

**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**  
**M a y 7 , 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; Ashley Lucht  
Absent: None  
Others Present: Geoffrey Urbanik, Town Administrator; Linda Parent, Town Clerk; Jon Kart; Roz Payne; Fred Fortune; Kathryn Bevis; George Bevis; Mary Houle; Marshal Paulsen; Bruce and Sheila Bailey; Pete Parent; Jane Van Landingham; Harold Irish; and Ruth Miller was present from MMCTV to tape the meeting.

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Chair Granda called the meeting to order at 7:20 p.m.

**1. Public Comment**

Chair Granda explained that the agenda was on a tight schedule this meeting, and that public comment would be at certain times instead of at random, to keep the business flowing. Mr. Granda said that the Financial Report will be a monthly review and discussion and there is a full hour for discussions on this and for the response on the audit. After the report, public comment will be taken.

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

Roz Payne talked about Jericho Road and the drainage swale in front of her house. There did not use to be the large stone that was there now, and this was preventing on-street parking. She asked that the large stone be removed, and she brought in some of the stones to show how large they were, and offered them to whomever would take them. Ms. Payne explained why she needed the additional parking.

Bruce Bailey added that the swale at the driveways was not working out.

There was additional discussion on this. Chair Granda suggested that Mr. Boyden and the Administrator look closer at this complaint.

Interview of Fred Fortune for Development Review Board

The Administrator explained that the Selectboard practice was to interview prospective candidates for appointment to the Development Review Board and Planning Commission. Mr. Fortune was a former member of the DRB

Mr. Fortune said that he had grown up on the old Brooklyn side of the river, meaning the south side of Richmond village. He had been on the DRB for four years, but got off for a time due to health reasons. He now wants to be back on. He believed in property rights, and that enforcement of regulations was needed.

Mr. Boyden asked how long ago had he served and Mr. Fortune replied three years ago.

Mr. Granda asked if he had been involved in any litigation against the town over zoning, and Mr. Fortune replied no.

Ms. Lucht asked what Mr. Fortune's background was. Mr. Fortune said he was involved with a major land developer, Bobby Miller, and he was primarily interested in keeping the aesthetics of applications in mind.

Ms. Lord asked what were the issues he dealt with in his prior term, and Mr. Fortune replied that construction debris left in Jonesville was an issue.

1 Ms. Heston asked what he thought the town's challenges were now. Mr. Fortune replied that the old Corner  
2 Market issue (GreenSea Systems) was important.

3  
4 Mary Houle commended Mr. Fortune for volunteering.

5  
6 Ms. Heston offered a motion to appoint Mr. Fortune to a four year term on the DRB and was seconded by Ms.  
7 Lord and the motion carried 5-0.

### 8 9 Chittenden Solid Waste Budget – Tom Morreau

10  
11 Tom Morreau, the General Manager of Chittenden Solid Waste District, presented the proposed FY2013  
12 budget. He explained that expenses were down by .3% and revenues were down by .7% primarily because of  
13 the transfer of the compost operations. Last year the 20 year bond was paid, so the overall budget was lower.  
14 The board was also working on a succession plan, since Mr. Morreau was going to retire soon.

15  
16 Mr. Morreau added that with House Bill 485, it was likely that at some point in the future all organic materials  
17 would be required to be separated from household waste. There was some general waste and recycling  
18 discussion with the board.

19  
20 The Administrator asked if this budget would increase costs to residents to dispose of their garbage and Mr.  
21 Morreau said no. He added that the budget called for \$4.76 less per ton to dispose of sewer sludge.

22  
23 Mr. Boyden asked about the independent stream for haulers. Mr. Morreau said that in the future a presentation  
24 may be made to the board on proposals to limit the haulers to increase efficiency. He said no one wanted to put  
25 small haulers out of business but with so many different haulers it meant more trips on the road for garbage  
26 trucks, which held a cost.

27  
28 Mr. Boyden offered a motion to approve the FY2013 CSWD budget as presented and was seconded by Ms.  
29 Lucht and the motion carried 5-0.

