

**RICHMOND SELECTBOARD
REGULAR MEETING
May 7, 2018 MINUTES**

Members Present: David Sander; Stephen Ackerman; Roger Brown (arrived 7:25); Christy Witters

Absent: Bard Hill

Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Linda Parent, Town Clerk; Jack Linn; Harland Stockwell; Stephanie Choate, Richmond Farmer’s Market; Cathleen Gent; Rick Barrett; Bob Stafford; Martha Nye; Karen Yaggy; Kristin Nelson; Dave Healy; Cpl. John Hamlin; Patty Brushett; Logan Hegg; Chris Hamlin; Art Hamlin; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

David Sander called the meeting to order at 7:00 PM.

1. Welcome and Public Comment

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

Mary Houle said that she attended an Arbor Day conference recently and also a seminar on required agricultural practices, so any new activities people notice are sure to fall within the regulations. She also noted that the Richmond Land Trust does not do enough to mark their property boundaries, and she has caught people on her land trying to make trails.

Mary Houle also requested that time sheets be included in the warrants available to the public during Selectboard meetings.

Jack Linn said Green Up Day, which was May 5th, was a feel good thing.

Patty Brushett said that for Green Up Day, in her neighborhood, about 15-16 people came together to talk and pick up trash. It was good to see people making connections with neighbors and glad that the town supports it.

2. Items for Discussion with Those Present

Chittenden Solid Waste District Budget Presentation

Sarah Reeves, the CSWD Executive Director, explained the FY2019 budget. Their most significant change was the \$1,755,000 capital expenditure plans. This included a new materials bailer and floor for the facility and some improvements to drop-off sites. Despite this, the Solid Waste Management Fee would remain the same, since volume was expected to increase. The recyclables tipping fee, however, would go up slightly since the nation’s number one consumer of recyclable materials, China, was severely cutting back on their import of the product.

There was some discussion and questions from the public, focusing mostly on operations.

Mr. Ackerman offered a motion to approve the FY2019 CSWD budget as presented and was seconded by Ms. Witters and the motion carried 4-0.

1
2 Police Services Committee Discussion
3

4 The Manager explained that he had solicited interest online for serving on this new committee to study
5 policing in Richmond, and invited respondents to this meeting. Many were in attendance, however,
6 some could not make this meeting but were still interested.
7

8 Mr. Sander explained that the committee was to be led by Selectboard members Christy Witters and
9 Roger Brown, and that the goals so far discussed were to determine the needs of the community and
10 how best to provide police services with a recommendation to the Selectboard.
11

12 Ms. Witters explained that she and Mr. Brown had spoken, and felt there were two parts of the
13 mission: Evaluation needs and levels of policing; and make a recommendation to the Selectboard
14 regarding provision of services in the future.
15

16 Mr. Brown said he wanted to start with a listening session instead of a committee meeting. He wanted
17 to invite Chief Buck and speak with the police force about where we are now and get some data to
18 analyze, maybe statistics from the past fifteen years or so. He suggested inviting Doug Hoffer to come
19 in and talk about his report on small town policing. He also spoke of scheduling and locations,
20 suggesting the library as a possible location for the listening session.
21

22 Mary Houle said she wanted to see representation on the committee from all parts of town, both rural
23 and town and suggested a five-member committee.
24

25 The Manager read the names of those interested: Andy Squires (Constable), Becky Burk, Bob
26 Stafford, Cathleen Gent, Dave Healy, Eveline Killian, John Hamlin (current member of the Police
27 Department), Lauck Parke, Martha Nye, Neil Boyden (past Selectboard), Patty Brushett, Rick Barrett
28 Linda Donovan. Some members of the audience also expressed interest.
29

30 Ms. Witters and Mr. Brown discussed the listening session and how a committee might be developed.
31

32 John Hamlin said that the committee needed some guidelines and goals.
33

34 Lauck Parke said that the current employees needed some reassurance that the committee wasn't
35 trying to get rid of them.
36

37 Mr. Brown said that the issue needed a restart. The building question was voted down, but where does
38 that leave us. The department needed a new space but where were we with the department?
39

40 There were some additional comments from audience members. Ms. Witters reiterated her two
41 mission ideas, and additional discussion followed. Some suggestions about who else to invite or
42 contact to review how the department has evolved over time – such as Rep. Marcia Gardner or former
43 auxiliary officers.
44

