was seconded by Mr.
41 May and the motion carried 4-0.

42
43 Johnnie Brook Road Maintenance Agreement

44
45 The Manager explained that in 2015 the State requested that the town sign the Maintenance and
46 Relinquishment agreement for a short section of Johnnie Brook Road that was re-routed across State
47 land when the Checkered House Bridge was widened and repaired. Since the road was outside of the
48 original right of way and now on State land, the State had paperwork to show that the Town would
49 continue to maintain that section of road, which was only a couple hundred feet long. At that time, the
50 board decided against it with questions of why it was necessary to have this agreement, however, the

1 State has renewed their request. The Manager said the town was committed to maintaining this road,
2 and the agreement wouldn't change that.

3
4 Mr. May offered a motion to approve the Relinquishment and Maintenance Agreement with VTrans
5 for the relevant section of Johnnie Brook Road, and was seconded by Mr. Hill. The motion carried 4-
6 0.

7
8 State Highway Structures Grant Contract Award with John Scott Excavating

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10 The Manager explained that earlier this year the Selectboard applied for, and was awarded, a structures
11 grant for the replacement of the Collins Mountain Road culvert that carried a stream. The culvert was
12 to be significantly upsized, and was the subject of two damage claims from flooding in 2013 and 2015.
13 The contract was designed and bid by East Engineering (Tyler Billingsley) and the low bid was John
14 Scott in the amount of \$195,500. It was important to note that the original estimate for the project was
15 \$175,000 but the bids were high, and engineering and culvert purchase costs were in addition to Mr.
16 Scott's bid. The town was prepared to use Culvert Reserve funds to make up the match above the
17 grant award of \$157,500.

18
19 Mr. Hill offered a motion to approve the award of contract to John Scott Excavating in the amount of
20 \$195,500 via purchase order #3399 for the Collins Mountain Road culvert replacement project. Mr.
21 Ackerman seconded the motion and the motion carried 4-0.

22 23 Reports from Selectboard and Town Manager

24
25 The Manager noted the police report and the budget status for the prior year and current year.

26
27 The Manager talked about construction projects, noting that the bridge replacement project on Route 2
28 was finished but some shoulder work and striping would continue. The Manager also spoke about
29 water and sewer work required on Bridge Street this week.

30
31 The Manager explained that the Richmond Historical Society wanted to replace the overhead light on
32 Round Church Road with two decorative lamps, and this had been an ongoing project for them but
33 they wanted to get moving. In the past the Manager said that he would agree that the town would pay
34 for one lamp but he asked the board if that commitment was still valid. The board agreed that it would
35 be acceptable, provided that the neighbors there did not object to the change and that the lamp design
36 was appropriate.

37
38 The Manager explained that the bond vote for the replacement fire truck would be on September 26th,
39 with the information session at the board meeting of September 18th at 7:00. He had prepared a draft
40 information sheet, which the board reviewed and agreed it was to be circulated.

41
42 The Manager explained that he had applied for a stormwater grant to help with some costs of the East
43 Main project, including the overall costs of the road work within the Route 2 right of way.

44
45 The Manager reported that the VLCT Town Fair was on October 4th and he was happy to be the
46 town's voting delegate at the annual policy meeting but if anyone else wanted to do that they were
47 welcome to be the delegate. The board agreed that the Manager should be the delegate this year.
48

1 The Manager explained that the Town Planner had accepted a job in Montpelier and was resigning in
2 September. The board agreed she had done a fine job while she was here, and that recruitment for her
3 replacement should be done.

4
5 The board also discussed the Richmond Rescue board member slot, and since Mr. May was the only
6 one interested, he was appointed. Mr. Hill offered a motion to appoint Steve May to the Selectboard's
7 slot on the Richmond Rescue executive committee and was seconded by Mr. Ackerman, and the
8 motion carried 4-0.

9 10 Approval Items

11 12 Minutes of August 7, 2017

13
14 Mr. Hill offered a motion to approve the minutes of August 7, 2017 and was seconded by Mr. May
15 and the motion carried 3-0-1 with Mr. Ackerman abstaining.

16
17 Mr. Hill offered a motion to approve the Coin Drop request from the Fire Department for October 7th
18 and was seconded by Mr. May, and the motion carried 4-0.

19
20 Mr. May offered a motion to create an alternate seat for the Conservation Commission and appoint
21 Guy Roberts as alternate to the Conservation Commission and was seconded by Mr. Ackerman, and
22 the motion carried 4-0.

23
24 The Manger explained the SSTA (Special Services Transportation Agency) grant for transportation
25 assistance for the elderly and disabled. The contract this year was for \$9,000 with \$7,200 in grant
26 funds and \$1,800 in town match. Mr. Hill offered a motion to approve the SSTA contract for FY2018
27 for \$9,000 and was seconded by Mr. May and the motion carried 4-0.

28 29 Approval of Warrants

30
31 Warrants were reviewed and approved.

32 33 **4. Executive Session**

34
35 Mr. Bressor explained that there was a need to discuss contract negotiations regarding the NEPBA
36 contract in executive session.

37
38 Mr. May offered a motion to find that premature public knowledge about the NEPBA contract
39 negotiations would cause the town or person to suffer a substantial disadvantage. Mr. Hill seconded
40 the motion and the motion carried 4-0.

41
42 At 9:05 PM Mr. May offered a motion to enter an executive session to discuss the contract
43 negotiations, under section 1 VSA 313 (a)(7) with the Manager present, and Mr. Ackerman seconded
44 the motion. The motion carried 4-0.

45
46 At 9:40 PM Mr. Hill offered a motion to adjourn the executive session and reconvene the regular
47 session. Mr. Ackerman seconded the motion and the motion carried 4-0.

48
49 Mr. Bressor explained that no further action on the Executive Session items was necessary this
50 evening.

1

2 **5. Adjourn**

3 Motion by Mr. Ackerman to adjourn the meeting at 9:40 p.m. Seconded by Mr. Hill. So voted.