

**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**  
**M a r c h   1 9 ,   2 0 1 8   M I N U T E S**

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Members Present:    Stephen Ackerman; Roger Brown; Bard Hill; David Sander; Christy Witters

Absent:                None

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Others Present:     Geoffrey Urbanik, Town Manager; Mary Houle; Jack Linn; Josi Kytyle & Brendan O'Reilly of Buttermilk, LLC; Brian Werneke; Cathleen Gent; Meg McGovern; Judy Rosovsky, Conservation Commission; Jeff Hutchins, David Miskell & Mark Peloquin of J. Hutchins; Brian Wright of CSWD; Bob Heiser of Vermont Land Trust; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

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Bard Hill called the meeting to order at 7:00 PM.

**1. Welcome and Public Comment**

Mr. Hill asked if there were any comments from the public.

Mary Houle thanked everyone for voting and congratulated the new Selectboard members. She said that the town's state representative was handing out a survey at the back of the polling location, to which Ms. Houle objected to, and asked her to leave. She also objected to a recent public posting where one member of the Richmond Economic Development Committee claimed credit for something in town. Ms. Houle said this was a group effort, not one person.

Cathleen Gent briefly spoke about Town Meeting and the police facilities discussion. She suggested the Selectboard schedule meetings to talk with people about the impacts of services and expectations from other services.

Mr. Hill explained that the town now has audio support for those hard of hearing. The devices were plugged into the microphone system used by MMCTV, and allowed people to hear with earbuds.

Mr. Sander thanked everyone for the civil political races, and thanked Mr. Hill also for standing in as chair while the Selectboard reorganized.

**2. Reorganization**

Mr. Hill asked for nominations for chair. Roger Brown nominated Bard Hill for chair and was seconded by Christy Witters. There being no further nominations, the vote was called and the motion carried 4-0-1 with Mr. Hill abstaining.

Mr. Hill asked for nominations for vice-chair. Stephen Ackerman nominated David Sander for vice chair and was seconded by Roger Brown. There being no further nominations, the vote was called and the motion carried 4-0-1 with Mr. Sander abstaining.

Mr. Hill asked for nominations for board secretary. Mr. Brown nominated the Town Manager as board secretary and was seconded by Mr. Sander. There being no further nominations, the vote was called and the motion carried 5-0.

1  
2 The Manager explained the official newspaper. The town used the Burlington Free Press due to its  
3 daily publication and also sometimes used the Times Ink due to its local circulation. Mr. Sander  
4 offered a motion to name the Burlington Free Press and the Times Ink as official newspapers and was  
5 seconded by Mr. Brown and the motion carried 5-0.

6  
7 Mr. Hill noted that the current town attorney was Robert Fletcher of Stitzel, Page & Fletcher. The  
8 Manager explained that the town had switched attorneys in 2016 and that Mr. Fletcher was doing a  
9 fine job. The town could always change if they needed to but it was more common to hire special  
10 counsel if the Selectboard felt the need to do so. Mr. Sander offered a motion to name Robert Fletcher  
11 of Stitzel, Page & Fletcher as Town Attorney and was seconded by Ms. Witters. The motion carried  
12 5-0.

13  
14 Mr. Hill noted the Selectboard member vacancy on the Water Commission, due to Mr. Kart no longer  
15 serving. Mr. Sander nominated Ms. Witters to serve on the Water Commission and was seconded by  
16 Mr. Ackerman and the motion carried 5-0. [Due to a misunderstanding on the total number of  
17 vacancies on the Water Commission, Mr. Sander made a second nomination] Mr. Sander nominated  
18 Mr. Brown to serve on the Water Commission, and was seconded by Ms. Witters. The motion carried  
19 5-0.

#### 20 21 Liaisons

22  
23 Following some discussion, the board agreed on the following liaison assignments:

24  
25 Stephen Ackerman: Economic Development; WSBA; Planning Commission; DRB

26  
27 Roger Brown: Assessor; Town Clerk; Delinquent Tax Collector; State Legislators; Conservation  
28 Commission; Trails; Recreation

29  
30 Bard Hill: Regional Planning Commission; Water Resources

31  
32 David Sander: Administration; Finance; Police; Fire

33  
34 Christy Witters: Library; Highway; Energy; Parade & Fireworks

35  
36 Mr. Sander offered a motion to approve the liaison assignments and was seconded by Mr. Ackerman,  
37 and the motion carried 5-0.