## 30 31 **2. Ordinances for Second Reading and Public Hearing**

### 32 33 Ordinance 01-2012 Amending the Park Ordinance

34  
35 The Administrator read the text of the ordinance: **The Selectboard of the Town of Richmond hereby**  
36 **ordains, that the Municipal Park Ordinance originally adopted in 2004 is hereby amended as follows**  
37 **(additional new language underlined) :**

#### 38 39 **SECTION FIVE: BEHAVIOR: NO PERSON SHALL:**

- 40  
41 1. Use or sell alcoholic beverages with the exception of one alcoholic beverage vendor, as part of the  
42 Richmond Farmers Market which shall be allowed to sell Vermont-produced alcoholic beverages as an  
43 agricultural product in accordance with Vermont laws. Consumption of this product is limited to  
44 samples only, according to law, and no other consumption shall be allowed on park property at any  
45 time. Containers sold must be unopened and remain unopened while on park premises. The vendor  
46 must currently possess all necessary permits and licenses required for legal sales.  
47

48 Ms. Heston offered a motion to open the public hearing for Ordinance 01-2012 and was seconded by Ms. Lord  
49 and the motion carried 5-0.

50  
51 Mary Houle did not think this was a good idea. There was the proximity to the park and playground and the  
52 farmers market did not pay Richmond taxes and did not employ Richmond residents.

53  
54 Roz Payne said she had been to many farmers markets where this was done. They serve samples in tiny cups,  
55 and not opening bottles of wine. A sample was no problem and allowing sales was a nice thing to do.

1  
2 Kathy Bevis asked why this specified only one vendor and who would choose the vendor. Caitlenn Jenness, the  
3 manager of the Richmond Farmers Market, said that their board would decide. Ms. Bevis asked if the vendor  
4 they had in mind had been at other farm markets and Ms. Jenness said yes, particularly the Waterbury market.  
5 Ms. Bevis asked if there was a problem with this could the town agree to change the ordinance back.

6  
7 Marshall Paulsen said he liked the idea and if any concerns were raised the Selectboard could change it back.

8  
9 The Administrator noted that the Farmers Market reserved the park, and that reservation could be revoked if the  
10 ordinance was not followed, or problems weren't solved.

11  
12 Ms. Jenness said that the last thing the market wanted to do was upset its host towns and they would remove a  
13 vendor that was creating difficulty.

14  
15 Roz Payne asked what they made, and Ms. Jenness said red and white wines.

16  
17 Ms. Lucht offered a motion to close the public hearing and was seconded by Ms. Heston and the motion carried  
18 5-0.

19  
20 Ms. Lucht offered a motion to adopt Ordinance 01-2012 and was seconded by Ms. Lord and the motion carried  
21 5-0.

22  
23 Ms. Houle commented that if there was ever a problem, the revoking of the ordinance was unlikely and this was  
24 unfortunate.

25  
26 Ordinance 02-2012 Amending the Traffic Ordinance

27  
28 The Administrator read the text of the ordinance:

29  
30 The Selectboard of the Town of Richmond hereby ordains that the Town of Richmond Traffic Ordinance is  
31 hereby amended as follows (new language **Bold** and Underlined, deleted language ~~struck~~):

32  
33 **Section I. Amendment of Existing Ordinance**

34  
35 Section 5A will now read as follows:

36  
37 **Section 5. Parking Regulations**

38 ~~1. Between 12:00 o'clock midnight and 6:00 a.m. on either side of TH #07 (Dugway Road) from a point~~  
39 ~~five hundred (500) feet south of TH #03 (Cochran Road) to a point two thousand (2,000) feet south of~~  
40 ~~TH #03.~~

41 9. Any part of the traveled portion, either side of TH#07 (Dugway Road) entire length; all parking  
42 prohibited between 12:00 midnight and 6:00 am.

43  
44  
45 Section 4B will add the following:

46  
47 **Section 4. Location of Stop Signs**

48  
49 TH #60 (Railroad Street) eastbound at the INTERSECTION of TH #01 (Bridge Street)

50  
51  
52 Ms. Heston offered a motion to open the public hearing for Ordinance 02-2012 and was seconded by Ms. Lord  
53 and the motion carried 5-0.  
54

1 Mr. Boyden asked if this was the language that was agreed to by Chief Buck and the Dugway Road residents at  
2 the April 2<sup>nd</sup> meeting, and the Administrator said yes.

