

**RICHMOND SELECTBOARD  
REGULAR MEETING  
January 16, 2018 MINUTES**

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Members Present: Bard Hill; Steve May; David Sander; Stephen Ackerman

Absent: None

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Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Ian Bender; James Brown; Jon Purcell; Ian Stokes; Steve Libby, Vermont River Conservancy; Connie Bona, Finance Director; Jon Kart; Cathleen Gent; Gary Bressor; Jeff Forward; Judy Rosovsky, Conservation Commission; Jeffrey Hard; Alison Kosakowski Conant; Bob Heiser, Vermont Land Trust; Lou Borie, Richmond Land Trust; Alison Anand; Rep. Marcia Gardner; Kendall Chamberlin, Water Resources Superintendent; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

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Bard Hill called the meeting to order at 7:00 PM.

**1. Welcome and Public Comment**

Mr. Hill asked if there were any comments from the public.

John Purcell spoke about his recent interaction with the Town Health Officer, Taylor Yeates. Mr. Purcell owns a duplex and his tenant had a complaint about the water which led to an investigation and water testing. Mr. Yeates had taken a first-draw water test that had high lead results and Mr. Purcell said that the allowable testing procedure would be for a flush-and-draw. A second flush-and-draw test revealed that lead was within allowable concentrations. However, Mr. Purcell was disappointed with his interaction with Mr. Yeates, and noted his tenant had withheld rent (wrongfully in his opinion) for more than three months. Mr. Purcell felt that there was no violation, and while Mr. Yeates had closed the investigation with no findings, Mr. Purcell was not happy with how this was handled.

Mr. Hill suggested that this complaint be agendized at a later meeting, in front of the board acting as the Board of Health. The board agreed to agendize this in February at a time convenient for Mr. Purcell.

**2. Items for Discussion with Those Present**

Selectboard Vacancy

Mr. Hill explained that Lincoln Bressor had resigned effective the beginning of January and the town's attorney had noted that state law requires board to act swiftly to fill board vacancies. The town had alerted the public and posted the vacancy and four people had shown interest in filling the vacancy, which would be until Town Meeting in March as this term was expiring then. The board then invited the candidates up one by one to speak about their interest.

Mary Houle

Ms. Houle spoke about her ongoing interest in the Selectboard and attends meetings regularly. She had suggested not filling the position at the last meeting but the board's attorney had said it was

1 necessary. She was familiar with recent articles of discussion. Ms. Houle had served on the  
2 Selectboard in prior years, and noted she intended to file to run for the next term.

3  
4 Mr. May asked her about her prior term on the board and Ms. Houle gave an overview. Mr. Hill asked  
5 what was her knowledge, skills and abilities that she would bring and explained more about her  
6 background as a taxpayer, volunteer and serving on several boards. There was some additional  
7 discussion with Ms. Houle and the board thanked her for her interest.

8  
9 Jon Kart

10  
11 Mr. Kart introduced himself and said this was a great opportunity to get involved in a limited way, and  
12 he had no intention of running for the next term. He was a former Selectboard member and talked  
13 about his prior terms.

14  
15 Mr. Hill asked about his knowledge, skills and abilities and Mr. Kart noted that beyond his previous  
16 experience on the board, he lived in the village and was a customer on the water and sewer system.

17  
18 Mr. May asked for more information on his previous board experience and Mr. Kart explained he had  
19 been on the Selectboard for four years and was on the Water and Sewer Commission and was involved  
20 in the move to a Town Manager form of government, and was involved in managing the rivershore  
21 environment. The board thanked Mr. Kart for his interest.

22  
23 Ian Bender

24  
25 Mr. Bender explained that he had lived here since 2004 and had two children in the schools. He had  
26 served on the Development Review Board for two years, and he owned his own business nearby. He  
27 attended meeting of the Selectboard and was familiar with most issues. He noted he intended to file  
28 and run for the next term.

29  
30 Mr. Hill asked what his knowledge, skills and abilities were, and Mr. Bender said he understood most  
31 issues in town and understood implications of some of the larger projects.

32  
33 Mr. May asked for more about his involvement with the DRB, to which Mr. Bender explained a little  
34 more about the experience there. The board thanked Mr. Bender for his interest.

35  
36 Roger Brown

37  
38 Mr. Brown introduced himself and said he had been a resident in town for about 3.5 years and was a  
39 grandson of Mickey and Ginny Cochran. He had three children and was co-owner of a business in  
40 town. He said he had made big investments in Richmond's future and had some less experience than  
41 others.

