

Selectboard Minutes 4/6/2020

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

Members Present by phone: Roger Brown

Absent:

Others Present by Zoom: Josh Arneson, Town Manager; Kathy Daub-Stearns, Admin. Assist.; Pete Gosselin, Highway; Ravi Venkatataman, Planner; Kyle Kapitansky; Police, Kendall Chamberlain, Water & Sewer Superintendent; Jean Bressor, Trails Committee, Chris Granda, Planning Commission, Judy Rovsofsky, Conservation Commission; Chris Cole, Planning Commission, Virginia Clarke, Planning Commission; Lauke Park, Planning Commission; Rob Landry Steve Palmer, Engineer for Green Mountain Engineering; Ed Goudreau; J Hutchins Construction, Josi Kyle, Buttermilk; Brendon O'Reilly, Buttermilk; Lou Borie, Richmond Land Trust; Greg Elias, and Angelica Contis recorded the meeting for MMCTV Channel 15.

Called to Order: 7:04 PM

II. Welcome by David.

2. Items for Presentation or Discussion with those present

I. Additions or Deletions to Agenda- none

II. Items for Presentation or Discussion with those present

A) Reorganization: Selection of Chair and Vice Chair, Board Secretary, Official Newspapers

Discussion included:

- David requesting direction from the board
- Bard responded that given the circumstances he would recommend maintaining the current positions for 2 months then revisit reorganization of the Board.
- Katie and Roger agreed provided David and Bard were willing

Roger moved to continue maintaining the Board positions for the next 2 months, Katie seconded. Roll Call Vote: Katie, Roger, and Christine voted affirmatively. David and Bard did not vote.

Discussion continued:

For the position of Secretary David suggested keeping Kathy Daub-Stearns on as Board Secretary.

Bard moved to have Kathy Daub-Stearns continue as Board Secretary, Bard seconded. Roll Call Vote: Katie, Christine, Bard, David, and Roger voted affirmatively.

Discussion continued:

David provided information that the Times Ink, Burlington Free Press and Williston

Observer newspapers were the newspapers currently being used by the Town for legal notices. The question of using Seven Days was presented with information provided that their print schedule doesn't meet the demands of the town.

Bard moved to make the Times Ink, Burlington Free Press and Williston Observer the newspapers of record, Roger seconded. Roll Call Vote: Katie, Christine, Bard, and David, voted affirmatively.

B) Consideration of approval of Access Permit Application at 25 Thompson Rd.

Bard moved for the approval of the Access Permit Application for 25 Thompson Rd, Katie seconded. Roll Call Vote: Roger, Bard, Christine, Katie, and David voted affirmatively.

C) Follow up on social distancing measures at the Richmond Market

Josh reported:

- that he reached out to the Market and learned that curb side pick up was not available anywhere, that two other locations had to discontinue the service due to demand
- that what the Market **is** doing is:
 - o putting guards up by each cashier
 - o providing gloves to staff (optional)
 - o doing extra cleaning
 - o if staff is sick they are being sent home
 - o any employee who leaves out of state is required to stay home for 14 days,
 - o that a biohazard clean-up service is ready to deep clean if it becomes necessary
- that the Market is also considering:
 - o using only registers 1 & 3
 - o providing cotton masks to employees
 - o implementing a maximum number of shoppers
- that he Market would like customers to know:
 - o that Increased pricing is coming from distributors
 - o that paper products are in short supply
 - o to please **not** bring your own bags due to COVID concerns
 - o that the Market's busiest time is around 5PM so if customers should shop at other times that would be helpful
 - o to please have only one family member at a time in the store
- that the Market recommends:
 - o bringing a list
 - o maintaining a safe distance
 - o purchasing only what is needed for the week

For specific questions or suggestions, the Market asks that you call Lacey, the store manager.

