

## **Town of Richmond Selectboard Meeting Minutes of June 20, 2022**

**Members Present:** Bard Hill, David Sander, Jay Furr, Jeff Forward, June Heston

**Members Absent:** None

**Staff Present:** Josh Arneson, Town Manager; Duncan Wardwell, Assistant to the Town Manager; Kyle Kapitanski, Police Chief

**Others Present:** Meeting was recorded by MMCTV, Allen Knowles, Cara LaBounty Cathleen Gent, Christopher Cole, Erin Wagg, Lauck Parke, Laurie Dana, Lucy Mercer, Mary Houle, Rod West, Ryan Mercer, Susan Wells

**Call to Order: 7:00pm**

**Welcome by:** Heston

**Public Comment:**

Heston: I want to start by recognizing our newest Federal Holiday, Juneteenth. This holiday recognizes the day of release of the last of enslaved Americans, nearly two and half years after the signing of the Emancipation Proclamation. I know there were events around Town and the State this weekend I know there were events in Town and around the State.

LaBounty: I have a couple of items to address. First, I request that the Selectboard requires the Town-wide appraisers to update their files to include the actual cost changes and not just the cover sheet. If anyone wants to appeal the property valuation, they need to see the details which is more transparent. I have asked for this in the past. When you appeal, you have to reach out to the assessor and request detailed cost sheet pre- and post-change. It is on the taxpayer to go through those items to make sure they are not being mis-taxed. I think it should be a Town of Richmond policy that each file includes a printout of the cover sheet along with the detailed cost sheet. You can talk to your assessors about it, it is an extra sheet of paper. Please make this change or reach out to me if you have any questions. The other item is the bicyclists in Town and Hinesburg Rd are going four abreast on the road. I am not sure of the current rules of the road but I am concerned. We need to help mountain bikers and road bikers learn how to share the road. The number one group of people who did not contribute or roll down their windows during the recent coin drop were cars with thousands of dollars' worth of bicycles on the back of their cars. I think we need to consider this as you consider the amount of money we are spending on the Williams Hill lawsuit.

Furr: Cara is correct that volunteers observed a lot of people donated at the coin drop including out of State cars. The exception was usually a car with a mountain bike on back would not even roll down their windows.

Heston: Bikers need to follow all the same traffic rules as cars. They need to stop at Stop Signs, red lights, not riding on sidewalks and travel in the same direction as cars. All bikers should know the rules. Do they follow them? No.

LaBounty: Maybe the Town Manager can reach out to local bike communities. They should talk amongst themselves and self-enforce the rules of the road. There are young and old drivers on these roads and the bikers behavior is a significant risk.

Houle: We can pass a Town ordinance that requires single file bikes. There was a bill H522 that was introduced which addressed this (<https://legislature.vermont.gov/Documents/2022/Docs/BILLS/H-0552/H-0552%20As%20Introduced.pdf>). We could pass an ordinance to be registered, insured, and licensed like car drivers. I am also concerned about how people dress while walking along the road especially in low-light situations. We should dress similar to hunting season and be more visible. My last point is about the Recreation Study where I sent an email of my concerns to the Town Planner and Chittenden County Regional Planning Commission representatives. It was in regard to including “Mary Houle’s property” in their plans. It will be 50 years after my death that anything like that happens. My land will not be included for a bootleg path from Cochran’s to Safford Land Trust path to Rivershore which is interrupted by my property and the property across from Cochran’s. It is not unique to me.

Hill: We should have a future agenda item about engaging the bike community. I am a frequent user of Cochran Rd. This is a random sample but the vehicles the most disrespectful to the speed limit also have bikes attached to them. This is a dis-credit to the biking community. There is an appearance of a pattern, and it is worth engaging them with the solution.

**Additions or Deletions to Agenda:** None

### **Items for Presentation or Discussion with those present**

#### **Consideration of making appointments to the Water and Sewer Commission**

Arneson: For our customer seats, Fran Huntoon does not wish to continue. Greg Tucker plans to fill out his term until December and then resign so that gives us time to find a replacement. Morgan Wolaver applied to serve on the vacant customer seat. The Water & Sewer Commission recommends Greg Tucker and Morgan Wolaver.

