

Selectboard Minutes 11/04/2019

Members Present: Bard Hill, Katie Mather, David Sander, Christy Witters,
Absent: Roger Brown

Others Present: Josh Arneson, Town Manager; Kathy Daub-Stearns, Admin. Assist.; Larry Muldoon, Police Chief; Lisa Truchon, Assessor; Ed Clodfelter, NEMRC; Pete Gosselin, Highway Foreman; Chris Cole, PC; Virginia Clarke, PC; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15, Mary Houle; Heidi Bormann; Brendon O'Reilly, Buttermilk

Called to Order: 7:13 PM

1. David welcomed everyone to the meeting.
2. Public Comment: Mary Houle asked that the Selectboard have the town Health Officer investigate how the birds that died at the Maple Wind Farm, during the recent flood, were disposed of stating that she had provided pictures to the members showing hundreds of dead birds. She also stated that she had filed a report with Richmond PD and contacted the Director of Agriculture for the State of VT. She would like to know where all the dead birds went.
3. Additions or Changes: NA
4. Informational hearing for the water line bond vote: Steve Palmer from Green Mtn. Engineering gave a presentation outlining the maintenance and planning of Richmond's water & storm water infrastructure as background for the proposed project. The proposed project for Bridge St. has already been approved & funded. The second part, which requires the vote, replace the lines on Upper Bridge Street to just above RR tracks. The project(s) would be done simultaneously, if approved, sometime prior to Sept. of 2020 to take advantage of incentives that would provide a 50% forgiveness of the cost associated with the work being voted on.

Bard commented it sounds like good timing for this to happen. Katie asked how the paving would be done, Steve responded that those types of questions would be answered by whichever contractor was chosen to do the work and the information would be available as part of the bid process. He felt it would be an early season project completed within 60 days, prior to the Farmer's Market opening. Bard said that some of the business owners had expressed concerns over timing and hoped it would take place to avoid the school season. Steve noted it was something that could be brought to the contractor's attention.

5. Items for Presentation or Discussion with those present

- a) Update on damages from the Oct. 31/Nov. 1 rain event:

Pete reported that there was damage to 10 areas of the town most of which had already been remediated. The most noteworthy were damages to the Volunteers Green, there may be damage to the equipment in the concession stand it appears there was about 4 feet of water in there. The restrooms all fared well and are now shut down for the winter. Damage to Dugway Rd. is extensive. Pete stated we need to keep people from gorge due to a 60' vertical wash 80' long, that could cause the road to

fall into gorge at any time. He emphasized that people should not cross barriers! At about 3:30 AM the road was blocked with gravel, marked with cones and caution tape. A fence has since been added to prevent people from approaching on bike or foot. The repairs are going to run about \$350k. VTrans engineers and town engineers met on Friday. Pete requested approval of Tyler's proposal costing \$20k to move forward with the survey to have plans in place to provide FEMA since it looked like Chittenden County would meet the benchmark necessary to file a claim. FEMA reimbursement would be around 80%. Reserve fund can be used to pay while waiting for FEMA.

Mary asked if any of the materials on W. White Hill Rd could be reclaimed. Pete thought it could be addressed. Katie wanted to know if the rebuild would withstand another event and would there be any impact to areas downstream from the rebuild. Pete stated that the rebuild would withstand future events and no, he didn't believe there would be any negative impact downstream. The project will take about 6 weeks. Mary asked that press releases be made frequently by town officials to alert the public that the road is closed and unsafe to be on.

MOTION: Bard made a motion to approve engineering scope 1 & 2 for designing and permitting in an amount not to exceed \$20k for road erosion at the gorge, Katie seconded. Passed by unanimously. **Dave:** signed PO 3882.

MOTION: Bard made motion to approve PO 3882 for design & permitting of the Dugway Rd. erosion as per the previous motion not to exceed \$20K, Katie seconded. Passed unanimously.

b) Discussion of potential need for full town wide appraisal;

Ed Clodfelter from NEMRC gave a presentation that included an outline of recent reappraisals and adjustments made to the grand list. The issue is that the town is under appraised resulting in the sale of at least one residence for \$100k over list. He stated that it is important for the Town to do the reappraisal, that it would be a 2 year project. Lisa stated that there is no way to know if someone gutted their house and redid it, that reappraisal would cause equity by having everything looked at.