42  
43 Mr. Hill asked what his knowledge, skills and abilities were. He was a business and homeowner, was  
44 skilled at parenting and tuned into local conditions. He had gone part way through law school and had  
45 a general understanding of what went on in town government. He mentioned that he was planning to  
46 run for the new term.

47  
48 The board thanked Mr. Brown for his interest.

49

1 Mr. Ackerman said he was glad to hear we had four people interested in the seat, which would provide  
2 new thinking on the board.

3  
4 Mr. Hill said this was a competitive seat at Town Meeting and asked if an appointment now would  
5 give an unfair advantage to a candidate who was running? The board discussed the candidates and  
6 how to make an appointment.

7  
8 Mr. May offered a motion to appoint Jon Kart to the unexpired Selectboard term ending March 6,  
9 2018 and was seconded by Mr. Sander. The motion carried 4-0.

10  
11 Mr. Kart noted he would sign the oath of office and join the board at the next meeting.

12  
13 Kendall Chamberlin said that there was a vacancy on the Water and Sewer Commission, and  
14 recommended Mr. Kart.

15  
16 Mr. Sander nominated Mr. Kart to serve on the vacant Selectboard member of the Water and Sewer  
17 Commission and was seconded by Mr. Ackerman. The motion carried 4-0.

18  
19 Route 2 Line Striping Update – Ian Stokes

20  
21 Ian Stokes had been working on this issue for some time now. In 2014, the Town had explored a  
22 multi-use path from the village to the park and ride but due to a variety of reasons, it became too  
23 expensive and difficult to get started. The preferred alternative was to widen the shoulders of Route 2  
24 west from the village to accommodate bicyclists. This had not taken place and Ian Stokes represented  
25 the bicyclists who utilize Route 2 regularly and had continued to join the Town in pushing VTrans to  
26 restripe the road. Recently, he had enlisted the aid of the Richmond Climate Action Committee and  
27 Local Motion to try and convince VTans to move forward. Local Motion had created an online  
28 petition which was digitally signed by 284 people. Recently he received a letter from VTrans stating  
29 that they planned to restripe this Spring to accommodate wider shoulders on the road – a victory for  
30 bicyclists.

31  
32 Mr. Hill congratulated Mr. Stokes, and spoke of several meetings in the past year where Richmond has  
33 put forth requests for various Route 2 projects to be endorsed. Mr. Stokes talked about the studies  
34 done in the past and the benefits of biking. He requested the Selectboard support this proposal by  
35 VTrans to reduce the travel lanes to eleven feet, with shoulders widened by striping, up to four feet.  
36 IN some places this is impossible because of guardrails encroaching on the road width. He also  
37 requested the Selectboard support a full scale reconstruction of the road so it would accommodate full-  
38 width lanes and full-width shoulders.

39  
40 Mr. Sander offered a motion to support the restriping plan as outlined by Mr. Stokes and to support  
41 full scale reconstruction of Route 2 west of the village. Mr. May seconded the motion and the motion  
42 carried 4-0.

43  
44 Andrews Forest – Review of Closing Documents – Bob Heiser, VLT

45  
46 Bob Heiser of Vermont Land Trust was present to explain the final closing documents for the  
47 Andrews Forest. The federal agency providing the forest legacy grant required 60 days to review the  
48 documents for approval, and he wanted to get them in by the end of the following week so that the  
49 anticipated March closing could happen on time. Mr. Heiser also noted that the Forest Management  
50 Plan steering committee (headed by Guy Roberts) was meeting and the town had also qualified for a

1 grant for technical assistance with the Recreation Plan. They were having a public forum this  
2 Thursday at the middle school. Mr. Heiser noted that community enthusiasm for the project had been  
3 good, with VLT raising over \$13,000 from local donations, giving the town almost \$30,000 to start a  
4 management activity. Mr. Heiser also noted that the VLT easement had been amended per the town's  
5 request last month.

6  
7 After some additional discussion, the Selectboard agreed to move forward with submitting the closing  
8 documents to the federal government, and thanked Bob Heiser for working so hard to make this  
9 happen.

