

**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**  
**J u l y   1 6 ,   2 0 1 2   M I N U T E S**

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Members Present: Chris Granda, Chair, June Heston, Vice Chair; Neil Boyden; Amy Lord;  
Absent: Ashley Lucht  
Others Present: Geoffrey Urbanik, Town Administrator; Mary Houle; Cara LaBounty;  
Bruce LaBounty; Barbara Harrington, GreenSea Systems, Inc.; Ben Kinnaman, GreenSea Systems, Inc.; Lori Cohen; Brech Krauff; Kathryn Wysockey-Johnson; Jon Kart; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

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Chair Granda called the meeting to order at 7:00 p.m.

**1. Public Comment**

Chair Granda asked if there was any comment from the public.

Amy Lord offered kudos to the July 4th Parade Committee and that despite the weather that evening everything went well for the event.

Chair Granda offered condolences to the gentleman from Canada who died in a motorcycle accident over the weekend.

Presentation: GreenSea Systems Request for Parking Amendments

Ben Kinnaman and Barbara Harrington of GreenSea Systems presented their request for amendments to public parking to comply with their recent Development Review Board approval for an amended site plan. There were two parts to the request. The first was to the Selectboard to allow access to their property from the municipal parking lot on Bridge Street between Toscano's and GreenSea Systems. The second was to submit an application to the Vermont Agency of Transportation for on-street parking on East Main Street and to close the current access from East Main Street onto the GreenSea Systems property, located at 10 East Main Street. Mr. Kinnaman presented several pictures of how the new parking would look and why it was best for GreenSea and the town to pursue these changes.

Chair Granda said he had called Mark Sperry about this, and Mr. Sperry suggested a revocable right of entry or license. Chair Granda said that this would provide GreenSea with the access they seek while allowing the Selectboard to retain control over how the parking area is used and preventing this action for GreenSea to become a permanent right of way. He was also in favor of writing a letter to the Agency of Transportation to request the additional on-street parking.

Ms. Heston said that the plan looked beautiful and that it makes sense.

Ms. Lord agreed that the plan looked good. She asked how the town did not lose spaces in the parking lot, and Mr. Kinnaman said that there were no changes to the current parking plan for the parking lot, although parking along the fence would stop. However, this was not approved parking and people shouldn't park along the fence.

Ms. Heston said that prior to this the parking lot was dangerous with cars cutting through and this helps. Chair Granda added that with the closed access on East Main Street, the pedestrian access was enhanced.

1 Lori Cohen said that she was a member of the Development Review Board and had voted on the  
2 application for the first site plan and the recent amendment. She approved the first site plan and  
3 dissented on the second. She said that parking is an issue in the village, and the Development Review  
4 Board makes applicants go through hoops to reserve parking. On the amended site plan, the  
5 opposition was due to a loss of parking spaces for a private company and therefore more people must  
6 compete for what is left. She conducted the site visit, and at the end of the site visit she had to leave  
7 by turning left on Bridge Street and had two near accidents. Had she been able to turn left onto Route  
8 2 it would have been safer. She felt that safety was more of a concern this way.

9  
10 Chair Granda thanked Ms. Cohen for her comments and explanation.

11  
12 Ms. Heston asked what the approval decision vote was, and Ms. Cohen said three in favor, two  
13 against.

14  
15 There was additional discussion on the spaces, overall number of spaces and how they would be used.

16  
17 Cara LaBounty asked if GreenSea had two spaces of their own and the rest that were being discussed  
18 were public and the answer was yes.

19  
20 Chair Granda asked how the Selectboard would like to proceed.

21  
22 Ms. Heston offered a motion to approve a revocable license for access to their onsite parking through  
23 the municipal lot and was seconded by Ms. Lord. The motion carried 4-0.

24  
25 Ms. Heston offered a motion to write a letter to the Agency of Transportation requesting the closure of  
26 the access at 10 East Main Street and the establishment of two additional on-street parking spaces and  
27 was seconded by Ms. Lord. The motion carried 4-0.