Bard asked if \$170K would get the project done, that the town has \$130K set aside so it could be worse. Josh commented that it was a 2 years project so it could be paid over time and could be close to having the number. Ed agreed with monthly payments. Bard suggested it be added to budget discussions.

c) CUSI presentation of their request for funding in the FY21 Budget

The person expected to present did not attend the meeting. Dave moved the meeting onto the next subject. Mary commented that everyone should fill out the forms. If not, then they shouldn't get any money.

Other Business

Discussion of a labor relations agreement with employees of the Richmond Police Department was set aside to hear Jolina Court Zoning amendment prior to going into executive session.

a) Discussion on Jolina Ct. Zoning amendment

Katie stated that she, Brenden, Eric Thorenson, and Cailyn Littelfield walked wetlands border area that abut Town Center where there is a proposal to put a parking lot in part of the flood zone and proposed

road as through road into the Town Center parking lot. During the walk, Eric said in addition to the wetlands having ostrich fern and silver birch in good numbers it is a healthy flood plain & animal habitat; good for beaver, mink & otter. Eric's assessment was to do no development in the flood plain. His opinion was it would not make sense for a through road or parking lot due to being close to the flood plain habitat. During the recent storm the river was a few steps into the old road.

Brandon thought it was a good meeting but thought the map was wrong and thought there was a lot of regulation to get through. Katie clarified her position stating that if there is a gravel parking lot already in a flood plain, then ok. If there are trees there, they cannot be taken down. New regulations could state no new clearing in flood plain. Katie said the project had enough parking without the parking in the wetlands. Brendon wondered if he could reclaim the old gravel parking lot preserving more sensitive areas. Virginia said the planning commission can look at flood plain that Jess has been updating use changes and definitions that can be sent along to the Selectboard. Mary stated sec. 3.9.5 structures on lot E were max height of principal building 5000' then said 8000' for another building. Virginia thought we could think about whether "principal" is the wording we want to use. Chris thought the intent was not to have a building exceed 8000' and the rest be 5000'. Virginia added, in a way they all meet the definition because it's PUD. Chris stated the Planning Commission doesn't want to limit the parking if not critical to the ecology of the flood plain. Brendon wondered if he could use part of the wetlands if he preserved part of the other wetlands. Katie felt Fish & Wildlife would need to investigate further. It was agreed to come back to the next meeting with additional information.

Executive Session; Police negotiations health insurance

MOTIONS: Bard moved to find that premature general public knowledge of the Selectboard's discussion of a labor relations agreement with employees of the Richmond Police Department would clearly place the Town at a substantial disadvantage. Christy seconded, all in favor.

Bard moved to enter into executive session to discuss a legal matter under the provisions of 1 VSA 313(a)(1) of the Vermont State Statutes and to invite the Town Manager, Josh Arneson, into the executive session. Katie seconded, all in favor.

At 9:30 PM the Board entered into executive session.

David motioned & Bard seconded to get out of executive session, all in favor.

At 9:38 PM the Board resumed the public meeting.

David stated he felt the town should continue tradition to keep its non-union employees & union employees the same town wide. Josh reported that there would be two options available to employees, MVP gold high deductible, plus MVP platinum plan. The gold plan might save some money, the platinum plan keeps expenses flat. Larry added that MVP told him he needed to have the medical procedure codes in order for them to tell him what his coverage would be under the proposed plans. Larry from VLCT has been hired to work with employees on the changeover. Platinum to platinum should be exactly the same coverages with the exception of prescription meds, each company's formulary is different. Consultants will be available to go over information with employees.

b) Review of and vote on acceptance of an agreement for Town property, liability, and workers compensation insurance

Josh put the insurances for the Town out to bid, one qualified bid came in from VLCT. Another bidder wanted a 15 day extension that was requested 1 hour prior to deadline. On the upside last year was \$180K the bid is down to \$160K in 2020.