*Furr moved to appoint Selectboard members Jay Furr, Bard Hill, and David Sander to one-year terms on the Water and Sewer Commission to seats which are to be filled by Selectboard members and to appoint Greg Tucker and Morgan Wolaver to one-year terms on the Water and Sewer Commission for seats which are to be filled by customers of the Water or Sewer System to begin on July 1, 2022. Forward seconded  
Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

#### **Consideration of ratifying appointment to the Andrews Community Forest Committee and review of bylaws related to the appointments to the Andrews Community Forest Committee**

Heston: After reviewing the by-laws, we realized we did this out of order. Jesse Crary, the Chair of the Andrews Community Forest Committee, confirms their approval of Melissa Wolaver to the Andrews Community Forest Committee for a three-year term.

*Furr moved to appoint Melissa Wolaver to the Andrews Community Forest Committee for a term of three years. This appointment is subsequent to the appointment on May 16, 2022 which was done prior to approval of Wolaver by the Andrews Community Forest Committee. This appointment recognizes that the Andrews Community Forest Committee voted in favor of Wolaver's appointment at their May 31, 2022 meeting. Forward seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

**Consideration of acknowledging that a thermal camera budgeted in FY22 will now be purchased in FY23**

Heston: Due to supply chain issues, the Fire Department will not receive it until fiscal year 2023.

Forward: What is this equipment used for?

Houle: It detects heat sources and outlines a human body.

Forward: I wonder if it is something that can be used in other Town situations like energy audits.

Heston: We can ask the question.

Houle: It might be a risk if it is leant out and then they might need it in an emergency.

*Forward moved to overspend the Equipment Purchase line of the Fire Department budget by \$9,000 in FY23 to purchase a thermal camera that was budgeted for FY22, but which was unable to be purchased in FY22 due to supply chain delays. Hill seconded Roll call vote follows discussion.*

Hill: We do not know if it will actually be overspent until the end of the year. We should also see a surplus from the amount we did not spend in FY22.

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

**Consideration of approving request for using the municipal parking lot at 27 Bridge St. for expanded seating at Big Spruce for Rooted Vermont pre-event gathering on July 29, 2022**

Heston: We asked for feedback from local businesses after our June 6 Selectboard meeting. We received a lot of positive feedback. The handicap parking will remain open. We are assuming that there will be no issues with following our noise ordinance.

Forward: I am glad we asked for business feedback to see if there was any parking impact. It was mostly enthusiastically in favor of this event.

Heston: One person asked if this sets a precedence for shutting down the Town property for private events. We need to think about it and understand there might be other things down the road.

Houle: There are various streets that might close for private events. The use of Cochran Rd is often used for private events. It is not uncommon, but it is a consideration if it happens more frequently.

Heston: There are other concerns regarding the two-hour limits on those parking spots. Some people are parking for 4-6 hours. Should we ask businesses and employers to help enforce this?

Houle: There are two employers who will park in excess of 4 hours in some of those spots. It is very difficult to expect anything if they cannot police themselves.

Forward: Can we educate the people who are parking in those spaces. I think we can hand out paper that looks like a ticket, but it encourages people to educate others about the situation.

Furr: Self-policing would be nice. It continues to be an issue. Some businesses claim their customers have limited spots especially with mobility issues.

Hill: We should warn this as a public discussion item. We should have a fruitful conversation to help troubleshoot the upper block of Bridge Street parking.

*Forward moved to close the municipal parking lot located at 27 Bridge St. from 12:00 AM to 11:00 PM on July 29, 2022 so it may be used for a welcome party for the Rooted Vermont cycling event at the Big Spruce. The handicap parking space must remain accessible to vehicles throughout this event. Sander seconded  
Roll call vote follows discussion*

Hill: We should remind people that the Zoning regulations state the noise limits go to 11 pm.

Heston: For Commercial Noise, from 7 am to 11 pm it is 80 decibels average or 90 decibels instantaneous. From 11 pm to 7 am, it is 60 decibels average or 70 decibels instantaneous. This can be found online (<http://www.richmondvt.gov/wp-content/uploads/2014/03/Richmond-Zoning-Regulations-October-2021.pdf>).

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Consideration of approving a request to use the Town Center parking lot for a car wash fundraiser for Projects Abroad**

Heston: We have information in our packet about using the Town Center parking lot and water. The Post Office has been notified and approves. We have Lucy Mercer here to explain the request.

Mercer: In August, I am going to the Philippines for a medical service trip as a public health volunteer with Project Abroad. I have had several fundraisers including a carwash at Jericho Elementary School. I request use of Town Office water and parking spaces at the back of the lot for a car wash fundraiser on Saturday, July 2, 10 am – 2 pm. The Library and Post Office are fine with me using the back row of the Town Office parking

lot. In the Philippines, we do a lot of home visits where I will do basic health care like taking blood pressure, administering medication, and a lot of outreach on relevant illnesses & diseases.