3  
4 Fred Aldrich said there was lots of parking trouble on Dugway. He said the clearing of trees leads to more  
5 parking, which is more of a danger. He wanted a riparian buffer. He also said numerous people would camp  
6 along the river and behave badly. He wanted the parking limited more.

7  
8 Roz Payne asked where Mr. Aldrich lived, and he said the old Ring farm.

9  
10 Ms. Heston offered a motion to close the public hearing and was seconded by Ms. Lord and the motion carried  
11 5-0.

12  
13 Ms. Lucht offered a motion to adopt Ordinance 02-2012 and was seconded by Ms. Lord and the motion carried  
14 5-0.

### 15 16 Fiscal Update

17  
18 The Administrator explained that several memos and reports were included in the agenda packets.

19  
20 Ms. Heston said that the financial statements used for the audits were a good place to start. The Administrator  
21 explained several sheets and how they were being updated. There was some discussion about how to better  
22 present these, and providing either notes or a narrative to explain deviations from budgeted amounts. The  
23 Selectboard also suggested using a designated account system for disaster related expenses and recovery  
24 revenues.

25  
26 Ms. Heston asked that Department Heads also get this information regularly and the Administrator replied that  
27 they would receive status reports at Department Head meetings.

28  
29 Mr. Boyden asked where we would be at the end of the year, and the Administrator replied likely positive  
30 addition to the fund balance.

### 31 32 Response to the Fy2011 Audit Comments

33  
34 Mr. Granda explained that based on the audit presentation from April 16<sup>th</sup>, a number of concerns were raised.  
35 Mr. Granda went over some recent events and noted he had several phone calls and meetings with people, and  
36 he and Ms. Heston spoke with the auditor. He said that the next audit season is beginning now and the town  
37 needed to get ready.

38  
39 The Administrator was asked to review his responses to the audit comments. The Administrator began with  
40 comment 11-1 Financial Reporting. The Administrator explained that the town in the recent past has not  
41 produced its own financial statements, and that it was time for it to do so. He was confident that the town could  
42 accomplish this for the current fiscal year.

43  
44 Ms. Lucht said she recently attended the VLCT training on risk management and embezzlement. She said the  
45 presenter was an auditor who could come on site and educate the board on audits. He is a consultant, not the  
46 town's auditor.

47  
48 Ms. Heston said this would be valuable but we also needed a more technical part of the training for staff.

49  
50 The Administrator continued with 11-2 Staff Training, and commented that adequate training did not come  
51 quickly enough for the first six months of the financial director's tenure, resulting in mistakes and difficulties  
52 with the audit.

53  
54 Ms. Heston said that with all the difficulties we've had, the auditors recommend that we not change personnel  
55 in the middle of an audit cycle.

1  
2 Ms. Lord asked if there were more opportunities to train the financial director, and the Administrator said yes,  
3 and these were detailed in a separate memo requested by the board.  
4

5 Mr. Granda asked if the town could bring in NEMRC for training, and the Administrator replied that usually  
6 NEMRC training was over the phone and it was quite expensive to bring them on site. With the training over  
7 the past year, the financial director is more familiar with the system.  
8

9 Mr. Granda suggested moving on to items four and five and come back to three later.  
10

11 The Administrator addressed 11-4 Journal Entries, and 11-5 Bank Reconciliations. These were a combination  
12 of the financial director's inexperience and making mistakes, and the Administrator reconciling bank statements  
13 based on adjustments, with the mistakes never being corrected. This has been corrected since July, and the  
14 statements now balance without adjustments.  
15

16 Ms. Heston suggested that the treasurer be the one to do the bank reconciliations, and the new Town Manager  
17 sign the checks. She suggested that the Town Administrator would most likely catch the mistakes, because they  
18 are in the office full time and understand what needs to get paid.  
19

20 The Administrator said that since the treasurer position was made a part-time role, it was largely undefined.  
21 The treasurer had certain responsibilities, but the expectations changed with whoever held the position. The  
22 town should seek to define this role and set expectations for the treasurer.  
23