28  
29 Ms. LaBounty suggested that VTrans be contacted about drainage across the street.

30  
31 Chittenden Solid Waste District Consolidation Study - Tom Morreau

32  
33 Tom Morreau, director of Chittenden Solid Waste District, was present to explain the recent  
34 consolidation study. Mr. Morreau explained that the costs of trash were split approximately 80%  
35 collection and 20% disposal. CSWD hired a company called DSM to study how to achieve cost  
36 savings and research options to 1) Reduce costs, 2) reduce environmental impacts from truck traffic, 3)  
37 Increase recycling through implementation of a "Pay As You Throw (PAYT)" variable cost structure  
38 and 4) increase the diversion of organics from the trash. Mr. Morreau referred to a summary of the  
39 report and discussed the results. The first phase was suggested to be the implementation of a contract  
40 system for collection of trash. Currently there were a number of trash collectors in the County and  
41 residents for the most part contracted independently for this. Under the proposed system, CSWD  
42 would contract with one or more collectors that would service every one in the County. This happens  
43 in most other places around the Country.

44  
45 Ms. Heston asked how this would increase recycling. Mr. Morreau explained that with Pay as you  
46 throw, you could choose smaller containers and pay less. Therefore, to use the smaller container, you  
47 would have to throw away less trash and ideally recycle more.

48  
49 Chair Granda asked what would happen within CSWD if they take on this administrative function. He  
50 also asked if you limit competition how would you prevent costs from going up, and is there an

1 "emergency brake?" Mr. Morreau said that before implementation, it had to be researched and  
2 everyone had to agree to the change.

3  
4 Chair Granda asked what was Mr. Morreau looking for to continue. Mr. Morreau said that the  
5 progress would continue unless strong opposition was raised. Chair Granda said that he had some  
6 concerns, and people might want more efficiencies. Mr. Morreau said that at each phase, the town's  
7 board members should communicate with the Selectboard.

8  
9 Mr. Boyden said that it would take time to answer some of the questions to be sure that efficiencies  
10 were proven.

11  
12 Ms. Heston said that the small hauler still needs to be addressed. Mr. Morreau said that CSWD was  
13 looking into how they can continue under the new system, such as subcontractors.

14  
15 Mr. Boyden said that people may continue to want a choice in hauler.

16  
17 Chair Granda asked what the timeframe for this change was, and Mr. Morreau said in three to four  
18 years.

19  
20 Mary Houle said that small haulers had already adapted to recycling, but asked if there would be lost  
21 jobs due to billing consolidation?

22  
23 Mr. Morreau said that right now, haulers do their own billing. This question hasn't been answered yet,  
24 and it may be that CSWD works with haulers for billing but CSWD billing wasn't designed to be a  
25 profit center.

## 27 **2. Other Business**

### 28 Invoice Audit

29  
30  
31 The Administrator explained that the intern had completed the alphabet, and was starting to review the  
32 invoices that were pulled for questions. A full report on the findings should be prepared in about two  
33 weeks.

34  
35 Chair Granda said that he had met with the intern today and he was confident in his abilities. There  
36 was some discussion of a future presentation and when to schedule.

### 37 Loan Documents for Excavator and Browns Court

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39  
40 The Administrator explained that the final loan documents for the purchase of the Excavator and  
41 Browns Court Waterline were prepared and ready to be signed. The amounts were for \$110,000 for  
42 the Excavator and \$70,000 for Browns Court, at 2.32% over a five year term. The Administrator  
43 reported that the Browns Court waterline was in place, and awaiting bacteria testing before the service  
44 connections were switched over.

45  
46 Ms. Heston offered a motion to approve the resolution, certificate and note from Merchant's Bank for  
47 \$180,000 payable over five years at 2.32% and was seconded by Mr. Boyden. The motion carried 4-0.  
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## Approval of Minutes of July 2, 2012

Ms. Lord offered a motion to approve the minutes of July 2, 2012 with minor amendments and was seconded by Mr. Boyden and the motion carried 4-0.