Heston: You should be commended for your efforts, that is great work.

Furr: Is the Post Office paying for the water?

Arneson: The Town would be paying for the water as they are using our spigot and the hoses that have been donated by Mary Houle.

Forward: How did you choose this organization.

Mercer: I had a friend who shared their experiences. I wanted that type of exposure as I have never traveled that much. My guidance counselor at MMU helped me identify some service trips. The Project Abroad fits nicely with my timelines. I am hoping to go into Physical Therapy in college.

Furr: Do you know what type of soap you will be using?

Mercer: I know it is biodegradable.

Heston: That's good.

*Furr moved to approve the use of the portion of the Town Center parking lot located behind the Post Office for a fundraising car wash to benefit Projects Abroad, on Saturday, July 2, 2022 from 10am – 2pm. Forward seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Consideration of closing Bridge St. for the Fourth of July parade**

Heston: We do this every year but haven't voted on it in the past. We are going to do it right this year. We need to close the road for the Parade.

Furr: Is the Fun Run still from the school down to the Volunteers Green and within the 10:30 am timeframe?

Heston: The Fun Run is actually at 10:30 am and then the Parade begins. Should we close Jericho Rd from the school down to Rt 2? The motion should reflect that it would only be closed for 10 minutes.

*Furr move to close Bridge St. from the intersection with Rt. 2 to the Round Church on Monday, July 4 from 10:30am – noon for the Fourth of July Parade and a portion of Jericho Rd from School Street to the intersection with Rt 2 from 10:15 – 10:45 am for the Fun Run. Forward seconded*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

Houle: I will be doing parking lot duty at Volunteers Green until noon.

### **Consideration of approving the fraud risk list**

Heston: We looked at this at our last meeting. We had some questions about risk of Town vehicles and gas being used for personal use. It would be great to have a password protected system. Our procedure for diesel fuel is sufficient checks and balances to confirm no misuse of the pump. That has been added to the Fraud Risk List.

Furr: I went over this, and I think this is a reasonable procedure.

*Forward moved to approve the fraud risk list as presented. Furr seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Consideration of ratification of amendment to Agreement with the New England Police Benevolent Association Local 415**

*Furr moved to ratify the agreement with the New England Police Benevolent Association Local 415 for a one-time salary adjustment in FY23. Forward seconded*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Discussion of sidewalk construction project on Bridge St. in front of Richmond Market and related easements**

Heston: Currently, there is not a sidewalk in front of the Richmond Market. This is not a safe spot to cross at Railroad Street and it is not well lit. The Town needs an easement for the construction of sidewalk and lighting.

Arneson: Pete has been working with Dan Noyes to ensure there is room for tractor trailers to still be able to turn around. The curb needs to be low enough so the tractor trailers can move in and out. He also is concerned about his land development rights. There would be no impacts to further development. Pete provided a sketch of what the sidewalk would look like and how much land we would take. The easement would cost about \$821.23. Dan is amenable to this arrangement considering we respect his requests. There are members from the Transportation Committee who might share some perspectives.

Furr: Does Dan own the land under the proposed light?

Heston: He owns the street.

Arneson: The Town has an easement on the street for maintenance and to get to Richmond Rescue.

Heston: The next steps are to get the formal design and easement. We will hear back from Pete as he wants to complete in this summer's work plan.

Forward: One intent of the sidewalk is to delineate the pedestrians from the vehicles and the curb helps accomplish that.

Heston: I think it will be similar to what is done in Williston near Shaw's so that it makes it handicap accessible as well.

Arneson: I think it is a line that will be repainted every Spring.

Gent: I am hoping the crosswalk remains where it is now and not being pulled toward Railroad Street. There could be problems with vehicles pulling up where pedestrians are crossing.

Arneson: I think it will be at a slight angle to line up with the corresponding sidewalk coming down Bridge St.

Gent: I am concerned about pedestrians being less visible if it angles too much into Railroad Street. That's my opinion.

Knowles: The position of that sidewalk was addressed by an engineering study which recommends the mountable curbs like found in Williston. I am not sure why the landowner does not want mountable curbs.