24 Mr. Granda said he wanted to create a robust and flexible system for the finance office. He suggested defining  
25 a level of work to get the job done, and maintain interested personnel.  
26

27 Regarding bank deposits, Ms. Heston suggested that we could amend our deposit system where the financial  
28 director could routinely do the deposits, but at random someone else does them. All deposits could be reviewed  
29 and signed by the Town Administrator, with a receipt.  
30

31 The Administrator addressed 11-3 General Ledger structure for certain accounts. The Administrator explained  
32 that these accounts had asset and liability structures, but no revenue and expenditure structure. The balances  
33 were manually adjusted but the revenues and expenditures were not being captured by the system which leads to  
34 inaccurate reporting. The solution was to create these revenue and expenditure accounts for each account listed.  
35

36 Mr. Granda asked if anyone from the public wished to comment on what was discussed so far. He wanted to  
37 keep the discussion on the findings and not stray into personnel discussions.  
38

39 George Bevis asked if the funds were in aggregation and if in the past any trust funds were used to cover  
40 expenses for other funds, and suggested that this was illegal, and would indicate malfeasance. He said that the  
41 cemetery funds should receive a special audit on this.  
42

43 Lisa Liberty said that two members of the cemetery trustees were present tonight and asked them if they felt  
44 they needed a special audit.  
45

46 Linda Parent said that the cemetery account has three trusts other than the perpetual care account.  
47

48 Mr. Bevis asked about the other eight trusts?  
49

50 The Administrator said that he felt that the most recent audit should have uncovered this, but he did not know if  
51 in the past that had ever been done.  
52

53 Mr. Bevis asked how much to hire a CPA to review these items and the Administrator said maybe \$1,500.  
54

1 Lisa Liberty cautioned having the Administrator sign the checks, since that person also authorized large  
2 expenditures. It was too much power for one person, and any changes to the current system should be proposed  
3 to the auditors.

4  
5 Ms. Heston did not see this as an issue.

6  
7 Kathy Bevis asked if there was a list of training completed by the finance director, and if there were tutorials for  
8 the computer system.

9  
10 Linda Parent says that there are tutorials for NEMRC, and they are also online at no cost.

11  
12 Mr. Bevis said he would like to see the training that the financial director had completed. He said this was the  
13 management team and some members were stepping outside of their roles to cover for the financial director.

14  
15 Mr. Granda said that was a valid concern. He said that there was no Richmond specific training available and  
16 some items had been done a certain way for so long and the town had been used to doing it that way. He said  
17 that the Selectboard needed some training also to be able to identify what was happening.

18  
19 Ms. Houle said that finances are finances, they are cut and dry, with no new inventions. The system of accounts  
20 should be clear without a massive learning curve.

21  
22 Ms. Heston said she has had a number of bookkeepers over a number of years, and sometimes two people saw  
23 the same financial transactions differently.

24  
25 The Administrator moved on to 11-6 Capital Asset Accounting and 11-7 Long Term Debt accounting and they  
26 were both the same mistake. The final balances did not reflect additions or subtractions from the fiscal year.

27  
28 Mr. Granda said that this would continue at the next meeting. He thanked Mr. Bevis for his help and time.

29  
30 Policies Discussion

31  
32 The Administrator said that the Selectboard had requested three policies to deal with the audit concerns, a Fuel  
33 Usage Policy, Billing Retention Policy and Energy Monitoring Policy. The Administrator briefly summarized  
34 the fuel policy, saying that the real issue was there were no receipts to track usage or verify reporting and this  
35 policy would create these receipts.

36  
37 Ms. Lucht suggested Richmond Rescue not use the town pumps anymore.

38  
39 Mr. Boyden said that employees have to use the cards need to enter mileage and this mileage could be verified  
40 periodically to see if it matched the prior record. This could also work for the diesel pump meter.

41  
42 The Administrator explained the energy monitoring policy and how it would track energy usage by buildings,  
43 vehicles and equipment. There was a clause that required an estimated impact on energy use for expanding or  
44 diminishing employees or programs.

