

Selectboard Minutes 5/26/2020

Members Present by Zoom: Christine Werneke, Katie Mather, Bard Hill, David Sander, Roger Brown

Members Present by phone: none

Absent: none

Others Present by Zoom: Josh Arneson, Town Manager; Kathy Daub-Stearns, Admin. Assist.; Connie Bona, Finance; Pete Gosselin, Hwy; Superintendent; Larry Muldoon Police Chief; Linda Parent, Town Clerk; Laurie Brisbin, Tax Collector; and Angelica Contis recorded the meeting for MMCTV Channel 15, also present: Marshall Paulsen, Carole & Jay Furr, Jeff Forward, Patty Breshett,

Called to Order: 7:01 PM

Welcome by David.

I. Additions or Deletions to Agenda-

Patty Breshett asked to discuss the mask resolution and how property taxes went. Josh responded that an update was given at the last meeting regarding property taxes that would be updated later in the meeting again. Josh added that the mask resolution was on the agenda.

II. Items for Presentation or Discussion with those present

a) Update on COVID-19 health crisis response

i. Update on Town department operation

Josh reported:

- that most departments are at full staffing levels
- that the work plan has been implemented
- that Kathy, Ravi & Suzanne have been working from home
- that the Library has been finding work that services the public and are working toward getting everyone to their regular hours. If unable to do that then employees are using their leave time
- that the Police Dept. used two grants to get e-ticket and breathalyzer testing for cruisers
- that Water & Wastewater continues to be busy. Wednesday the contractor inadvertently hit a water line, businesses and residents were alerted, Kendall and his team worked through the night to get water back and were able to keep Stone Brewery going so they were able to save the batch of beer they were in the process of brewing
- that the Fire Dept. had their first drill following COVID procedures
- that Highway completed the outfall project that saved the town about \$45,000 by doing it in-house instead of contracting the work out
- that Ravi and the Planning Commission have been working on affordable housing and are back on their regular meeting schedule
- that Linda has been taking appointments from researchers one at a time, they are keeping to distancing guidelines and staying in the small conference room. Since guidelines have changed Linda will allow two

researchers to come in at a time, they will sit at opposite side of tables and use the vault one person at a time.

- that the Clerk's Office not open to public for other things and residents should continue using drop box
- that Linda has gone outside to do notary services when necessary

Linda reported:

- that she emailed people who had been regularly searching records and they were very happy to be able to make appointments to continue their work

Discussion included:

- Katie asking if researchers were wearing masks? Linda responded that they are.
- Katie voiced that she is uncomfortable having people working in the small conference room because there is no ventilation system, that we need to keep the lack of ventilation in mind and limit the amount of people working in there at any given time and also allow a buffer of time between people.
- Linda responded that appointment times are 9am-11am and 12:30pm, two hours apart, and that the room is sanitized between appointments. Katie said that the most contagious situation is when people are together and there is no ventilation. Marshall Paulsen thought that ventilation was very important to preventing anyone from becoming ill and suggested running an air duct from the small conference room to a window saying it would be unsightly but could work.
- Connie said Linda has the overhead fan and other fans going in the clerk's office for ventilation. Roger added that a ventilation fan would draw air out, not swirl it around.
- Bard thought Katie was right, if there is someone COVID positive, it's the viral load that's important. Having a fan blowing air out a window creates negative pressure and that is the best use of a fan.
- Katie suggested using the large conference room, Linda responded that researchers have to be where she can see them. Connie added that researchers use of copy machine and it can't be moved to large room without adding a network connection.
- Roger asked if people were being screened prior to entering the building? Josh responded that the entry door is posted with information that anyone with respiratory symptoms should not enter. Linda added that she has a sign in book that is recording names and contact information
- Bard suggested taking a look at this next week after reviewing with staff how to reduce the risk of transmitting COVID
- Connie asked Linda how many people a day were coming in? Linda responded two or three people a day and that they are usually at the office less than 30 min. each
- Roger asked about having thermometers. Connie responded that each department has a touchless thermometer. Roger asked if we can we take the public's temperature once they enter the building? Bard responded that some people are asymptomatic, we do the best we can do.