Forward: I agree this is a negotiable point. Maybe we could see examples of curbs. We would benefit from an engineer's perspectives on the options that provide pedestrian safety that accommodate the private truck traffic.

Heston: I think we need to see the best option that the engineer provides for satisfying these two requirements.

Furr: A light pole will provide some visibility.

Knowles: Mountable curbs allow truck traffic and provide more than paint to delineate a radius for cars. The grant for the sidewalk on the east side has been applied for but not received. The impact on the East side keeps people from having to cross at the busy Railroad Street crossing.

Houle: Dan provides a truck traffic turnaround for businesses at the top of Bridge Street. I applaud him for that.

### **Discussion of reports of speeding on Cochran Rd.**

Heston: There has been a lot of conversation on Front Porch Forum about the speeding on Cochran Rd.

Arneson: We increased speeding enforcement last week on the east and west ends of Cochran Rd. We are also meeting about the process for a Traffic Calming Policy. We will engage with residents about identifying problems and then escalates to different levels of enforcements from radar feedback signage to speed bumps. It takes some time, thought, and consideration before we get to any of those.

Kapitanski: The officers are tracking when we do enforcement on the east and west ends. We have had many traffic stops, tickets, and one criminal offense. The Highway Department put the radar trailer out by Wes White Hill. This helps warns drivers while

collecting data. We will install trailer hitches to some police cars so we can tote that sign around to different spots.

Heston: We have been talking about our Traffic Calming Policy. Thank you for your quick reaction.

Kapitanski: We have one radar cart. The radar cart is a trailer that shows the speed display and how fast you are traveling. This cart is digital and programmable to provide different messages. Messages can be personalized for speeding drivers, safe drivers, Click It or Ticket campaigns, or for Highway projects. It also tracks granular data about the speed of a vehicle, time of day, day of week, and it compiles the data to help analyze patterns.

Furr: The ability to move the radar cart around provides flexibility and data gathering options.

Wells: Drivers often come speeding down Huntington Rd and do not slow down on Cochran Rd. Our traffic has increased with many mountain bikers and other recreational groups using the three additional parking lots on Cochran Rd. UVM and MMU use Cochran Rd for skiing, running, and biking groups. We are not over-exaggerating the need. I would like to hear more about the Traffic Calming Study.

Heston: The Traffic Calming Policy helps us make decisions about whether speed bumps would be an appropriate solution.

Kapitanski: If a Town or Staff member receives a complaint, it will go to the Traffic Calming Committee. Generally, the first phase is education and enforcement. The other phases deal with more permanent based solutions. After each Phase, there is an assessment period where the Traffic Calming Committee analyzes the efforts so far before determining if the proceed to next Phase.

Forward: We need a rationale way to move the issue along a continuum in a cost-effective way with effective implements. I think Cochran Rd is a perfect first case scenario. This has been an issue for many years.

Heston: This puts a process in place and we have a case-study in Cochran Rd.

Forward: There is a big different between a bicycle not following traffic rules compared to a vehicle not following traffic rules. Cars can kill people.

Hill: There might some issues with people driving 50 miles per hour on Rt 2 which makes it feel normal when they are on the other side of the river on Cochran Rd.

### **Update on pre-construction meeting for the Rt. 2 repaving project**

Arneson: VTrans held their pre-construction meeting for the upcoming project which removes the concrete slabs on Rt 2 and re-paves (<https://resources.vtrans.vermont.gov/factsheet/default.aspx?pin=10C254>). This week they are putting up signage. They are going to start at the Bolton end then moving to the west. They plan to do night work through parts of the Rt 2 process. Pete and I followed

up with our concerns on the disruptions to our community at night. I do not envy the position of having to choose either option when dealing with sleeping residents at the heart of the Village. The bulk of that work will not happen until next year.

Heston: There is one night this summer when they will close Rt 2. Does this fall under our Noise Ordinance?

Hill: I don't know if our Zoning Ordinance would apply to people working on our roads. Unless there is an over-riding statute, or Zoning/Noise Ordinance apply to people working on public, Town, State, or private roads

Heston: It is worth looking into. I think people would rather take a detour than deal with construction from 11 pm – 7 am.

Forward: We also have an Exterior Lighting Ordinance. This whole project is going to be nightmare for the people in the Village. It is starting this summer and continuing in 2023.

Hill: The train is pretty loud from my house just above the Village. How will we be able to measure the ordinance standards?

West: What are they starting next week?