### 38 39 **3. Items for Discussion with Those Present**

#### 40 41 Buttermilk, LLC Public Hearing and Future Plans

42  
43 Josi Kytle and Brendan O'Reilly were present to hold a public hearing on the closeout of their VCDP  
44 Grant and update the public about their project plans.

45  
46 Mr. Sander offered a motion to open a public hearing and was seconded by Mr. Ackerman, and the  
47 motion carried 5-0.  
48

Ms. Kytle explained the VCDP grant as well as the EPA Brownfields grant and the progress made on the site. The buildings were removed, some soil was removed and other soil was in a plan to be encapsulated with gravel beneath parking lots.

**Brownfield Clean Up Status**

As of March 7, 2018, the Richmond Creamery clean up project is almost complete. As per the Corrective Action Plan – approved by VT DEC and the EPA, all asbestos, ammonia tanks and buildings have been removed. Additionally 80% of the soil contamination has been mitigated with only minor elements to be completed by mid April 2018. All elements of the Corrective Action Plan have been followed and the site is on track to receive the ‘certificate of completion’ and be deemed a clean site.

The total brownfield clean up costs (excluding development) is \$1,083,081. This includes various grants and private funding. Highlights below:

- \$649,478 of Vermont Community Development Program: Slums and Blight Grant. In conjunction with the Town of Richmond.
- \$110,000 – Agency of Commerce and Community Development Brownfield Revolving Loan Fund in partnership with the Richmond Area Business Association (RABA).
- \$274,656 – Private Buttermilk Funding
- \$10,114 – Cash in Kind donation from Richmond Town

**Redevelopment Status**

**Phase #1:**

Other Resources		Funding Source	Type	Amount	Status
ACCD Brownfield Revolving Loan Fund (ACCD-BRLF)		Federal	Grant	\$110,000	Committed
VT Dept of Environmental Conservation Targeted Brownfield Assessment Funds (DEC-TBA) - VTDEC Technical Assistance		State/Local	Grant	\$14,363	In-Hand
Municipal Contribution (MUNI) - In Kind Support to Project		State/Local	Cash-In-Kind	\$6,614	In-Hand
Municipal Contribution (MUNI) - Waste Water - In Kind support		State/Local	Cash-In-Kind	\$3,500	Committed
RPC EPA Brownfields Assessment Grant Program (RPC-BAGP) - Northwest RPC contribution		State/Local	Grant	\$8,781	In-Hand
RPC EPA Brownfields Assessment Grant Program (RPC-BAGP) - Rutland RPC Contribution		State/Local	Grant	\$15,689	In-Hand
Other (Other) - Acquisition + closing costs		Private	Cash	\$144,000	Committed
Other (Other) - Private		Private	Cash	\$127,156	In-Hand
Other (Other) - Private Financing		Private	Cash	\$3,500	Committed

  

Activity	Program Area	Code	VCDP Amount	MUNI	Other	ACCD-BRLF	DEC-TBA	RPC-BAGP	Total Activity Costs
Acquisition - Real Property	Economic_Development	4001	\$0		\$144,000				\$144,000
Program Management	Economic_Development	4013	\$130,369	\$3,500	\$127,156	\$5,000		\$24,470	\$290,495
Demolition - Clearance	Economic_Development	4016	\$194,524						\$194,524
Brownfield Clean Up	Economic_Development	4032	\$307,949			\$105,000	\$14,363		\$427,312
General Administration	Economic_Development	5013	\$16,636	\$6,614	\$3,500				\$26,750
<b>Total Costs</b>			<b>\$649,478</b>	<b>\$10,114</b>	<b>\$274,656</b>	<b>\$110,000</b>	<b>\$14,363</b>	<b>\$24,470</b>	<b>\$1,083,081</b>
Percentage of Total			60%	1%	25%	10%	1%	2%	

The first building, a 14,600 square foot building, has been approved and in development with conjunction with final stages of clean up. The building is a mixed-use commercial and residential space along the entry of the development. Over 60 parking spaces (above the parking requirements)

1 has been planned and developed for both building #1 and future buildings. The current construction  
2 schedule has completed at the end of 2018 / early 2019 but is dependent on final stages of clean up.  
3 Interest in commercial and residential tenants is strong.