- Katie would like to investigate creating the healthiest, safest space that has ventilation. Dave asked if the Board thought we should reach out to a HVAC specialist?
- Roger advocated for checking temps of visitors and have them affirm they haven't traveled or been in contact with someone COVID positive. Christine responded that we need to know what we can and can't do, she did not think we could ask the public to affirm anything in writing.
- Pete thought we will see more activity in the clerk's office and that Marshall Paulsen was right, having the right ventilation is going to be important. Linda suggested calling an HVAC company to see what they suggest. Bard added that in terms of transmission you can't ventilate from one room to another and that any personnel with heart, lung or diabetes issues should be very careful
- Connie feels we need to get the offices open to keep the economy going, that we have precautions in place, people are making appointments, most times an hour between people
- Katie asked for clarification of the savings on the outfall project. Pete responded that materials were about \$7,000 and labor was a week's payroll, \$3,000. for a savings of about \$45,000. Marshall Paulsen said he lives across the street and the crew did a fabulous job grading.
- Josh will contact an HVAC company for recommendations on ventilation in areas with no windows.

ii. Discussion of voting procedures for the August and November elections

Linda reported:

- that not much has changed.
- that if the Secretary of State decides voting will be by mail-in ballots the state will cover the mailing costs. Roger asked if she was talking about universal absentee ballots? Linda, responded yes, if they decide to do that the state will pay.
- Bard let Linda know that if she needs any help from the Selectboard she should let them know
- Katie asked what the primary date is. Linda responded 8/11/2020.
- Marshall Paulson asked if Linda had a source for PPE for election workers. Linda responded that she had already purchased six face shields and has been accumulating hand sanitizer for elections.

iii. Discussion of options regarding budgeted expenses

Josh reported:

- that the Town could put paving off until spring but still get it done in FY21
- that there were two options regarding budgeted expenses: the first option would be to delay expenses, get through the first couple of tax payments and see where we are with property tax collections, the second option would be to use the powers provided by the legislature to the municipalities governing authorities and amend the Town budget and property tax rate.
- that if option two were to be utilized it would have to happen in the next few weeks. The downside would be that those expenses would need to be added to the following years budget.
- Josh advocated for option one.

Discussion included:

- Christine asking if paving were eliminated would property taxes would go down? Josh responded, yes.
- Bard said he would like to see a list of expenses that can be delayed or deferred for future decision making. Roger agreed, adding that economics are going to unequally affect people.
- Pete said he spoke with Pike industries, the paver, about the possibility of not paving this year and waiting until spring and rebid the project then. Pike Industries responded that they preferred holding the price until spring with the understanding that it may not be financially able to be done at all. Katie thought we should take advantage of the offer since we do not know what is going to happen. Pete added that it is a balancing act, and nothing would be lost in pushing it out until spring. He suggested a change order saying paving would take place between May 1 to June 30, 2021.
- Connie didn't think we could delay any expenses without a change to the budget adding that we would have to change the budget now because we won't be able to later. Connie went on to say that If we get to next May and we decide we don't have the money to do the project, it's a problem because you can't collect the money and then not do the project because the town would not have fulfilled the budget obligations
- Bard would like to see a punch list of things we may want to change to see what the possibilities are before making any decisions.
- Larry said he did not purchase budgeted items early in year waiting to make purchases until the end of the year. As an example, he said he could delay the purchase of a computer and have that money go into the general fund. Larry added that there was also the cruiser he ordered that is \$30,000 that has been planned for. The cruiser is a 2020 model, the price has been set, if he puts off the purchase, he will have to get the 2021 model which will likely cost more. Larry asked the Selectboard what they would like for him to do, purchase or delay? Connie did not think FY20 purchases should be delayed since FY21 may the problem. Roger asked Larry if he thought he could keep the cruiser going another year. Larry responded that he could keep it going for another 6 months, but not a year.
- Bard would like to see a list of items that could be delayed or deferred along with the pros and cons of doing so across departments for FY20 and FY21, that he would like to do things in a way that's thoughtful, looking at the whole picture. David added that he would also like run through what we can and cannot do budget wise at the next meeting.
- Pete said he would like to let Pike Industries know what we are doing and not wait another week for the Selectboards decision. Roger felt the Selectboard should take the path Pete laid out and delay the project until next spring. Bard agreed.