#### 10 Preservation of Huntington Gorge – Richmond Land Trust and Vermont River Conservancy

11 Lou Borie of the Richmond Land Trust and Steve Libby of the Vermont River Conservancy were  
12 present to explain the planned preservation of the upper Huntington Gorge, where the waterfall was.  
13 The upper gorge was privately owned at this time, and Richmond Land Trust owned part of the lower  
14 gorge for use as a recreation site and natural feature. RLT was now interested in obtaining the upper  
15 gorge for the same reasons, although Mr. Borie noted that they would work to discourage swimming  
16 in the upper gorge.  
17

18  
19 Mr. Libby explained that the plan was for the Vermont River Conservancy to obtain a Vermont  
20 Housing Conservation Board grant to assist in the purchase. They were seeking some Richmond  
21 Conservation Reserve Funds as well. In the end, Richmond Land Trust would be the owner and  
22 manage it as it does for their other holdings. Mr. Libby explained that he would like to have a letter  
23 signed by the Selectboard endorsing this grant application.  
24

25  
26 Judy Rosovsky, chair of the Conservation Commission, noted that last week the commission had  
27 recommended approval of an award by the Selectboard for \$10,000 for this project. This would come  
28 before the Selectboard at a later date.  
29

30 The Manager explained that the timing was slightly awkward since the Selectboard was being asked to  
31 endorse the project at the VHCB level before it approve the local funding. However, the board could  
32 choose to do so.  
33

34 The board discussed the issue, and agreed to sign a letter of support for the VHCB grant. Mr.  
35 Ackerman offered a motion authorizing the signing of a support letter to the VHCB for the Vermont  
36 River Conservancy, and was seconded by Mr. May. The motion carried 4-0.  
37

#### 38 **FY2019 Budget Public Hearing**

39 Mr. Hill provided an overview of the board's discussions on the budget, and opened the hearing.  
40

41  
42 The Manager gave a brief overview of department level budget changes, explaining that significant  
43 increases in the General Fund budget were due to health benefits costs, vehicle and equipment  
44 purchases and retirement plan changes for the police department (specifically, \$12,328 due to a change  
45 in plan).  
46

47 Mr. Sander had to leave the meeting early.  
48

49 With these changes, the budget was presented as follows:  
50

**APPROPRIATIONS:**

3	Administration	\$750,566
4	Assessors	\$29,950
5	Planning/Zoning	\$101,671
6	Police	\$690,032
7	Library	\$222,725
8	Fire	\$307,068
9	Recreation	\$61,050
10	Charitable	\$17,818
11	<u>Highway</u>	<u>\$1,567,105</u>
12		
13	Total	\$3,747,985

**REVENUES**

	<u>Grand List Value</u>	<u>Tax Requirement</u>	<u>Tax Rate</u>	
17	FY 2018 - 2019	\$4,601,593	\$3,194,193	0.6941
18				
19		Increase		0.0183
20				2.71%

22 Kendall Chamberlin said that in this budget, the Town Manager had given up an annual cost of living  
 23 adjustment, and disagreed with that decision. The Manager responded that this was part of a plan  
 24 presented in December and that he agreed with the reasons set forth at that time.

26 Roger Brown asked what an adequate cost for the Police Department might be, and how do we know  
 27 what should be the appropriate number of police officers. There was some discussion but there may  
 28 be one of several formulas for calculating recommended officers by population but this current level  
 29 had been established for some time. This was likely to be a discussion moving through this year.

31 There were also discussions on the benefit level provided to employees, which the Manager said was  
 32 likely to be reviewed this year as well due to rising costs.

34 After some additional discussion, Mr. May offered a motion to close the hearing on the FY2019  
 35 budget. He was seconded by Mr. Ackerman and the motion carried 3-0.

37 Mr. May offered a motion to approve the budget for publication in the Annual Report with the  
 38 modification to the Police Retirement line as discussed, with an appropriation of \$3,747,985. Mr.  
 39 Ackerman seconded the motion, and the motion carried 3-0.

**3. Other Business**

**J. Hutchins & Chittenden Solid Waste District Site Plan**

45 The Manager explained that during our site search for a police department, J Hutchins was one of the  
 46 applicants that responded. Included in their proposal was possible development of their property on  
 47 Rogers Lane into an asphalt plan site – along with a proposed new entrance to their property that  
 48 would accommodate a revised access to the CSWD drop-off facility.

1 Recently, J Hutchins has come in to apply for a concept to the Development Review Board for the  
2 plant and entrance – including modifications to the CSWD entrance. The Manager recently met with  
3 J Hutchins representatives, along with our ZAO Suzanne Mantegna and CSWD’s Brian Wright.  
4 CSWD is excited about the opportunity to re-work their entrance to better utilize the site without  
5 having to significantly expand it while at the same time tackling the traffic problems that happen on  
6 Saturday mornings. The Manager believed the main motivator was that they require a new entrance  
7 onto Rt 117 and they would require access through town property – even though the boundary is  
8 questionable. They would propose a settlement on that issue should we agree.