4  
5 **Phase 2&3:**

6 Due to strong interest of commercial tenants, we are starting the development of Building #2. As per  
7 the Interim Zoning regulations and purposed Town Plan, these mixed-use buildings will provide  
8 additional residential and commercial opportunities driving economic growth in Richmond. Due to the  
9 lack of an approved Town Plan, the process forward will require flexibility and support by the  
10 community to ensure these opportunities are secured.

11  
12 Mr. O'Reilly spoke more on the specifics of the phase 2 building. He added that the lease negotiation  
13 with the railroad for use of part of their right-of-way for a parking lot was successful.

14  
15 Tim Monte of the Western Slopes Business Association added that tenants wanted to be in locations  
16 where downtowns existed, even though there is a surplus of office space available in Chittenden  
17 County. Richmond was an attractive location in that sense.

18  
19 The conversation shifted to the zoning issues on the site. The town's interim zoning had expired, as  
20 well as the town plan. No more zoning modifications could be done until the new town plan was  
21 written and adopted – which was taking longer than expected. The key to the next phase of buildings  
22 was the residential component of the mixed use, which was no longer in place.

23  
24 Ms. Kytel said that she felt the initial discussions and approvals by the Selectboard showed the intent  
25 of how to develop this property which included mixed uses. She mentioned her plans to seek approval  
26 from the DRB for phases 2 and 3 and show how previous commitments were still valid despite the  
27 expiration of interim zoning. There was some discussion on the size of the current and future  
28 buildings.

29  
30 There being no further comments, Mr. Sander offered a motion to close the public hearing and was  
31 seconded by Mr. Ackerman. The motion carried 5-0.

32  
33 The Selectboard thanked Ms. Kytel and Mr. O'Reilly for their hard work on the project.

34  
35 J. Hutchins Development Plans

36  
37 David Miskell, Jeff Hutchins and Mark Peloquin were present to explain their development plans for  
38 their parcel on Rogers Lane, and to seek co-signing on certain permit applications from the  
39 Selectboard for a new highway access and improvements to the parcel leased by the Chittenden Solid  
40 Waste District drop off facility.

41  
42 Mark Peloquin and David Miskell explained in detail the proposal to redesign the site to accommodate  
43 a portable asphalt mixing plant. The plant location would be near the center of the property, and the  
44 new entrance would be on Route 117. Branching off of the new entrance would be a new access for  
45 the CSWD facility. Because part of this project would be on Town-owned land, J Hutchins asked the  
46 board to co-sign certain regulatory permit applications. Mr. Peloquin noted that they weren't asking  
47 for a specific endorsement of their asphalt plant proposal.

48  
49 Judy Rosovsky suggested that this wasn't the greatest location with high density residential (the  
50 mobile home park) nearby and wetlands and floodplains issues. Ms. Rosovsky asked what the hours

1 of operations were currently and Mr. Peloquin noted it was 6am to 6pm. There was discussion on the  
2 location and potential mitigation of impacts.

3  
4 Ms. Witters asked about the permit requirements. Mr. Peloquin noted a few, such as Act 250  
5 amendments, air quality, storm water, access permits – and Ms. Witters wasn't comfortable with the  
6 town being co applicants on permits not directly related to the town's interest.

7  
8 Brian Wright, an engineer for CSWD, spoke about the proposal to improve the entrance for the facility  
9 – explaining that CSWD saw the benefits of doing so to alleviate traffic issues on Route 117 now.

10  
11 After some additional discussion, Mr. Ackerman offered a motion to support co-signing applications  
12 that would involve road improvements related to the CSWD facility. Mr. Sander seconded the motion.

13  
14 Mr. Brown suggested amending this to include something to say that the town wasn't endorsing the  
15 asphalt plant, but limited to the town's interest in the road.

16  
17 Mr. Ackerman amended his motion to include a statement that the permit applications the town co-  
18 signs would be limited to those affecting the town's interest in the access road. Mr. Sander seconded  
19 the motion. Ms. Witters said that she would recuse herself from this vote.

20  
21 The vote was called and the motion carried 4-0-1 with Ms. Witters abstaining.