45 The group agreed that the listening session would be held on May 14th at 7:30, in the Town Center
46 Meeting room [this was later changed to May 29th following the meeting, due to logistical issues].
47

48 Dave Healy reminded everyone that we should try and have recommendations in time for budget
49 considerations.
50

1 Fourth of July Flyover by Vermont Air National Guard

2
3 Mr. Sander explained that as mentioned by Roger at the last meeting, the Vermont Air Guard would
4 like to do a fly-over of multiple towns on the 4th of July as a show of patriotism and a salute to the
5 soon to be retired F16 aircraft housed here. This is an open discussion for the board, and one in which
6 I have little knowledge of.

7
8 Linda Parent raised the concern of spooking the horses.

9
10 Mr. Ackerman said he wanted to see details, including a proposed flyover time. There was some
11 discussion about whether or not this could be scheduled around the parade. Mr. Brown offered a
12 motion to ask the Parade & Fireworks Committee to reach out to the National Guard to get details and
13 make a recommendation on a schedule or support – including examinations of flyover height, what
14 time, and noise concerns. Mr. Ackerman seconded the motion and the motion carried 4-0.

15
16 **Public Hearing: Ordinance 2018-01 Amending the Park Ordinance to allow two vendors of**
17 **alcoholic beverages at the Richmond Farmer's Market**

18
19 The Manager explained that this was an amendment to allow two vendors of alcoholic beverages at the
20 Richmond Farmers Market instead of the currently allowed one. The Park Ordinance prohibits sales
21 or consumption of alcoholic beverages in Volunteers Green and this is the only exception.

22
23 Ms. Witters offered a motion to open the public hearing on Ordinance 2018-01 and was seconded by
24 Mr. Ackerman and the motion carried 4-0.

25
26 The Manager read the amendment: The Selectboard of the Town of Richmond hereby ordains, that
27 the Municipal Park Ordinance originally adopted in 2004 and amended in 2012 is hereby amended as
28 follows (new language underlined, deleted language [bracketed]) :

29
30 SECTION FIVE: BEHAVIOR: NO PERSON SHALL:

- 31 1. Use or sell alcoholic beverages with the exception of [one] two alcoholic beverage vendors, as
32 part of the Richmond Farmers Market which shall be allowed to sell Vermont-produced
33 alcoholic beverages as an agricultural product in accordance with Vermont laws for the 2018
34 market season only, and if this provision is not renewed by the Richmond Selectboard
35 following the 2018 market season the number of allowable alcoholic beverage vendors allowed
36 will revert to one. Consumption of this product is limited to samples only, according to law,
37 and no other consumption shall be allowed on park property at any time. Containers sold must
38 be unopened and remain unopened while on park premises. The vendor must currently possess
39 all necessary permits and licenses required for legal sales.

40
41
42 Jack Linn said this amendment was humorous because a second maple syrup vendor was turned down
43 because having two vendors sell the same product wouldn't work. Yet, they want two alcohol
44 vendors.

45
46 Art Hamlin asked about the sample sizes and limits, and if the bottles sold would be sealed. He didn't
47 feel this belonged in the park, and this seems like the town is promoting it.

48
49 John Hamlin also asked how many samples could one person have between two vendors and felt it
50 may be too many.

1
2 Mr. Ackerman asked Cpl. Hamlin if there had been any issues with inebriated patrons to the Farmers
3 Market since the ordinance was amended in 2012. Cpl. Hamlin replied he was not aware of any.

4
5 Martha Nye said this would double the chance of problems.

6
7 Stephanie Choate, RFM Manager, said they weren't dying to have this amendment but felt that
8 products were different enough and there had been some interest from vendors. The sampling
9 regulations and training were pretty strict – they had to have a class, samples were limited in number
10 and size – only one of each option, with only three options allowed.

11
12 Mr. Brown noted that everyone was on the honor system, whether at the Farmers Market or not.

13
14 Linda Parent was worried about accidents with children in the parking lot.

15
16 Dave Healy wanted to know more reasons why this should be approved.

17
18 Patty Brushett spoke in favor of the Farmers Market and the amendment and stated she wasn't worried
19 about abuse of the sampling.

20
21 Ms. Witters said that while this amendment allows two vendors, the change is limited to one year and
22 must be renewed. She felt it was worth approving for one year.

