

Richmond Selectboard Meeting Minutes 7/13/2020

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

Absent: none

Others Present by Zoom: Josh Arneson, Town Manager; Kathy Daub-Stearns, Admin. Assist.; Kyle Kapitansky, Police; Pete Gosselin, Highway; Connie Bona, Finance; Kendall Chamberlain, Water & Sewer; and Angelica Contis recorded the meeting for MMCTV Channel 15, also present: Marshall & Gretchen Paulsen, Jay Furr, Martha Nye, Jeff Forward, Stefani Hartsfield, Virginia Gifford, Lou Borie, Tim & Marie Schonholtz, John Cohn, Cathleen Gent, John Rankin, Logan Hegg, Diane Mariano, Brittany O'Brien, Sean & Christy Witters, Jessie Heiser, Evelein Killian, Brodie, Rebecca Rouiller, Madeleine Granda, Ann Naumann, Jeremy, Alex Latham, Constance Van Eeghen.

Called to Order: 7:00 PM

Welcome by David.

Comments from the public: none

Bard said he would like to discuss the signs on building next week.

I. Additions or Deletions to Agenda

II. Executive Session: Labor Relations Agreement

Katie moved to find that premature 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; Bard seconded. Roll call vote: Christine, Katie and David voted affirmatively. Bard abstained. Motion passed.

Katie 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; Bard seconded. Roll call vote: Bard, Christine, Katie, and David voted affirmatively. Motion passed.

Executive session began at 7:05 PM.

Bard moved to exit executive session; Katie seconded. All were in favor.

Executive session ended at 7:15 PM.

The Selectboard Meeting resumed at 7:16PM

III. Items for Presentation or Discussion with those present

a) Update on COVID-19 health crisis response

i. Update on Town department operations

Josh reported:

- that all depts have continued to function under COVID rules,

- that the Police Department is making an offer to hire another officer and that would bring us to 3 full time officers
- that Water & Sewer broke another record last week with other facilities closed there has been increased volume
- that the Fire Department is in the process of interviewing a candidate.
- that there is a purchase order to approve that will replace the repeater for communications with Shelburne since the one they had is outdated and unfixable,
- that with the downpour last Thursday, a few things needed excavator work which was completed today,
- that the library is having successful participation in story walks and that Rebecca is keeping an eye on when and how to best open adding that curbside pick-up continues with most people reserving books on line or over the phone,
- that finance continues as usual and audit preparation is underway,
- that zoning amendments will be taken up at next meeting,
- that Zoning is having in person meetings by appointment only Wed-Fri in the large conference room
- that Linda has sent out 800 ballots with 90 returned so far.

Discussion included:

- Christine saying that she was worried repairs we are making to the roads, like new culverts are getting clogged and washed out within a year. She wondered if the work we are doing is working. Pete replied that the culverts are properly sized, but storms pick up so much debris that they become overwhelmed. Pete added that the roads are in really good shape because over the last 10 years there has been a lot of improvement adding inches of rain in an hour is the issue. Bard congratulated Pete saying other places he has been washed out and he was struck that our roads are in such good shape.

ii. Update on education tax rate

Josh reported:

- that the Board voted to move the tax date to 9/1 at the last meeting and that the next day Connie got the education tax rate so bills would go out next Monday or Tuesday afternoon.

iii. Consideration of a resolution mandating mask wearing in municipal parks

Josh reported:

- that the resolution was similar to the store mask resolution and was requested by Kathy Daub-Stearns who is seeing more park use of groups 25 people or more. If there were a resolution, she could point at it to say masks are needed and it would help her to communicate the need in a better way.

Discussion included:

- Rod West saying large groups are under the state order. Josh responded that the town has decided to be stricter and require masks.

- Katie thought it made sense that when outside and not able to distance to require masks saying it would be irresponsible to potential create a situation where COVID could spread.
- Bard said the wearing of masks is not only to protect yourself but others and the question of masks is polarizing adding that we should have the mandate even if there is no penalty.
- David was comfortable with encouraging the wearing of masks for people visiting the park.
- Bard asked if anyone had an opinion not to wear a mask. Rod West replied that it winds up being kind of subjective asking what if someone is walking on the path and someone else is walking on the path does everyone on the path have to wear a mask? Bard replied that there is no penalty and that some people step off the path, others put their mask on.
- Katie said this is guidance and thought most people were practicing common sense. Rod West was concerned that public shaming is starting to increase and would like to see the resolution related to a group size, not everyone
- Bard said when wearing a mask is a political comment, he can't address that. He said that with the uncertainties of the virus, wearing a mask is like wearing a seatbelt, it's the prudent thing to do.
- Christine thought there was difference between individuals and families, vs organized groups. Bard said that does not address unorganized groups and adolescents saying we should encourage them to wear masks in that circumstance.
- Stefani Hartsfield said she has a birds-eye view of the park and sees organized groups, childcare, and camps that have permission to be outside without masks. She said that we may not want to supersede.
- Roger said, as we progress, mask shaming is here to stay regardless of what we pass here adding that he is optimistic that outdoor transmission is relatively low.