45  
46 Mr. Granda said that he hoped to benchmark buildings and vehicles to report to the energy coordinator.

47  
48 Ms. Lucht suggested that the energy coordinator could to take a larger role in developing these reports and  
49 communicating results.

50  
51 The Administrator then explained the billing retention policy, and that all bills produced by the finance office  
52 were to be retained for future inspection.

53  
54 Ms. Lucht said that more of these bills should be scanned, to decrease the volume of paper.  
55

1 The Administrator and Linda Parent noted that some things were required to be maintained in their original  
2 forms for a certain period of time.

3  
4 Ms. Houle said that these records needed to be made available for public inspection. If a scan was sufficient  
5 then that would be fine.

6  
7 The Administrator was directed to post these policies online for public review.  
8

#### 9 Economic Development Discussions

10  
11 Ms. Lord spoke to Tom Hark of the Vermont Youth Conservation Corps to organize with RABA to do a survey  
12 to determine the issues that were most important to businesses. This would help focus the Selectboard on  
13 solutions. She had also spoken to Cathleen Gent holding special sessions on development similar to what the  
14 Planning Commission had done with agricultural regulations.

15  
16 There was some discussion about how to appoint an economic development commission. The Administrator  
17 suggested that Ms. Lord propose a slate of candidates.  
18

19 Ms. Houle suggested putting a request out to the community, and Ms. Lord said that this had been done.  
20

#### 21 Town Appointments

22  
23 The Administrator said that his memo had listed the vacancies on boards and commissions, and the town  
24 officials that sought reappointment. The exception was Pam Alexander as animal control officer, as a final  
25 agreement had not yet been worked out.  
26

27 Ms. Heston offered a motion to approve the appointments as listed below. Ms. Lord seconded the motion and  
28 the motion carried 5-0.  
29

30 **Motion to reappoint Marvin Carpenter to a one-year term as Alternate for the Development Review**  
31 **Board; Dennis (Yogi) Wortheim to a one-year term on the Police Advisory Board; Sue Glennon, Barb**  
32 **LaPlant, Ken Nussbaum, Reggie Mobbs, Kim Lutchko, Linda Parent, Justin Spence, John Durant, Rick**  
33 **Niquette, Rob Peterson to one year terms on the Parade and Fireworks Committee;**  
34

35 **Motion to appoint miscellaneous Town Officials:**

#### 36 **Animal Control Agent - one appointment; 1 year term**

37  
38  
39 Appoint Pam Alexander – pending final agreement  
40  
41

#### 42 **Richmond Health Officer – one appointment; three year term**

43  
44 Wright Preston - is seeking reappointment (term expires in August or September)  
45

#### 46 **Town Fence Viewers - three appointments; 1 year terms**

47  
48 Jared Katz - is seeking reappointment  
49 Toby Buxton - is seeking reappointment  
50 Carole Furr - is seeking reappointment  
51

#### 52 **Inspector of Lumber, Shingles and Wood - one appointment; 1 year term**

53  
54 Jeff Forward - is seeking reappointment  
55

1 **Weigher of Coal - one appointment; 1 year term**

2  
3 Jeff Forward - is seeking reappointment

4  
5 **Tree Warden - one appointment; 1 year term**

6  
7 Toby Buxton - is seeking reappointment

8  
9 **Pound Keeper - one appointment; 1 year term**

10  
11 Town Highway Garage

12  
13 **Civil Defense Director - one appointment - one year term**

14  
15 Tom Levesque – is seeking reappointment

16  
17 **Emergency Management Coordinator - one appointment - one year term**

18  
19 Tom Levesque - is seeking reappointment

20  
21 **Energy Coordinator - one appointment - one year term**

22  
23 Jeff Forward - is seeking reappointment

24  
25 **Transportation Advisory Committee and Alternate position– two year terms**

26  
27 Geoffrey Urbanik TAC member is seeking reappointment  
28 Pete Gosselin alternate is seeking reappointment

29  
30 **Approval of Minutes: April 16, 2012**

31  
32 There were some minor edits noted.

33  
34 Ms. Heston offered a motion to approve the minutes of April 16, 2012 as amended and was seconded by Ms.  
35 Lucht and the motion carried 5-0.