Bard moved to approve PO #3900 to Pike Industries for paving with a change order for work to be done in the spring of 2021, and a clause that allows the Town to back out of the project if the Town is not financially able to do the project, in an amount not to exceed \$293,000.00, Katie seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Discussion of tax collection process with Town Tax Collector

Laurie Brisbin reported that in the past she has had a good response, in the first 30 days, when sending late notices out 5 days after taxes are due. She said that Connie runs the interest and penalties, then she, Laurie, runs the notices and sends an agreement form to every delinquent account. She then follows up repeatedly to keep people on track. Laurie feels confident that she can get collections down significantly.

Discussion included:

- David asked how concerned should the Selectboard be that collections are \$30,000 behind last year. Laurie responded that she not concerned at all at this time, stating that names on the delinquent list today will be gone by August, some will just have forgotten to pay.

iv. Consideration of adopting a resolution regarding use of personal protective equipment within town owned buildings and in places of public access

David began the conversation by asking Josh to go over the draft resolution.

Josh reported:

- that the resolution would require the use of masks at all town offices with the use of masks strongly encouraged by businesses customers. The resolution asks businesses to adopt a policy about mask wearing by customers and employees. VLCT has let municipalities know there is a way to have the resolution enforced thru the Governor's emergency orders. There are concerns about having the Police Dept. in harms way trying to enforce a mask resolution. if we choose to have the resolution be enforceable, we should send it to the lawyer for review before adopting it.
- Patty Brushett said that Burlington and South Burlington are not arresting people if they don't have masks adding that the Governor says employees need to wear masks and there are two businesses in town that don't have employees wearing masks. Patty would like to see the Selectboard create a policy that is not optional. Katie said we are talking about creating a culture and asked if we could talk to business owners.
- Connie said it is not a violation of constitutional rights, it is not an ordinance, therefore it is not enforceable.
- Roger asked, if we pass this, or something like this, we could contact businesses and ask them to put signs up. David added not wearing masks properly is another problem.
- Roger added that if a private owner has policy, and a customer doesn't comply with the policy, then they ask the customer to leave, if the customer doesn't comply, then the customer is trespassing.
- Katie said, the Selectboard could make a statement, this is what we are doing, this is why, ask community members to get involved. We don't want this to become a combative situation.
- Patty Brushett said, if you use your political capital and say "the Selectboard wants us to all wear masks" it would help. If the Selectboard chooses not to use their political capital, then that it's your choice. Patty added she didn't think this

needed to be an ordinance but something strong enough to make a statement about what the Selectboard wants people to do.

- Roger thought that the Selectboard should pass a resolution, then talk to business owners
- Katie agreed, encourage good behavior.
- Patty Breshett asked the Selectboard to come up with a door posting or window posting that businesses in town could put up. Katie agreed. Christine thought uniformity was important.
- Larry let the Selectboard know that the Burlington Police Dept. is getting calls related to their mask order adding it is why the last paragraph was added to the draft resolution. Larry explained that Richmond does not have it's own dispatch so people would be calling 911, then Richmond PD would get called to respond. If a police officer did not show up it would make the police dept look bad.
- David asked what the will of the board was. Bard responded that the draft uses the term PPE which has a specific meaning. He would like to see the wording updated to reflect cloth masks. H would also like add staff or workers to the language requiring mask usage unless there is a sneeze guard. Christine said that there is already a mandate in the Governor's order related to employees wearing masks or having sneeze guards.
- Katie would like to put together a sign we can distribute. Christine liked that idea, make it a positive thing. Christine thought having fun puns, that could make it about the benefit, not the mask. If we require masks there is an obligation to provide masks. Bard agreed, that made sense to him
- Roger asked if we could ask the Market to have customers wear masks, Josh responded that he did not know how they would respond. Christine said she had a sense that businesses may not want to get too involved.
Katie asked if the Town was going to pay for disposable masks? Roger thought it was a personal responsibility
- Christine said first you educate, then have to regulate to get the last of the individuals. We are a town surrounding by other towns with other practices. if we are asking businesses to have customers wear masks we need to support them adding this is a process that will take time.
- Roger said people are aware, the educational component is accomplished. Bard said we need to build a culture. Not everyone is going to adhere to wearing a mask. He said if the Governor and the state are not making it mandatory then the town isn't going to be able to make it mandatory.