## VYCC Tax Status

Chair Granda said that this was an issue that the Selectboard needed to be brought up to speed on. The Vermont Youth Conservation Corps had an existing agreement on exemption status on one parcel, commonly called the West Monitor Barn. This was now being examined by the listers as part of their annual property review. The listers have changed the tax status for the second parcel, the East Monitor Barn, which was purchased after the date of the agreement on the western parcel. VYCC had appealed to the Board of Civil Authority in this case, and the appeal was scheduled for July 25th. The Board of Civil Authority had not yet received information on this topic. Therefore, the discussion tonight should be limited. Chair Granda noted that the current agreement was in effect for two more years.

The Administrator added that the fiscal year 2010 and 2011 payments were not yet made, due to a billing error by the town in those years. The bills had been mailed earlier this year when the mistake was discovered, and VYCC had spoken with the Administrator regarding the possibility of trading labor for town projects in lieu of the back payments. The Administrator said he was not quite sure if he had the authority to do this. Chair Granda said that if this was the case, perhaps installment payments could be made.

There was additional discussion. Bruce LaBounty said that lots of people were struggling to pay their taxes in town, and if the town opened this up for negotiation then they should do this for all taxpayers.

Ms. Lord said that the back-pilot payment was separate from the Board of Civil Authority appeal, and should not be included in the BCA appeal next week.

## Treasurer Job Description

Jon Kart, Assistant Treasurer, was present to discuss the role of the treasurer in town. There was discussion on to what extent the Selectboard could require non statutory expectations. Chair Granda said that this was needed so that it could be used as a tool to recruit a Treasurer.

Mr. Boyden asked if this had been done for the Town Clerk.

After some discussion and suggested amendments, the Town Administrator was directed to post a recruitment ad on the VLCT website and also in the Times Ink!

## **3. Reports from Selectboard and Town Administrator**

### Vactor Discussion

Chair Granda said that the Selectboard needed Ms. Lucht's insight into the agreement before the Selectboard could move forward.

1 There was a discussion on the transportation requirement for the trailer mounted vector. Mr. Boyden  
2 felt that this function was better suited for a private contractor. After additional discussion the item  
3 was tabled.

#### 4 5 Safe Routes to Schools

6  
7 The Administrator reported that the State was taking over this grant, which was for signage along  
8 Jericho Road. This was now part of a larger regional project.

9  
10 Katherine Wysockey Johnson asked if there was a contact at the State for this, and if that information  
11 could be shared.

#### 12 13 Soccer Goals

14  
15 The Administrator reported that Richmond Recreational Soccer will be replacing their goals soon,  
16 using their funds to do so. These funds are housed under the town's accounts and the Selectboard will  
17 have to authorize payment, however, the funds belong to soccer and they are free to spend them as  
18 they please.

#### 19 20 SSTA Funding.

21  
22 The Administrator reported that the new SSTA budgets were being developed and the proposed  
23 allocation for Richmond was \$10,000 plus a \$2,500 cash match, which is about \$3,000 more in total  
24 than last year. This would help in getting the rides that are demanded. The Administrator added that  
25 the federal grant for this program had a 10% cap on social/personal trips and last year the grant spend  
26 18% on these non essential trips. SSTA was raising awareness of this, and therefore the  
27 overexpenditures from last year are not likely to be repeated if this cap is enforced.

#### 28 29 Bridge Street Bridge Painting

30  
31 The Administrator reported that the bridge painting project was complete and there was a two-week  
32 inspection period and the contractors would be off of the job. Mr. Kart said he noticed some concrete  
33 spalling on the sidewalk, and wondered who was responsible for the repairs. The Administrator said it  
34 was three years since the project was completed, so it was likely that the Town was now completely  
35 responsible for those repairs.

#### 36 37 Dugway Road

38  
39 The Administrator reported that the Highway Department was going to have to temporarily close  
40 Dugway Road to repair the partial road collapse, next week. Signs were up warning of the closure and  
41 it should take approximately four days to complete.