MOTION: Bard made motion to accept the bid, Katie seconded, the board voted unanimously to accept the bid.

c) Discussion of the pay grid and review of proposals from third party companies which could assist with further research on going rates for wages

Bard wanted to know if the Board wanted to push the pay grid discussion off until the next time, or was the town going to invest in a study or do something less expensive. David thought it should be a comparison of compensation, not wages. Josh responded that he had asked that question and was told it's so complicated and varies so much between towns. Bard felt a longer conversation should be had. Bard thought a RFI might be the way to set the stage before doing an RFP. Mary thought that the whole compensation package should be looked at. Josh will go back to the companies he's been talking to and pose the compensation package question. Larry thought the Board should consider that one of the ramifications of doing the study might be having to increase wages and were they prepared to do that.

d) Discussion of the target for the tax increase limit in the FY21 Budget

Bard reported looking into what the increase should be. His findings were that the cost of living increase comes out to 1.7 to 1.8 % under 2%. It's not an absolute but a target but we should try for 2% tax increase or less. Individual departments may be up or down. Total tax burden for town should be 2% or less.

e) Follow up on illuminated cross walks and the Town Center lighting study

Josh reported that the study has not been found. Mary thought Marie Thomas may have name of outfit that did it. Pete had a quote for solar powered crosswalk signage similar to the other crosswalk for \$4680 w/ shipping. The town would reuse signage, buying strobe light system, we would erect the whole thing. Larry had 1K from the Governor's Highway Safety Program to contribute. The board decided to go forward with the lighting due to the longevity of the discussion and the Bridge St. project coming up with investigation into grants to offset the cost. Mary wondered if this was something a Recreation Director could do. Possibly put it on the ballot. Bard felt maybe do one crosswalk per year.

MOTION:

Bard moved to spend not more than \$5K on crosswalk lighting similar to the existing crosswalk lighting. Christy seconded, the motion passed unanimously.

Discussion continued, Mary would like to know how much coin drops take in. Wondered if there is an obligation to report back on how much they collect, maybe there were dollars there that could be used. Bard said we could ask them the next time they come back. Pete wondered where the money would

be pulled from, Josh stated that the cost would be coded to the Highway budget. Larry added that \$1K could come from the Police Dept. through the Gov. Highway Safety Grant.

f) Progress on hiring of Town Planner

Josh reported the job has been posted in several places. There have been 14 applications received to date, ½ are fairly qualified. Chris Cole, Virginia & Josh will interview after the 12th deadline for submission.

g) Vote on approval of 3rd class liquor license from the Dept of Liquor Control, on behalf of the Hatchet

David asked if this was their annual application? Josh replied yes.

MOTION:

Bard made a motion to approve the application, Chirsty seconded, the Board voted unanimously to approve.

6) Approval of Minutes, Warrants and Purchase Orders*

Bard motioned to approve Oct. 21, 2019 minutes. Katie seconded. Mary requested it be changed to show that where it says, “the appropriations request that Mary wants the forms filled out” be changed to say “Mary reminded the Board that they had established an expectation that the form be completed”.

MOTION:

Bard moved to approve as amended made by Bard, seconded by Katie, approved by 3, 1 abstention.

Josh noted during the warrant review that there was a check for the new dump truck. In light of the repairs needed from the flooding did the Board want to get a loan to replenish the funds since the check still needed to be written.

MOTION:

Bard moved to pursue loan for the purchase of the dump truck so as to not deplete the funds needed for Dugway Rd. wash out. Christy seconded, the vote was unanimous to pursue the loan.

7) Discussion on joining a lawsuit related to prescription opioid products

Josh felt no need for executive session. He stated there is a Nationwide lawsuit and that the VT AG's office may file. He believes more clarification is needed before deciding whether to join the private suit or go with the nationwide one. The suit is pharmaceutical companies, not illegal drugs. Larry said he wasn't able to tie a lot going on in town to the opioid epidemic. Bard thought emergency responses to overdoses could be considered. David felt there were some pretty substantial burglaries and crimes that have taken place that were tied to drug use. \$40K doesn't seem like much but it would offset some of the costs.

8) Discuss Items for Next Agenda and Adjourn

Follow up Dugway Road, Update grant funding cross walk, Planning commission report of Jolina Court, the Pay grid & compensation.

Further discussion:

Mary requested the Selectboard direct the Town Health Officer to find out what happened to the birds apologizing for the pictures. Dave thought that would be who would look at it.

Adjourn

Bard moved to adjourn, seconded by Katie, All were in favor, adjourned at 10:27 PM