36  
37 **3. Administrator's Report**

38  
39 The Town Administrator reported that the town had offered for sale the old roadside mower on the VLCT  
40 classifieds site, with no interest. The town had received an offer from the Town of Bolton recently for \$5,000  
41 which was accepted. The Administrator said that FEMA was holding a special Mass-Care training class on  
42 May 23 & 24, here in Town Center. This was focused on civilian training for care of the population after a  
43 disaster, in the NIMS format although less focused on first responders. There was some discussion of who  
44 could attend, and the content of the course. This was a pilot course similar to what the Red Cross offered.

45  
46 Mr. Granda tabled the Bridge Inspection Reports to May 21<sup>st</sup>.

47  
48 The Administrator brought out Change Order #20 for Jericho Road, for the new catch basin at the base of the  
49 Harold Irish property. The amount was for \$2,770, and was due to the function of the current design not  
50 working well in the field and the engineers had determined that a new catch basin was required for the drainage  
51 to perform correctly.

52  
53 Ms. Lucht offered a motion to approve Change Order #20 to J. Hutchins, Inc. for \$2,770 to install one catch  
54 basin on the Jericho Road project. Ms. Lord seconded the motion and the motion carried 5-0.  
55

1 The Administrator brought up the issues of deficiencies on the Jericho Road project. He had spoken with Mr.  
2 Granda about how to handle these, and suggested that due to the short timeframe to completion of the project,  
3 that he and Mr. Boyden be given the authority to make decisions concerning proposed corrections and  
4 additional work, to avoid delays between Selectboard meetings.

5  
6 The Selectboard agreed that Mr. Boyden and the Administrator should be empowered to make these decisions,  
7 and report back to the Selectboard.

8  
9 Ms. Houle asked who the assistant treasurer was. Ms. Liberty said that Jon Kart was the new assistant treasurer.

10  
11 The Administrator reported that the backup materials for the Fays Corner bridge repair project had been  
12 received by the Administrator from the Highway Foreman. The two bid quotes and the project description were  
13 included and this should satisfy the Selectboard's concerns.

14  
15 Mr. Boyden offered a motion to approve Purchase Order 2980, awarding the contract to repair Fays Corner  
16 Bridge to Dirt Tech in an amount of \$9,900. Ms. Lucht seconded the motion and the motion carried 5-0.

17  
18 Lisa Liberty said that the insurance settlement was more than this amount, and what could be done with the  
19 overage. There was some discussion but no decisions were made.

20  
21 The Administrator presented Purchase Order 2975 for the purchase of a used excavator. The Administrator  
22 explained that after the last meeting he and the Highway Foreman agreed upon a scope for a Request for  
23 Proposals, which the Administrator sent out to five companies that sold this type of equipment. Based on that,  
24 only one responded, which was Milton CAT with a nearly identical proposal. The purchase price was the same,  
25 however, a one-year warranty was an option of \$1,960.00.

26  
27 Ms. Lucht offered a motion to approve Purchase Order 2975 in the amount of \$111,960.00 to Milton CAT for  
28 the purchase of a used CAT 316B excavator, and was seconded by Mr. Boyden. The motion carried 5-0.

29  
30 The Administrator noted that Purchase Order 2481 in the amount of \$2,148.00 to FR Lafayette for the purchase  
31 of guardrails to be installed at the intersection of Mountain View Road and Hillview Road was received today  
32 and if there were no objections he would sign and approve.

#### 33 34 Executive Session

35  
36 Ms. Lord offered a motion to enter an executive session to discuss items related to the Financial Director at  
37 10:15 PM and was seconded by Ms. Lucht and the motion carried 5-0. Linda Parent and the Administrator  
38 were invited to attend.

39  
40 At 11:02 PM Ms. Lucht offered a motion to adjourn the executive session and reconvene the public session and  
41 was seconded by Mr. Boyden and the motion carried 5-0.

#### 42 43 **4. Adjourn**

44 Motion by Ms. Lord to adjourn the meeting at 11:02 p.m. Seconded by Ms. Lucht. So voted.