#### 42 43 Draft Zoning Regulations and Special Meeting of July 23<sup>rd</sup> and August 2<sup>nd</sup>

44  
45 The Administrator passed around to the Selectboard paper copies of the draft zoning regulations.  
46 There would be a special meeting on July 23<sup>rd</sup> for a preliminary discussion with the Planning  
47 Commission. The Planning Commission would also hold its last public hearing on August 2<sup>nd</sup>. Then  
48 they would formally present the draft regulations for adoption on August 2<sup>nd</sup>.  
49

1 Cara LaBounty said that the public needed to see the document, and it should be made available to  
2 interested residents.

3  
4 Chair Granda said he was uncomfortable with the public hearing schedules in August. He was  
5 concerned that if there wasn't sufficient public input there would be a need to slow down the process.

6  
7 Cara LaBounty said the public wouldn't know what comments the Selectboard needed, and Chair  
8 Granda said that he encouraged the public to come forward, but to not duplicate the Planning  
9 Commission's work.

10  
11 Bruce LaBounty asked Chair Granda if he would be comfortable kicking the document back to the  
12 Planning Commission if there were enough complaints. Chair Granda said not by the number of  
13 people but the context of the arguments.

14  
15 Ms. LaBounty was concerned that the intent of the new regulations wasn't clear and she didn't want to  
16 have varying interpretations by different town officials such as the zoning administrator or  
17 Selectboard.

18  
19 Mary Houle said she noticed that most of it wasn't prepared by someone from Vermont but someone  
20 from Connecticut.

21  
22 Jon Kart said that the Planning Commission made significant efforts to obtain public input on the  
23 changes.

#### 24 25 FEMA Hazard Mitigation Grant Buyout of CO2614

26  
27 The Administrator explained that he had been on a conference call to discuss several issues regarding  
28 this buyout application last week. Also on that call were Amy Lord, Cara LaBounty, Ann Cousins and  
29 several state and federal officials. The purpose of the call was to determine what was needed or try to  
30 answer questions in three areas: historic review, status of proposed remaining property in the  
31 floodplain, and substantial damages. The results were that additional information was needed for the  
32 historic review, and FEMA might want to obtain development rights to the property remaining in the  
33 Special Flood Hazard Area and a review of the structural condition of the property was requested.

34  
35 Chair Granda asked Cara LaBounty, who prepared the original grant application, if there were any  
36 issues or objections to obtaining this information.

37  
38 Cara LaBounty explained that she had requested a list of contractors from KAS engineering for  
39 companies that did house moving. She called everyone on the list and agreed to let the first one who  
40 called back provide the quote. The property owner paid for this estimate. The federal government did  
41 not require multiple estimates, and other options (such as elevation or relocation) weren't going to be  
42 funded by this federal program. Ms. LaBounty said that the property owners, Richard and Mary  
43 Houle, had nothing against the contractor recommended by Ann Cousins but they weren't the ones  
44 chosen to provide a quote. After this information is provided, FEMA will determine if it is feasible to  
45 remediate this historical resource.

46  
47 Ms. Lord said that the deadline for contractors was self-imposed by Ms. LaBounty.

48  
49 Cara LaBounty said that was correct, but there was a need to move and properly answer to get on with  
50 the process.