#### 22 23 Andrews Forest – Final Closing

24  
25 The Manager explained that the town was preparing to close on the Andrews Forest purchase the week  
26 of March 26<sup>th</sup>. Some of the closing documents were previewed by the board in January, and on this  
27 agenda there is a resolution authorizing the closing as well as a memorandum between the Vermont  
28 Land Trust and the Town of Richmond on the receipt of funds for the management fund.

29  
30 One additional item is an amendment to the Interim Management Plan that was approved at the  
31 previous meeting – that we add a paragraph about the VELCO access and how we intend to handle it.  
32 This isn't granting VELCO access via the IMP but rather acknowledging the issue. The Manager  
33 expected some sort of license document to be coming in early April.

34  
35 There was some discussion on the closing and what would take place then and shortly afterwards.

36  
37 Ms. Witters offered a motion to approve the resolution authorizing the acquisition and closing of the  
38 Andrews Forest property and was seconded by Mr. Sander. The motion carried 5-0.

39  
40 Mr. Sander offered a motion to approve the Memorandum of Understanding with the Vermont Land  
41 Trust for the receipt of \$30,295 for a dedicated reserve fund for the property. Mr. Ackerman seconded  
42 the motion, and the motion carried 5-0.

#### 43 44 **4. Other Business**

##### 45 46 Post Town Meeting Follow up Discussions

47  
48 The Manager initiated discussion on certain issues directly related to Town Meeting, summarized in a  
49 memo:

50

1 Police Building Question: This item failed yes=385; no=756. The intent of this question was to gauge  
 2 public support for continuing to develop a design for a stand-alone police station that could generate a  
 3 cost estimate to be used at a future bond vote. Because the last design the board looked at was around  
 4 \$3 million, the board wanted the public to be aware of the size of the building being considered at the  
 5 time. The wording of the question makes discerning intent of the vote result difficult. Before Town  
 6 Meeting, the board has recognized that more public involvement in deciding the future of the  
 7 Richmond Police Department is needed and I expect that is an idea that needs to be developed more.

8  
 9  
 10 Bridge Street Water Bond Question: This item passed yes=825; no=304. The upper Bridge Street line  
 11 between the stop light and the railroad tracks, possibly including crossing beneath the tracks and the  
 12 Bridge crossing are included. When my question was developed I was using the cost estimates from  
 13 the DWSRF application. Those numbers have been updated and the estimates now exceed the bond  
 14 amount, however, that does not prohibit us from completing the project. The Water Commission  
 15 typically handles the details of applying for funding and engaging contractors to complete the work.

16  
 17 FY2019 Budget: This item passed with no changes, although there was some discussion about the  
 18 police budget which increased the most of all departments. We typically don't get into new budget  
 19 discussions until September, although capital plans can be reviewed at any time.

20  
 21 Regional Dispatch: The effort to create a Regional entity to dispatch emergency services in  
 22 Chittenden County is closing in on a two-year anniversary – although, the subject itself goes back  
 23 much further. On Town Meeting Day, six towns voted to approve the creation of such an entity and  
 24 now enabling legislation must be developed and approved. Following that, the Regional entity will  
 25 start to take shape.

26  
 27 Currently, the State Police dispatch our police department at no cost and Shelburne dispatches for Fire  
 28 and Rescue and charges for the service. It is anticipated that the State Police will eventually stop  
 29 dispatching for us, and we'll seek a provider to pay for dispatching. With Shelburne in the mix, we'll  
 30 have at least two entities to negotiate with. We can discuss the pros and cons during our meeting.

31  
 32 The board discussed these items, however there were no requested actions.

### 33 Hot Topics for future sessions

34  
 35  
 36 The Manager explained some agenda items that the board had been working on:

37  
 38 Employee Health Insurance: We currently pay 100% of the premium for health coverage. We have  
 39 chosen the BC/BS Platinum Plan which is generally regarded as the most generous plan available to  
 40 us. This plan is now guaranteed to the police officers until 2021 under their collective bargaining  
 41 contract, but no guarantee exists for current employees.

42  
 43 The annual premiums are now:

Single	Employee & Spouse	Parent & Child	Family
\$9,023.04	\$18,046.08	\$17,414.52	\$23,786.76

44  
 45  
 46 While the employees are wary of cuts to benefits, it is time to review and compare coverages.  
 47 Typically the next year's premiums are announced in the fall but between now and then we can  
 48 examine the opportunity for any changes.