Roger moved to pass resolution as written, there was no second. This will be on the next agenda.

v. Other COVID-19 health crisis items

b) Update on Bridge St. Infrastructure Project

Josh reported:

- that the jack and bore is complete
- that a water main break was repaired
- that a boil water notice had been sent out and that revealed the need for a better notification system. As a result he and Linda have done a training for the Vermont Alert System which is free for the Town to join. The way it works is that

residents sign up for alerts of any kind of public safety notice and will receive notices immediately when the Town issues a notice.

- that later this week the stormwater line from railroad tracks up to the light is being worked on with traffic shifting to the left side of the road.
- Katie asked if we are on schedule, Josh responded yes.

c) Consideration of re-appointing Suzanne Mantegna as Zoning Administrative Officer

Josh reported Suzanne Mantegna's 3 year term is up and recommended re-appointing her.

Bard moved to re-appoint Suzanne Mantegna as Zoning Administrative Officer, Roger second. Roll call vote: Bard, Katie, Roger, David, and Christine voted affirmatively.

III. Approval of Minutes, Warrants and Purchase Orders

Bard moved to approve the Minutes of 5-18-20 Roger seconded. Roll Call Vote: Katie, Bard, Roger, Christine, and David voted affirmatively.

Invoices and warrants:

Roger looked through the invoices and thought they looked ok.

Roger moved to approve PO # 3914 to TD Bank to pay off various loans due to refinancing in an amount not to exceed \$527,331.03, Bard seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Roger moved to approve PO # 3954 to Richmond Water Resources for Fire Protection in an amount not to exceed \$50,300.00, Bard seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Roger moved to approve PO # 3953 to Community Bank to pay off the dump truck loan due to refinancing in an amount not to exceed \$136280.10, Bard seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Bard moved to approve PO #3900 to Pike Industries for paving with a change order to spring and a clause that allows the Town to back out if the project is not financially able to be done, in an amount not to exceed \$293,000.00, Katie seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Roger moved to approve warrants as presented, Katie seconded. Roll Call Vote: Roger, Katie, Bard, Christine, and David voted affirmatively.

Josh will send the warrant out for signatures using DocuSign.

IV. Discuss Items for Next Agenda

Mask Resolution

update Bridge St. project

Richmond drop off center & cswd lease agreement coming up

V. Executive Session for a legal matter

Executive Session

Bard moved to find that premature general public knowledge of the Selectboard's discussion of a pending or probably civil litigation or a prosecution, to which the public body is or may be a party, would clearly place the Town at a substantial disadvantage, Katie seconded. Roll call vote: Roger, Katie, Bard, Christine, and David voted affirmatively.

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. Roll call vote: Roger, Katie, Bard, Christine, and David voted affirmatively.

Katie moved and Roger seconded to leave executive session. Roll call vote: Roger, Katie, Bard, Christine, and David voted affirmatively. Executive Session ended at: 10:18pm

VI. Adjourn

Katie moved and Bard seconded to adjourn. Roll call vote: Roger, Katie, Bard, Christine, and David voted affirmatively. The meeting ended at: 10:19pm.