9  
10 While the concept is not fully designed, the Manager was generally in favor of moving forward.  
11 CSWD is strongly in favor of the proposal. While the bulk of the site plan is for J Hutchins’ purposes,  
12 we own the site where CSWD has its leased facility and we’d be asked to co-sign the site plan  
13 application. This presentation is to gauge whether or not the Selectboard would be willing to authorize  
14 a signature on their application.

15  
16 The board discussed the proposal, and noted that it would be in the floodplain although J. Hutchins  
17 would have to show how that would not be impacted. The board was in favor of the sketch plan  
18 proposal that included Town property and would benefit CSWD. Mr. May asked if there was any way  
19 to offset carbon from the proposed asphalt plant, but it was not known.

20  
21 Mr. Ackerman offered a motion to support the sketch plan by J. Hutchins for their asphalt plan that  
22 included a new entrance to the property that would be shared with CSWD and a new entrance for the  
23 drop-off center. Mr. May seconded the motion and the motion carried 3-0.

### 24 25 **Legislative Round Up – Representative Marcia Gardner**

26  
27 Richmond’s House Representative Marcia Gardner was present to review three pieces of legislation  
28 being looked at during the current session. The Manager gave a brief introduction for each bill, and  
29 some discussion followed.

#### 30 31 **S-273 Local Policing**

32  
33 This bill has quite a bit inside, but three provisions stand out: Section 9 prohibits the State Police from  
34 renewing contracts for services to towns; Section 10 calls for a public safety plan on how the town will  
35 provide for police, fire and rescue; Section 17 ends State Police dispatching for us on 7/1/2020. We  
36 should discuss these issues generally and how they may affect us in the future.

37  
38 It was recognized that there were challenges ahead for Richmond and that discussions on police were  
39 going to be a significant topic soon.

#### 40 41 **H-XX Clean Water & Per-Parcel Fee**

42  
43 This bill is a draft and had not been introduced yet. The purpose is to address the State’s mandate  
44 from the EPA, and commitment to cleaning up Lake Champlain which has abnormally high levels of  
45 phosphorous and nitrogen pollution. The key provisions of the bill establish a Clean Water Authority  
46 to manage the ongoing effort, and fund it through a state-wide per-parcel fee, which would have a base  
47 charge of \$40 per parcel. Rules to follow would amend this fee for larger parcels or parcels that  
48 produce some higher level of pollution.

49

1 While this is a bold first step to address the issue with real funding and governance structure, the fact  
2 remains that the State will collect these fees and redistribute them to specific areas (in the form of  
3 grants) to address high pollution segments. This means that some towns will see more of a benefit  
4 than others. The Manager said he'd much rather have \$64,000 - \$100,000 raised in our local budget to  
5 fund remediation here than send it up to Montpelier and hope they give us back a \$10,000 grant when  
6 Richmond competes with larger, more organized towns that have pre-identified projects that would  
7 have a much greater impact than anything we could come up with here. The Manager suspected that  
8 many other towns would feel the same way. That being said, he was not opposed to Richmond paying  
9 a fair share, if that could be determined, but the solution here seems just a little askew.

10  
11 Rep. Gardner said there was no specific plan here but the issue was important and recognized by the  
12 State. Mr. Ackerman said that there were many rivers that go into the lake but particularly southeast  
13 Vermont did not.

14  
15 There was additional discussion. The problem was easily recognizable, however, solutions were  
16 difficult.

#### 17 18 S-97 Electronic Legal Notices

19  
20 This bill would allow towns to post legal notices electronically, such as on a website, provided we  
21 meet certain criteria. This would be a money saver for us, and could potentially reach a wider  
22 audience – but abandon those who may still read the legal notices of the Burlington Free Press. A  
23 simple meeting notice can cost us over \$200 and an ordinance publication requires two notices of  
24 varying cost, but typically several hundred dollars total. The Manager was inclined to recommend  
25 support of this proposal.

26  
27 Rep. Gardner said that this was in the GovOps Committee, of which she was part of in the House.  
28 While not everyone has transitioned to online communication, most saw this as favorable. However,  
29 in some cases, public notices were legally required to be kept and this would need to be sorted out.

30  
31 The Selectboard thanked Rep. Gardner for attending and discussing these bills. Rep. Gardner said that  
32 she would be happy to return to discuss these and other legislation should be board need her.