23
24 Ruth Miller stated that she would rather purchase liquor from a store in town, not boutique items.

25
26 There being no further comments, Mr. Brown offered a motion to close the public hearing on
27 Ordinance 2018-01 and was seconded by Ms. Witters. The motion carried 4-0.

28
29 The board briefly discussed the change. Mr. Brown offered a motion to approve the ordinance
30 amendment as written, and was seconded by Mr. Ackerman. The motion carried 4-0.

31
32 **3. Other Business**

33
34 **Replacement Chairs for the Town Center Meeting Room**

35
36 Linda Parent asked this item to be moved up for discussion. She explained that she wanted to
37 purchase \$1,400 of replacement chairs for the meeting room, which was recently painted for the first
38 time in over 25 years. There was some discussion and the board agreed to replace the chairs.

39
40 **Discussion of Police Topics:**

41
42 **Damaged Cruiser**

43
44 The Manager explained that a second estimate was obtained from Formula Ford, who estimated the
45 damage repair at around \$12,000 which was less than half of the first estimate. Two repair shops had
46 turned down evaluation requests. However, VLCT contacted the town and said they were totaling the
47 vehicle anyway, as their review of the second estimate may have miscalculated the damage to the
48 undercarriage. They would be handling this with the leasing company, Ford Motor Credit. The
49 Manager felt that with the Chief leaving at the end of June, a replacement cruiser would sit for a long

1 time and wasn't necessary. There was a lease built into the FY2019 budget if the board found it
2 necessary to replace one or obtain a new one.

3
4 Mr. Sander agreed. He felt the cruiser could be repaired, but there was no need to do so at this time.
5 He wanted to make sure there were no penalties on the lease. The Manager noted that the existing
6 lease had two cruisers on it, so it would be paid down but not terminated.

7
8 Mr. Brown wanted to know if we needed a cruiser for an interim chief. The Manager explained that it
9 was likely a cruiser would be available, but the budget would allow for one more to be obtained.

10
11 The board consented to the "total" of the vehicle.

12 13 VPR Article on Traffic Tickets

14
15 The Manager explained that a recent article from Vermont Public Radio illustrated traffic ticket
16 revenue in a number of Vermont towns, focusing on a handful of small towns that seem to write more
17 tickets than larger towns. Included in the data provided for the story is Richmond, which shows us
18 being in the "Top 10" for ticket writing. As such it captures the public's interest and has promulgated
19 our discussion.

20
21 The Manager felt that the data was strange. For instance, with a word-search for Williston, the results
22 come up with over 200 instances but the story reports only 89 tickets issued by Williston. The online
23 annual report for Williston states that they write well over 1,000 tickets. While this article does
24 illustrate a point, Richmond's position in the data seems to be overstated.

25
26 The Manager agreed that our PD writes plenty of tickets. Our budget accounts for that revenue, and is
27 available for context. He believed that generally we get complaints about speeding more than
28 complaints about too many tickets. Others may feel that our approach to ticket production is too
29 aggressive. He felt that this article is a good conversation starter, he cautioned to not use this as any
30 sort of benchmark to measure the effectiveness (or even appropriateness) of the department. That
31 discussion is properly placed in the responsibility of the study committee at this time so that the public
32 outreach component can take place and inform us of where "we" see ourselves in providing traffic
33 enforcement services in the future.

34
35 Mr. Ackerman asked Cpl. Hamlin if he felt there were too many tickets. Cpl. Hamlin responded by
36 explaining his view of ticket writing, which included plenty of warnings as well as writing non-points
37 tickets if possible to cut people a break. He felt that sometimes a traffic ticket had to be issued.

38
39 There were extensive discussions on tickets, revenue, public perception and department response to
40 the demand for speed enforcement. This was a complicated subject that would again be discussed
41 during the upcoming listening sessions.

42 43 Interim Police Chief

44
45 The Manager explained that on April 27th the chief wrote his intent to retire as of June 29, 2018. With
46 the announcement of the Chief's retirement coming in the middle of an extensive outreach and review
47 to consider the future of Richmond's policing, the leadership of the department is in a difficult
48 transition. During the Chief's last two medical leaves, Sgt. Nadeau has been "officer in charge" and
49 did a fine job but that same course of action is unwise for any length of time beyond a few weeks.
50 First, it will be impossible to recruit for a replacement during a period of review and transition. A

1 quality candidate is looking for stability and achievement in a new position and at this time we cannot
2 honestly say that we'd offer either, until the review is complete. An interim chief would not have any
3 expectations beyond the defined term.