Katie moved to adopt the resolution to wear masks in municipal parks, saying Kathy needs it to regulate the space; Bard seconded. Roll call vote: Katie, Roger, Christine, Bard and David voted affirmatively. Motion passed.

Discussion continued:

- David said, this is one of the things that is a sign of the times and safety in these times of crisis is prudent.
- Jeff Forward said he would like to support the resolution, that he is hoping is that it creates a culture in town to wear masks. Katie added that the greater the culture of mask wearing the faster we will get back into life.

iv. Other COVID-19 health crisis items

Josh reported:

- that when on Zoom meetings if people lose power how did the board want to handle it? Most of the board members have smart phones but residents may not, and the public needed to be able to participate. Josh will ask VLCT for guidance. David said he would like to revisit this next week.

b) Update on signage options for canoe access at Volunteers' Green

Josh reported:

- that this was a follow up on last week were people were using the Gifford's property when entering and exiting the river,

- that he met with the Gifford's and agreed to looking at ways for the public to identify the public access,
- that they agreed to put a sign up on bridge abutment that says "river exit with an arrow to left" as well as a sign that says, "canoe access 100 yds on left bank", the Gifford's will have a "no trespassing" sign and the park will have a sign that says "canoe access" as opposed to boat ramp so people don't try to drive down to the river.
- that Pete will order the signs

Roger moved to put the signs up, Katie seconded. Roll call vote: Bard, Katie, Roger, Christine and David voted affirmatively. Motion passed.

c) Follow up on Cochran Rd. parking

Josh reported:

- that this is an update from last week when Residents came to the Board with safety concerns involving more cars parking on the edge of Cochran Rd. and more traffic. Changing the ordinance was discussed and do to the amount of time it takes a short term solution of placing rocks or something to prohibit cars from pulling off the road was discussed.
- that due to liability concerns he looked into placing metal posts every 5 ft. so cars are not able to get off the road at an approximate cost of \$2600. for the posts. VLCT suggested object markers at a cost of about \$8.50 each.
- that in 2019 there was discussion about putting in a parking lot that is in the flood plain and could not be paved. There are also some trees may be protected. He said that if the Board wanted to look at it again he could work with zoning to see what can be done.

Discussion included:

- Bard asking Josh if there is a site plan for where posts would be placed. Josh showed a map and used his mouse to indicate area.
- Bard asked why there was no parking in the field. Josh replied that there are restrictions that include no motorized vehicles on field and is limited to a 5 car parking area. Bard asked how to accommodate people wanting to access river? suggesting that the 5 spaces be pursued and figure out where to tell people to park in other locations, pending an ordinance.
- Roger thought there needs to be a decision whether we want to encourage people to use the river or gorge. He thought we did not want to since increased use is why we have this issue. He said the more attractive we make it for people to come they will, we should make it harder, not easier and get a handle on how many people are using it. Do we want a resident only parking permit?
- John Rankin, disagreed with Roger. He said he has people park in front of his house all the time. When he went to park at a trail, it was full. At 6AM, when he's out jogging, he has passed 4 other joggers and a few bikers. People are outside, driven by the pandemic. Limiting access without considering the needs of residents to get out would be a mistake. The actions of the town have been to put up no parking signs when the Recreation and Trails Committee should be consulted to see how to access resources instead of a "not an not in my backyard approach".

- Diane, reported Jonesville has lost power, and was calling in with 5 other residents. David gave them the opportunity to speak. Diane, said it is in their front yard, and is a safety issue, adding, this is an accident waiting to happen. We want people to enjoy the river, but this is a safety issue. She thought the Board really needed to take some action. Bard replied there has been discussion about developing 5 lots, putting in temporary posts and diverting people to the 1 acre lot. He asked, "What is the balance between people who live here and people who do not". Diane said the 5 car parking lot should be made a drop off area with a sign suggesting where to park rather than clogging it up. Bard asked if she thought there needed to be posts on Duxbury Rd? Dianne responded we need to see what happens adding posts should be from bridge to bridge, Jane Miller needs posts, and corner of Wes White Hill. There should be some information about why and where there is parking. Let people know where other parking areas are in Richmond as well as other places to get into the river. Bard said, human nature is, if people cannot park on Cochrane Rd then they will park somewhere.