D) Consideration of a request by the Richmond Land Trust, supported by the Richmond Conservation Commission, to use \$1,500 of Conservation Funds for a Swimming Hole Steward Program

Lou Bori from the Richmond Land Trust provided an overview of the Swimming Hole Steward Program.

Updates on the program included:

- the position being funded for 3 months, an increase from 2,

- that weekly hours had been increased from 30 to 40
- that the position was approved and partially funded by Americorp.
- that Huntington Gorge will be closed as a result of the wash out of Dugway Rd. therefore the position would only apply to Triple Buckets and Bolton Potholes
- that the position is under recruitment with June 1st as the potential start date.

Discussion included:

- that the steward's hours would be mid-morning to early evening usually the busiest times
- whether this position is the result of seeing problems
- that with increased use of lower gorge:
 - o there is more litter,
 - o trails need more maintenance,
 - o there are potentially more issues with users doing inappropriate or dangerous things,
 - o that people may not be aware where to swim safely,
 - o that these things would improve with education.
 - o that the Richmond Land Trust is considering putting a port-o-let at lower gorge.
- that the steward:
 - o would not be considered law enforcement,
 - o would call the police department for enforcement if necessary,
 - o would encourage good behavior by providing information,
 - o would educate but not appear heavy handed,
 - o would not be a parking monitor but would alert someone they were parked in a place where they would be ticketed and towed.

Lou provided information that the steward program is modeled after the Long Trail steward program and that he is not aware of any other swimming hole steward programs in the state.

Bard moved to approve the request by the Richmond Land Trust, that is supported by the Richmond Conservation Commission, to use \$1,500 of Conservation Funds for a Swimming Hole Steward Program, Katie second. Roll Call Vote: Roger, Katie, Christine, Bard, David voted affirmatively.

E) Update on Bridge St. infrastructure project

Josh reported that he, Ed Gaudreau, from J. Hutchins Construction and Steve Palmer from Green Mountain Engineering had met and that the start date for the project has been pushed back to April 22 with the possibility that if the stay home, stay safe order is extended by the Governor the date will have to be reevaluated.

Steve provided the following information:

- that the contract with J. Hutchins Construction covers acts of god, therefore J Hutchins would be able to ask for a time extension but not more money.
- that the timeline has been pushed back a week and that if COVID 19 stay home, stay safe order is continued it will be pushed back further,
- that things to anticipate during construction include:
 - o traffic delays
 - o flaggers, signage, barriers
 - o one-way traffic
 - o parking restrictions
 - o heavy equipment noise

- dust /dirt
- periodic access issues for pedestrians and businesses
- potential night or weekend work

Steve noted that:

- traffic and parking restrictions will change as the project progresses.
- April 15th message boards will go up on East Main St. and by the Round-Church.
- Messages will change throughout the project as construction moves along.

Ed then provided the following information on Phase One of Lower Bridge St.:

- that construction of the underside of the bridge should begin in early May
- that the under bridge construction will take about 5 weeks
- that 2 way traffic will be maintained as much as possible
- that there will be days when there is 1 way traffic for a few hours at a time on the bridge
- that the sidewalk may be able to be kept open.

Moving into Phase 2 on Lower Bridge St. toward the Round Church:

- where the project crosses the road traffic may be down to 1 lane over 2 days.

Moving to Phase 3 on Lower Bridge St.:

- the new line will be charged and tested
- once that is complete work will return to under the bridge to dismantle and dispose of the existing water lines.
- then restoration work will be done

Ed continued providing information on Phase 1 of Upper Bridge St:

- that there will be open excavation on April 22 to install the pipe on the south side of the RR tracks.
- that open excavation could last 5/6 days
- that daytime traffic will be 1 lane
- that flaggers will be available

Moving to Phase 2 of Upper Bridge St:

- that by taking parking spaces 2 way traffic will be able to continue most of the time. The goal is to minimize the effect on traffic by installing water and storm water infrastructure at the same time.
- that work will be done simultaneously on the Upper and Lower Bridge St. projects

Ed addressed the Health & safety plan for J Hutchins employees. He explained that the company safety director has put a safety protocols in place that will continue once they're able to return to projects. Those protocols include:

- no carpooling,
- social distancing while working,
- employees must bring their own provisions for lunch and breaks, they will not be permitted to leave the job site,
- employees will wear masks if there is still an order in place for them to be worn in public.
- then the obvious OSHA and VOSHA requirements.