Arneson: Next week, they are ledge removal, slope stabilization and replacement of drainage structures. I do not think they are going to plane the entire project section just yet. I can follow up on the details of where and when they are starting.

Knowles: Why did they feel privileged to construct during the night? Are they privileging the people who drive through Richmond or the people who live in Richmond?

Hill: They view Rt 2 as their road and their goal is unimpeded transportation on their road which is the commuting hours. We need to ask our legal team to determine if our Ordinances impact VTrans. There are four layers of the road, and they need to remove at least three layers so this will be really loud. I think we could negotiate or influence their approach as it is an extended disruption for a small group of Rt 2 residents.

Heston: Chris Cole wrote in the chat “It costs more to build at night. I would imagine the contract was bid with those nighttime construction requirements.” We need to get a legal opinion.

Hill: It was also suggested in the chat that we “Invite them to the selectboard meeting and explain their rationale.”

Arneson: There will be 3 representatives here on our July 18<sup>th</sup> Selectboard meeting.

### **Update on Library Trustee decision on the compensation study**

Heston: The Library Trustees approved the same pay grid that was approved by the Selectboard (option #4 at 70<sup>th</sup> percentile and 5.75% cost-of-living increase for FY23 retroactive to pay period ending May 18<sup>th</sup>).

## **Approval of Minutes, Warrants and Purchase Orders**

### **Purchase Orders**

*Forward moved to amend PO# 4216 to Cargil Salt Co. from \$55,042.00 to \$55,421.60 for winter road maintenance. Furr seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Warrants**

Forward: Why is there a negative line in your electric bill for charging the Tesla at home?

Kapitanski: Green Mountain Power charges the normal electric rate per kilowatt hours used to charge an electric vehicle. They then reimburse you for that rate and charge you at the discounted rate. That is why you will see a minus amount. It is not metered separately it is just tracked separately. This bill also represents the lack of billing from April to May when the link was not properly communicating.

Forward: I am not questioning you but questioning Green Mountain Power's billing. I have a question about the Splash car wash in Milford, CT.

Kapitanski: That is the Eco Car Wash in Williston, so Splash is probably the parent company.

*Furr moved to approve the warrants as presented. Forward seconded*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Minutes**

Heston: In the June 6, 2022 Minutes, it states that Jay wants to be included in the Racial Equity conversations. I had also said that prior to Jay. Please add that I wanted to be included in the Racial Equity conversations.

Forward: I suggest putting page numbers on the Minutes. On page 13, I had a statement where it says "require" and it should be changed to "acquire."

*Forward moved to approve the Minutes of 6/6/22 as presented with the above amendments. Furr seconded*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Discuss Items for Next Agenda**

\*Next meeting is Tuesday, July 5<sup>th</sup>

\*ARPA Committee wants to use Town's bulk mailing permit

\*Bike group reach out

\*Parking feedback on upper Bridge St

\*Future considerations for a State Holiday on Juneteenth

\*Follow up with Noise/Light ordinance with attorney and Agency of Transportation

## **Executive Session: Labor Relations Agreement with New England Police Benevolent Association Local 415**

*Furr moved to find that open discussion of potential terms for the collective bargaining agreement with the Town's police officers union would place that Town at a substantial disadvantage because premature disclosure would impair the Town's bargaining position." Forward seconded*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

*Furr moved to enter executive session under V.S.A. § 313(a)(1)(B) to discuss a potential contract proposal to the Town's police officers union and to invite the Town Manager to the executive session. Forward seconded*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

*Forward moved to exit the executive session. Sander seconded.*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Adjournment**

*Furr moved to adjourn. Forward seconded*

*Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

**Meeting adjourned at 9:07 pm**

### **Chat file from Zoom:**

00:18:58 Allen Knowles: There is not a single bicycling community. Those of us who use bikes for transportation are on the bike, not driving a motor vehicle with bikes hanging off the back..

00:23:50 bard: A point well made, Allen.

01:15:15 MMCTV Erin: What is this speakers name?

01:16:50 bard: Erin were you referring to Susan Wells?

01:17:39 MMCTV Erin: Yes the speaker in the back corner

01:22:19 MMCTV Erin: Thanks team!

01:37:31 Christopher Cole: It costs more to build at night. I would imagine the contract was bid with those nighttime construction requirements.

01:38:29 Christopher Cole: Invite them to the selectboard meeting and explain their rationale.

01:40:49 Kyle Kapitanski - Richmond Police: Can Christopher Cole please mute?

Lots of feedback