David asked if anyone has not had a chance to speak

- John Cohn said he wants to see resources used. He suggested that the Town could have stickers they could give out, have a fee, waive fee, but only give out enough that there is parking capacity for. He feels we have grown beyond our capacity.
- Alex ?, lives on Cochrane Road, and she owns the field that was used for float-a-palooza, she said, it is not a pandemic thing, every year it is getting worse. She is 2 year old and spends all summer asking people to slow down. She has had to put a fence up. She said you just cannot see around the corners because there is so much parking on the side of the road. She suggested a Bike rental, like Burlington has, to allow people to bike to the river, carpool, respect field and neighbors, show the bike path to Cochran's parking lot. She wants help from the town to address the safety issues.
- Katie asked if there was a time when there was an acceptable number of cars there saying if we are putting barriers up, is there a way to create a number of spaces along the road where there is visibility? David responded that there are two issues: it is an unsafe situation and what is more permanent solution?
- Dianne said that Bolton decided to put no parking signs at the holes. No cars are acceptable due to visibility and safety issues and felt there should be no parking bridge to bridge on Cochran Rd. Bard replied compliance is that people can park at the school. This is a tough one, he thought using the Regional Planning Commission would be a more scientific way.
- Lou Borie said the parking was planned in 2009 when Wes White Hill was just reconfigured and at the time it was thought that parking would be adequate but built in the possibility of the 5 spaces if it was not adequate, that 5 space parking would need to be funded. He thought the possibility of making it a drop off was better than having a parking lot suggesting a shuttle system to other lots or the gorge saying it may be a way to solve several problems.
- Cathleen Gent thought there were many great ideas and that there is a Transportation Committee that this is a great topic for adding that they could do some planning work and work with the Selectboard. There are a lot of voices. Bard said there is what do we do immediately, and how do we plan in a more thoughtful way parking and other traffic he is concerned that putting stakes on Cochrane Rd will cause parking problems on other roads. David replied that

the immediate safety concern needed to be dealt with tonight and that a long term solution was needed. Bard said spending \$3-5,000 for a temporary solution is a lot that down the road there will be an ordinance and then the posts won't be needed adding there is an ordinance about parking close to an intersection.

- Christine agreed that some, but not all spots needed posts, make an effort to cut the cost, see how much it will help, let's not go all in but see. She thought putting up better messaging. Roger said he would be an advocate of something more temporary. Bard said the cheapest things are plastic posts
- David said the posts could be reused by highway. this needs immediate action. Bard asked Pete to come up with fiberglass pole, obvious line of site, then see what happens.
- Christine asked if the board should approve a dollar figure though not intending to put a dollar amount on safety.

Roger moved to allow Josh and Pete to spend \$4000 to prevent parking on Cochran Rd.; Katie seconded. Roll call vote: Kate, Roger, Christine, Bard, David voted affirmatively. Motion passed.

Discussion continued:

- Diane from Cochran Rd said the "no parking on roadway" sign caused increased parking. Pete replied that you can legally park there until we have an ordinance that says you cannot. Kyle said that state statute also covers parking on the roadway.
- Josh said that the current ordinance says, no parking within 15' of intersections. Bard suggested Pete spray paint 15' hash marks in each direction with a no parking sign at the intersections. Kyle thought that was a good idea, it provides a defensible position. Pete thought a physical barrier or ordinance was best.

d) Discussion of CSWD Drop Off Center

Josh reported:

- there has been the question of when CSWD would be reopening?
- that there is no timeframe yet. CSWD it is about safety of staff and traffic backing up due to slower process letting people in. Asked if Logan has an update?

Discussion included:

- that Logan Hegg reported that Hinesburg opening this month and that sometime in September Richmond may reopen. He said a lot of things are still in flux as other drop off centers reopen. Connie replied that a citizen called and was upset, he wanted to know why the center is not open asking if we did not pay our bill or if it was COVID related. He wanted to know how it was less risky than our citizens having to go to Williston to have two employees at the site. Logan replied that it is about spacing.
- Bard said CSWD is an independent entity that is not controlled by the Town. Callers should be directed to CSWD with questions. Connie said that the caller said he had called many, many, times and there was not way to get through to them. Logan said he related the same concerns, and he thinks that it is being addressed. Connie asked if we have voted on their budget. Roger replied, yes. Logan said there was an

approval. Bard added that to be clear, the CSWD lease may be up this year. Connie said the \$1 annual charge was paid recently.