The presentation was opened for questions:

Christine asked if there was a plan for staging materials and equipment?

Ed responded that they will be using part of the Town Highway Dept. lot and pipe will be staged along the side of the road, a few days at a time. Equipment will probably be

parked at the Town Garage or Treatment Plant, some will be left at work site overnight and the Office Trailer for Green Mountain Engineering will be at ball field on Jericho Rd.,

For the questions related to parking, Josh reported:

- parking at the Browns Field lot will be for local business employee parking and provide a place for the Green Mountain Engineering office trailer.
- that there will be 17 spaces impacted on Bridge St. and signage will direct people to parking.
- that 8 overnight parking spaces on Depo St. will be moved to the Town Center lot.
- that the 15 minute spaces for the food shelf will move to RR St.

Discussion returned to Steve's presentation:

Communication with residents and businesses will be provided through message boards, the Town's website, a construction email list that has been initiated by the Town, bi-weekly updates to the Selectboard and direct communication with impacted residents and businesses.

The presentation was opened to questions:

- Katie asked, Have we heard from kids sports or Rooted Vt?
Josh responded that he has not heard from Rooted VT but that Little League has been delayed.
- Christine asked, Will utilities be impacted? Utility outages, phone or power?
Ed responded that he hoped not. If something goes wrong then it's possible nothing is planned. H added that there maybe a water shut off now and then and residents and businesses would be notified beforehand.

Ed and Steve were thanked for the update.

A) Review of changes to Jolina Ct. Zoning Amendment and consideration of setting a date for a public hearing

Josh reported that on 3/9 the Selectboard requested zoning changes to be presented at this meeting.

Chris Granda began by asking the Board to refer back to the Interim Zoning adopted when trying get the Creamery property redeveloped. He asked that the Board note that parking was allowed in the flood way at that time and that recent draft revisions for Jolina Court prevent parking in the flood way. Chris asked if the Board had considered the financial impact of the value of the property should parking be prevented?

Bard responded that Interim Zoning has expired and that Katie worked with a State Wildlife biologist to identify any rare and sensitive species with the goal being that as a Town we revisit the decision to allow the clearing of flood plains.

Ravi reported that parking could be permitted in an area that is not the flood plain or flood way.

The discussion that followed included:

- that every zoning change and DRB decision that has occurred since Interim Zoning has impacted the value of the property
- that the flood plain and flood way are two different things and need better definitions within the regulations
- that currently no applications for permits have been submitted for buildings or parking areas planned for that area
- that the developer feels the State oversight of the flood plain should be sufficient and the Town should not become involved in the process
- that Towns usually are involved in the process and may have restrictions that are more preventative than state regulations
- that the process is not a strain on the Town DRB Commission
- that if a parking lot were to be considered for the property that it would be permeable
- that the Town Plan has established guidelines and wording that should be used for the proposed zoning changes

The discussion moved to affordable housing, Ravi reported:

- that he had crafted regulations for consideration
- that the town would not be considered a landlord
- that the Selectboard or its designee would be responsible for enforcement of the covenants to ensure in perpetuity affordable housing
- that the way the proposal is written the affordable housing provision could be applied to other districts in the Town

Discussion on affordable housing included:

- that there should be enough of an incentive or bonus for affordable housing.
- that there is no obligation for a developer to use the proposed density bonus
- whether or not to consider affordable housing as a separate item from the Jolina Court revisions and whether there would be any negative effects if it were

Bard whether it would be reasonable to refine the proposed changes before the next meeting? Ravi thought that if he received input by Wednesday night for changes to be presented at the next Monday's meeting he could have something ready. Josi indicated she would provide feedback from the developer's side and contact Ravi to set it up.