#### 33 34 Bridge Street Waterline Bond

35  
36 The Manager explained that the Water Commission had discussed working on Bridge Street –  
37 replacing a section of line on the upper part of Bridge Street beneath the failed storm sewer line, as  
38 well as relocating the water line that hangs beneath the bridge to a higher and more protected position.  
39 The estimated costs of these two projects were \$415,000, and the bond would be for \$400,000. These  
40 projects were also eligible for subsidized state loan funding.

41  
42 However, the Water Resources Superintendent, Kendall Chamberlin, had recommending bonding for  
43 the complete water line replacement on Bridge Street north of the bridge, for \$1 million. Even though  
44 the town was not quite ready to do this, he felt it would make work quicker by pre-authorizing state  
45 loans. The Manager stated he did not concur. The town's Bond Counsel had prepared a ballot  
46 question, warning and resolution certifying the debt question.

47  
48 The Selectboard discussed the issue and agreed to place the question on the ballot as \$400,000. Mr.  
49 May offered a motion to approve the Resolution Certificate, Bond Question and Warning as prepared  
50 by Mr. Giuliani and was seconded by Mr. Ackerman:

1  
2 Shall general obligation bonds or notes of the Town of Richmond in an amount not to  
3 exceed Four Hundred Thousand Dollars (\$400,000), subject to reduction from the  
4 receipt of available state and federal grants-in-aid, be issued for the purpose of  
5 replacing and relocating 500 feet of waterline on Bridge Street and the Bridge Street  
6 Bridge, the estimated cost of such improvements being Four Hundred Fifteen Thousand  
7 Dollars (\$415,000)?  
8

9 The legal voters of the Town of Richmond are further notified that voter qualification,  
10 registration and absentee voting relative to said special meeting shall be as provided in  
11 Chapters 43, 51 and 55 of Title 17, Vermont Statutes Annotated.  
12

13 The legal voters of the Town of Richmond are further notified that an informational  
14 meeting will be held on Monday, March 5, 2018 at Camel's Hump Middle School Gymnasium  
15 in the Town of Richmond at seven o'clock (7:00) in the evening, for the purpose of explaining  
16 the proposed improvements and the financing thereof.  
17

18  
19 The motion carried 3-0.  
20

### 21 **Reports from Selectboard and Town Manager**

22  
23 Due to time constraints, most reports were deferred to the next meeting. The police report was  
24 reviewed.  
25

### 26 **Approvals**

#### 27 28 **Approval of Minutes**

29  
30 Minutes were deferred until February 5<sup>th</sup>.  
31

#### 32 **Access Permit: 455 Stage Road**

33  
34 The Manager explained that this was an older existing access being recertified for a future subdivision.  
35 Highway Foreman Peter Gosselin approved with recommended tree trimming. Mr. May offered a  
36 motion to approve the access permit for 455 Stage Road and was seconded by Mr. Ackerman and the  
37 motion carried 3-0.  
38

#### 39 **2018 Certificate of Highway Mileage**

40  
41 The Manager explained that each year the Town certified mileage for the State Highway Map, which  
42 was used to calculate State Highway Aid. This year the town's mileage was growing slightly, due to  
43 changes from the realignment of Wes White Hill that was never amended, as well as the  
44 relinquishment by the State of the relevant part of Johnnie Brook Road realignment. The total change  
45 in mileage was less than .1 miles.  
46

47 Mr. May offered a motion to approve the 2018 Certificate of Highway Mileage and was seconded by  
48 Mr. Ackerman, and the motion carried 3-0.  
49



1 PACE Administrator Amendment

2  
3 The Manager explained that the Property Assessed Clean Energy program, referred to as PACE, had  
4 been administered for Richmond by Efficiency Vermont since the beginning. Since then, only one  
5 Richmond resident had utilized the program, and there were competing financial products for energy  
6 efficiency or renewable energy programs. Efficiency Vermont was rolling out its own financing  
7 program, which would compete with the PACE program. Therefore, Efficiency Vermont was backing  
8 out of administering Richmond's program and requested an amendment to the contract to that effect.  
9 The Manager said that the town would need to find a new PACE program administrator, or more  
10 likely refer them to another program such as Efficiency Vermont's.

11  
12 Mr. May offered a motion to approve the amendment to the PACE program administrator's  
13 agreement, allowing Efficiency Vermont to cease administration of the Richmond PACE program for  
14 new applicants. Mr. Ackerman seconded the motion, and the motion carried 3-0.

15  
16 Approval of Warrants

17  
18 Warrants were reviewed and approved.

19  
20 **4. Adjourn**

21 Motion by Ackerman to adjourn the meeting at 9:40 p.m. Seconded by Mr. May. So voted.