- Bard said as far as compost, people can compost on their own or take it to the Williston drop off center. Logan added that Essex is also open and that Cassella is trying to ramp up their own program. Josh said Casella's communications people were going to contact Linda.
- that the CSWD Lease expires Dec. 31 of this year. David asked if it was a 5year lease. Josh said yes.
- Bard said one of the other things that is on the radar is the possibility of having a hauler with a truck, for a certain duration of time, he didn't know if any haulers are interested. He said that he does not think a dumpster would work. Josh said Cassella proposed leaving a dumpster and charging a \$10 minimum for 4 bags, can look at a compost drop off. Bard said he thought there may be some interest. David asked to bring it back next week.

e) Update on Police Chief hiring process and discussion of a request that this process be paused

Josh reported:

- that at the last meeting the hiring process was discussed including a hiring committee,
- that the job description posted last week
- that the plan is to use the same process as used when hiring the last chief
- that questions will be developed to ask potential candidates including ethical questions. He said that after the initial round there will be two candidates, then a public forum with feedback from community and employees.

Discussion included:

- that David received a request to put the process on hold.
- that Sean Witters said this is a process the Richmond policing and policy group hopes to have a say. He said he has looked at the present ad and that things are changing in American life right now. He said that they have asked about the parameters to have a dialog. He said that the letter he sent documented the spirit of the work being done in the Town. He asked, what if the Town had a public administrator, reinvent what we call a police chief. Sean said that the Richmond Equity Group would like to be part of the conversation. He said they started the process of including the Howard Center. He said he would like to keep things in perspective adding budgets are moral documents. We are asking about an evolution in this job and requested that the Board reconsider the current advertising of the position. He suggested a new job description that will impact the candidate pool. He thought now is the time we are looking for someone that is interested in innovative work. He requested that the town pause and revise advertisement. Bard replied that before we jump in with other members of the group, he wanted everyone to know that the Town Manager and Selectboard not long ago did extensive work on the budget. He added that towns and cities are not responsible for mental health or addiction issues that the state funds mental health and money goes that go to a private non-profit. He said that the SRO position at the school is funded by the school itself, the town does not manage the school budget.
- that Jay Furr said that in the past he has been a board member of NOMI. He did think that mental health does play a role in policing and has heard stories of police disregarding what they've been taught. Police here have thoughts that everything is done behind the wheel, de-escalation techniques are necessary because the ER isn't

the optimal place for someone with mental health issues. As far as addiction, what is Richmond doing in that regard? Can we look at the position as a way to address those issues? Roger replied that since the chief's position and all the positions hired since then community policing has been in mind. Jay Furr said he has been impressed with Chief Muldoon. Roger replied that mental health and addiction issues are being partnered with the chief position, but not the primary focus. Jay Furr said he wants to make sure that it stays that way. Bard said that is the job of the Selectboard and we hired this chief. We have done a good job with previous staff. We are in a very different place than we were a few years ago. We have staff trained in de-escalation, our police stops do not show anything. What problem are we trying to solve by delaying the job? Bard said he was not comfortable saying we need to hire someone who works with the school and Howard Center. Christy Witters said the town has done a wonderful job and we were very lucky to get Larry as our Chief. Christy said she is not part of the equity group but sees the turnover in our police department and sees this as way to look at policing. Reinventing the same position has not worked. She asked what the links are between community services. She said Larry expressed that he did not see a need to participate in the equity group when it could create efficiencies. Christy thought there is more we can do as a community and that the intersection of this is the police chief.

- Roger said, Larry did not want to be involved? Christy said she misspoke, that it was another program, one related to teens. It was a place for the police dept to be involved. Sean said, the group has identified that adopted children are an issue. Kyle said Brett was directed to coordinate as SRO rather than Larry doing that himself. Christy said that it was the VT Youth Project. Kyle said Brett resigned shortly after that. Stefani said that is why it is important to align our systems a little better. Her experience is that Chief Muldoon is great, but that Sean is saying the suggestions are not about pausing. They were surprised that the ad was posted so quickly. Officers leaving to other towns who pay more. She thought the ad went out too fast and could we bring in a better pool of candidates. She is confused about the SRO funding asking if the \$30,000 is contracted. Bard said comes up as an expense. Connie added that whatever we bring in is offset against police salaries. She said it helps with pay and benefits. She thought assumptions were being made about what officers are actual doing. She urged the group, who has not seen just how our police handle very difficult situations, to consider that just maybe we are already doing what you think they should be doing. We cannot keep waiting to advertise the position because we only have 2 full time cops. She said it is not just about getting more money. That is not fair to the department officers still here dealing with everything from traffic coordination to murder, suicide, and drug deals. We can hire a police chief with certain expectations and move on.
- Katie felt in some ways we are talking about two separate things that absolutely go together. Services the town provide, such as the VT youth program, anti-drug coalitions, and the Howard Center and then the police chief position that is somewhat connected to those things. She did think it was necessary to put the chief position on hold. Roger, said Larry leaving is good luck for Larry, he did not anticipate it when he was hired, and that the department basically turned over when Buck retired. What really matters is who we hire. I do not want to feed a candidate the words we want them to say back. The people want a police department, it needs leadership and personnel that are accountable to the town. We need to think hard and be deliberate about who we hire he believed that the process should continue.