4
5 Second, some members of the department may have opportunities to move to larger agencies –
6 something which has been normal throughout the department's history. Having an interim chief
7 would provide some leadership stability should one or more of the officers move on before we
8 understand what we'd like to see in the future of our department.

9
10 Third, it is stressful for the police to go under a review which will directly affect their livelihoods in
11 one way or the other and I'm not sure that any member of the bargaining unit should face the added
12 pressure of leading a department in both transition and under review. An interim chief would remove
13 a huge stressor from the officers who are still expected to perform their jobs through the study period.

14
15 There was discussion from the Selectboard. Ultimately the board agreed that an interim chief was the
16 best solution at this time.

17 18 Personnel Guidelines

19
20 The Manager explained that this was the revised personnel guidelines presented for adoption. These
21 had been pending for a long time, but finalized last year primarily by Carol Mader.

22
23 Ms. Witters offered a motion to adopt the revised personnel guidelines as written and was seconded by
24 Mr. Brown. The motion carried 4-0.

25 26 Policy Inventory

27
28 The Manager briefly explained that this was an inventory of the policies in the binder. This was
29 intended to form the basis of a policy manual and prioritize policies for updates. Due to time
30 considerations, discussions on this item could be deferred.

31 32 Regional Concerns Meeting: VTrans Replacement of Bridge East of Fire Station

33
34 The Manager explained that there was a bridge on Route 2 that crosses the interstate, just east of the
35 Fire Station. This was being scoped for replacement, and VTrans was planning a regional concerns
36 meeting to discuss their options. The key issue for Richmond was a closure of Route 2 and how long
37 that would be. Some options allowed Route 2 to remain open during the lengthy construction of a new
38 bridge. The Selectboard was being asked for a convenient date to have this meeting. After some
39 discussion, the board agreed on June 11th at 7:00 pm in the Town Center Meeting Room.

40 41 Approval of Contract with Green Mountain Engineering for Engineering work related to the 42 Replacement of a Culvert on Route 2

43
44 The Manager explained that the town had plans to replace a drainage culvert from the Harley Brown
45 building on Route 2 down to the railroad tracks. This was scheduled for next year, however the
46 section under Route 2 was failing and needed to be replaced. The budget had the funds at this time,
47 and he was requesting approval of this contract for \$13,500 to design, permit and oversee the work –
48 which would be awarded to a construction company at a later date.

49

1 Mr. Brown offered a motion to approve the contract with GME for the Route 2 culvert replacement in
2 an amount of \$13,500 and was seconded by Ms. Witters. The motion carried 4-0.

3
4 **Reports from Selectboard and Town Manager**

5
6 The Manager noted the Police Report and the Works in Progress and calendar.

7
8 The Manager reported that the Buttermilk Phase 2 application was approved with conditions by the
9 DRB. The Manager also reported that an agreement was reached with VELCO on the use of the log
10 road for access to their easement.

11
12 **Approvals**

13
14 **Approval of Warrants & Purchase Orders**

15
16 The warrants were reviewed and approved.

17
18 **Approval of Minutes**

19
20 Mr. Brown offered a motion to approve the minutes of April 16, 2018 and was seconded by Ms.
21 Witters. The motion carried 3-0-1 with Mr. Ackerman abstaining.

22
23 **Approval of Access Permit**

24
25 Mr. Brown offered a motion to approve an access permit #2018-08 for 153 Bradford Terrace, and was
26 seconded by Ms. Witters. The motion carried 4-0.

27
28 **Approval of Green Mountain Bicycle Club Time Trial**

29
30 The Manager explained that this was on Cochran Road on May 10th. This was a single-bike at a time,
31 timed trial that had been done in the past with no complaints. Mr. Brown offered a motion to approve
32 the time trial and was seconded by Ms. Witters and the motion carried 4-0.

33
34 Ms. Witters noted that the Water Commission requested the Selectboard discuss the usage of the old
35 water tank sites as possible cell tower lease sites. Mr. Sander added this to the next agenda.

36
37 **4. Adjourn**

38 Motion by Mr. Ackerman to adjourn the meeting at 9:50 p.m. Seconded by Mr. Brown. So voted.