III. Other Business

A) East Main St. Storm Water Outfall Project Items:

1) Consideration of approval of extinguishing easement on Dugway Rd.

Josh reported that the extinguishing of the easement on Dugway is a request made by David Savoy. The plan is for an exchange of rights of way that would provide the Town with an 8.5' easement to expand or move Dugway Road, provide the Town with an easement on Pleasant Street and release the existing easement on Dugway Road.

Katie moved to draft an easement to extend the Dugway Rd. Town Right of Way by 8.5 feet into parcel OL0375 where Dugway Rd. and the parcel share a border. Upon successful execution of this easement the Town will formally reject the offer of dedication between the Savoie's and the Town of Richmond that was agreed to on June 20, 2013

Roger seconded. Roll call vote: Roger, Katie, Christine, David voted affirmatively. (Bard did not respond)

2) Discussion of change of Scope of Work in the Green Mountain Engineering Contract to fund a survey

Josh reported that with the highway department doing work that had been planned to be contracted out there is a savings realized and that adding the survey will not exceed the orig. amount approved for the project. The survey will encompass all the properties potentially impacted by the replacement of the storm water infrastructure.

Roger moved to change the scope of work in the Green Mountain Engineering contract to fund a survey, Katie seconded. Roll Call Vote: Roger, Katie, Bard, Christine, David voted affirmatively.

B) Update on Dugway Rd. project

Josh reported that the call with FEMA provided information:

- that FEMA would require our engineer to provide a quote to return Dugway Rd. to its original condition
- that the amount of the new estimate was over one million dollars
- that the estimate had been submitted to FEMA
- that FEMA also requested easements be put in place with the Land Trust
- that it may be a stretch to get the Dugway Rd project compete by fall considering COVID 19 restrictions it may mean the project is done in the spring.

Josh went on to say that he had met with the Land trust about the gorge being closed for the summer and they agreed to use various ways to get the word out.

C) Review of bids and consideration of approval to refinance loans See memo from packet

Katie moved to approve the refinancing of the loans presented for refinancing, Bard seconded. Roll Call Vote: Roger, Bard, Katie, Christine, David, voted affirmatively.

D) Update on COVID-19 response

Josh reported:

- that there is a better understanding of how the new unemployment rules are implemented that include a \$600 federal add-on to someone's state benefit and that the "waiting week" has been waived
- that models were run to see what benefits would look like for employees should it become necessary and the results were favorable employees that qualified
- that there were some employees, that due to the few hours worked, that will not be eligible for unemployment

IV. Approval of Minutes, Warrants and Purchase Orders

Bard moved to approve the Minutes of 3-30-20, Roger seconded. Roll Call Vote: Katie, Bard, Roger, Christine, voted affirmatively. David abstained.

Bard moved to approve PO 3874 to Green Mountain Engineering for the Main St Outfall project in the amount of \$31,500., Roger seconded. Roll Call Vote: Bard, Roger, Christine, Katie, David voted affirmatively.

Invoices and warrants: Roger looked through them and thought they looked ok.

Bard, moved to allow the acting chair to sign the warrant and approve invoices on behalf of the Board, Roger seconded. Roll Call Vote: Roger, Bard, Katie, Christine, David voted affirmatively.

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

V. Discuss Items for Next Agenda

JC

Dugway rd

Covid 19

Kendall asked if the Selectboard would review the Water & Sewer bills and approve them at the same time as they are approving other invoices. It was decided that the Water & Sewer Commission would first have to approve the idea then it could be presented to the Selectboard.

VI. Executive Session if necessary

VII. Adjourn

Bard moved to adjourn, Katie seconded. Roll Call Vote: Bard, Katie, Christine, David, Roger voted affirmatively. The meeting ended at 10:35 PM.