1  
2 Chair Granda said he understood the desire to move the process along but the Selectboard needed to  
3 assure support for this, meaning that if the proper procedures weren't followed the public would not  
4 likely support the findings to acquire and demolish the structure.  
5  
6 Cara LaBounty said she needed to hear if there were public comments against moving forward. She  
7 knew people want land for trails, but no other land is included in the application. If the public wants  
8 input, then they need to come out and be heard. FEMA believed the application to be sound and  
9 eligible so if people did not want the Selectboard to buy it, then say so.  
10  
11 Chair Granda said that no one was saying there was opposition, but they needed to be careful that you  
12 don't create opposition with the process.  
13  
14 Ms. LaBounty said that all of the contractors on the original contact list were state contractors.  
15  
16 Chair Granda said that we were in agreement about opening the process up.  
17  
18 Bruce LaBounty said that you couldn't wait until the 23<sup>rd</sup> hour to say "wait."  
19  
20 Ms. Lord said that the town had to provide a method for the value assessment, and the Administrator  
21 said it has and in the packet today was a letter from Ed Clodfelter.  
22  
23 There was much discussion on a variety of topics such as floodplain development, development rights  
24 to the remaining property, what's left after the buyout and will the water well be allowed to stay on the  
25 property.  
26  
27 Ms. Lord requested a review of the application and Ms. LaBounty said if she had questions to ask  
28 them now.  
29  
30 Ms. Lord noted that the Vermont Preservation Trust had offered a grant for a professional evaluation  
31 of the building's condition and how it might be moved, but this had been refused by the property  
32 owner.  
33  
34 There was discussion about the cash match and the possibility of the state using Community  
35 Development Block Grant funds towards the match.  
36  
37 Ms. LaBounty said that the property owner had to make plans to deal with the situation, was this a  
38 denial of the application.  
39  
40 Chair Granda said no one was denying the application, but there now had to be a public review of the  
41 project. He suggested a public meeting to explain the project and see if there was any opposition.  
42 There was a need to "vet" the project.  
43  
44 There was more discussion. Jon Kart said he appreciated Ms. Lord's attempt for due diligence, which  
45 was needed. There was agreement that a list of questions was needed so that information could be  
46 compiled and shared.  
47  
48 Ms. Heston agreed that the town needed to have a transparent process. Mr. Boyden added that a  
49 discussion of how the town would fund its match was needed. Ms. LaBounty said that the match  
50 would be from state funding.

1  
2 It was agreed by the Selectboard that a date in August for this hearing would be scheduled.

3  
4 Fire Department Heat

5  
6 The Administrator explained that the Fire Department had spoken to someone from Vermont Gas  
7 about switching from an oil heat system to a gas heat system. They had some suggestions, and the  
8 Fire Chief obtained some proposals for replacing the current boiler. Vermont Gas had offered to  
9 install the boiler free of charge, provided the town supply the boiler and associated materials.

10  
11 There was some discussion on the offer and the materials. Chair Granda said he wasn't in favor of just  
12 purchasing from a sole source quote but competitive quotations should be sent out. If Vermont Gas'  
13 offer was genuine it would save the town a lot of money. He said that this should be scheduled at the  
14 Richmond Climate Action Committee on the 26<sup>th</sup>.

15  
16 Katherine Wysockey-Johnson said that it was important for citizens in town come to meetings to learn  
17 and take part in discussion. She said regarding an earlier discussion she was upset that the discussion  
18 was stopped by an intimidating presence and then attempt later to restart it. She would like to see a  
19 clear process happening.

20  
21 Bruce LaBounty said that wasn't a fair statement and this was how it was disrespectful, he had been  
22 told he wasn't allowed to speak.

23  
24 Chair Granda said that this was a meeting of the Selectboard, not just a place to talk to other speakers.

25  
26 Bruce LaBounty said that he didn't know Ms. Wysockey Johnson but people need to hear that other  
27 people can be passionate and sometimes things can get emotional. People weren't trying to be  
28 disrespectful but you have to say they are passionate.

29  
30 Chair Granda moved on to request an executive session to discuss pending litigation in the Zitta v.  
31 Richmond case.

32  
33 Mr. Boyden offered a motion to enter executive session to discuss pending litigation at 10:10 PM and  
34 was seconded by Ms. Heston and the motion carried 4-0.

35  
36 At 10:35 p.m. Mr. Boyden offered a motion to adjourn the executive session and reconvene the regular  
37 session and was seconded by Ms. Heston and the motion carried 4-0.

38  
39 **4. Adjourn**

40 Motion by Mr. Boyden to adjourn the meeting at 10:35 p.m. Seconded by Ms. Heston. So voted.