1  
2 Bolton Police Contract: Right now Richmond provides 12 hours per month of patrol to Bolton under a  
3 contract, which I have included in your packet. We charge \$45 per hour, which is what we refer to as  
4 an “Overtime Rate.” This covers officers’ overtime plus some cruiser and administrative coverage –  
5 but essentially no overhead. The full cost to provide one patrol hour for Richmond is closer to \$70 per  
6 hour. This contract allows Bolton to get basic patrol coverage at a cost lower than Richmond. The  
7 fairness and effectiveness of this relationship is due for reexamination by both towns as the contract  
8 expires at the end of June this year. It should be noted that Richmond’s coverage is all overtime, so no  
9 reduction of normal Richmond patrol hours happens as a consequence to the Bolton coverage. Also  
10 note that lapsing the contract does not save Richmond any funding. We should develop criteria on  
11 which to judge the benefits and costs before recommending a course of action for the board.  
12

13 Post Office Lease: The lease for the space that houses the Richmond Post Office expires in August  
14 this year. The initial lease from 1992 was 20 for 20 years, and was renegotiated in 2013 for a five year  
15 term with five year renewals. The Manager reached out to initiate the renewal process and explained  
16 that he’d like to put plan together that makes some improvements to their space. He had not heard  
17 back.  
18

19 Facilities Assessment: For several years we’ve had issues with our two oldest buildings – Town  
20 Center and the Library – that have been addressed in a reactionary fashion. Last year we hired  
21 Breadloaf Architects to complete a facilities assessment for both buildings and the Fire Station in order  
22 to develop plans for repairs, maintenance and improvements. A first draft is out –but in a really rough  
23 form. We anticipate finalizing the plans this year and starting work as soon as we are able.  
24

25 The Selectboard calendar and works in progress were deferred until the next meeting.  
26

### 27 **Reports from Selectboard and Town Manager**

28

29 The Manager briefly reviewed the reports:  
30

31 The board reviewed the Police Report and the budget status – please review.  
32

33 NEMRC Assessment Complaint – the Manager reported on this through a separate memo for an  
34 update on a recent meeting with Ed Clodfelter. Mr. Clodfelter explained why the appeal was handled  
35 the way it was and that it was a standard way of valuing the property although the state appraiser  
36 reduced the grade of land. He felt NEMRC employees handled it well, and agreed to include the detail  
37 property cards in the files.  
38

39 Health Officer Complaint – a meeting was still being set up to discuss this.  
40

41 Water Storage Tank Removal – The Manager had been working with All Metals Recycling for a price,  
42 but the weather has delayed inspection of the site, including whether or not a concrete slab exists and  
43 how large it might be.  
44

45 Guardrail Assessment: Pete Gosselin is coming in on April 2<sup>nd</sup> to present to us the assessment.  
46

47 Comcast Update: We are prepared to move forward. As earlier stated, the Library doesn’t want to  
48 participate in the switch.  
49

1 Volunteer Appointment Schedule: We'll have a preview of our appointments at the next meeting,  
2 with a final action list for the 2<sup>nd</sup> meeting next month.

3  
4 **Approvals**

5  
6 **Approval of Minutes**

7  
8 Mr. Sander offered a motion to approve the minutes of March 5, 2018 and was seconded by Mr.  
9 Ackerman. The motion carried 3-0-2 with Mr. Brown and Ms. Witters abstaining.

10  
11 **Approval of Warrants & Purchase Orders**

12  
13 Warrants were reviewed and approved.

14  
15 The Manager explained that at an earlier meeting, the Selectboard had agreed to purchase a highway  
16 truck through Clark's provided that the budget was approved at Town Meeting –which it was.

17  
18 Mr. Sander offered a motion to approve Purchase order #3431 to Clark's Trucking for the purchase of  
19 a chassis, body and plow package in the amount of \$154,913 for the FY2019 highway truck. The  
20 motion was seconded by Mr. Ackerman and the motion carried 5-0.

21  
22 **5. Adjourn**

23 Motion by Mr. Sanders to adjourn the meeting at 10:20 p.m. Seconded by Mr. Brown. So voted.