Sean said we are not saying we have aggressive policing, but that community policing does not adequately describe the process we want. The ad does not address the spirit of the position. Applicants could decline if not told upfront what we are looking for. He felt efficiency would be better and that was addressed in the letter that was sent. Katie said she had been looking at other police department websites and they don't have a lot of information about policy training or philosophy posted. Maybe we should have something on the website that educates people.

- Roger said that someone that applies for the position wants to be a small-town chief and could be deceptive and just tell us what they think we want to hear. Sean, you want to hit the right balance.
- Bard asked, do we think the process worked when hiring Larry? Bard added that it is the Town Manager's job to do the hiring, just to be clear. Ann Naumann, it would be nice to be upfront with anyone coming in where we stand. Bard asked if there were specific edits that could be sent to Josh and David in the very near term. Sean replied that they could get language to Josh, just a few clarifications. David said he was very happy with the process used for hiring Larry adding if we had not found him, we would not have hired someone who was not like him. David added that it is important to proceed. Crime will not stop while we are looking for a chief but he was not opposed to tweeking the ad.
- Bard said, for clarity, we were asked to pause. We intend to proceed with an update to the ad and continue with the hiring process. Christine asked if the search committee would look at questions and see if questions need to be updated with emphasis on examples raised. Josh said the committee would look at any changes needed as well as the strategic writing exercise and update them as needed.
- Ann Naumann said the police issue suddenly has a lot of people interested and we are not trying to be a problem. Patti Brushett said we should be asking Larry if he were to be continuing on what would the next steps he would take? Members of her group would like to interview him about what he likes and what he would change, Ask him to share some of his wisdom although she thought Josh would already be having those conversations, Sean said change is happening so let's talk about the change adding anyone that wants to can join the conversation should.
- David said that he does not want discussions to be seen as antagonistic and the board appreciates hearing thoughts advise and opinions. He felt these are good discussions to have and we will be better as a community having had them.

f) Consideration of ratifying agreement for Acting Police Chief

Josh reported:

- that this is an agreement to hire Kyle as Acting Police Chief and is separate from the union contract. He said this would keep him in the union while acting police chief.

Bard moved to ratify the agreement with Sgt Kapitansky; Katie seconded. Roll call vote: Roger, Katie, Bard, Christine and David voted affirmatively. Motion passed.

IV. Approval of Minutes, Warrants and Purchase Order

Bard moved to approve the Minutes of 7/6/20, Katie seconded. Roll Call Vote: Katie, Bard, Roger, Christine, and David voted affirmatively. Motion passed.

Invoices and warrants:

Christine looked through the invoices and thought they looked ok, no questions.

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

Josh will send the warrant out for signatures using DocuSign.

Purchase Orders:

Bard moved to approve PO # 3766 to Burlington Communications for a repeater for the Fire Department in the amount of \$12,777.50; Roger seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Bard moved to approve PO # 3971 to VLCT to pay workers comp and PACIF insurances in an amount not to exceed \$135,315; Katie seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Bard moved to approve PO #3903 to Various Vendors for gravel in an amount \$150,000; Roger seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

Bard moved to approve PO #3980 to various vendors for chloride in an amount not to exceed \$15,000; Roger seconded. Roll call vote: David, Katie, Roger, Bard, and Christine voted affirmatively.

VI. **Executive Session if necessary**- none

Next Agenda:

Speed limits standard for setting them is the rate of speed people actual travel. Find someone who can address this and make recommendations. Engage someone from Transportation Committee.

Town Center window coverings

VII. **Adjourn**

Roger moved to adjourn; Bard seconded. Roll call vote: Katie, Christine, Bard, Roger, and David voted affirmatively.

The meeting adjourned at 10:45 PM