

**Town of Richmond
Selectboard Meeting
Minutes of June 6, 2023**

Members Present: Bard Hill, David Sander, Jay Furr, Jeff Forward, Lisa Miller

Absent: None

Staff Present: Josh Arneson, Town Manager; Duncan Wardwell, Assistant to the Town Manager; Keith Osborne, Town Planner; Benjamin Herrick, Interim Police Chief;

Others Present: Meeting was recorded by MMCTV, Andrew Bessette, Brad Elliot, Cara LaBounty, Clayton Clark, Connie Van Eeghen, David Rugh, Denise Barnard, Ian Stokes, Jamie Smith, Jon Kart, Judy Rosovsky, June Heston, Lee Diamond, Lou Borie, Martha Nye, Mary Houle, Nick Neverisky, Patty Brushett, Rachel Atkins, Rod West, Scott LaValley, Sheri Lynn, Stefani Hartsfield, Stephen Falbel, Steven Brownlee, Susan Wells, Virginia Clarke, Wafic Faour, Wright Preston

Call to Order: 7:00pm

Welcome by: Furr

Public Comment:

LaBounty: I'm going to connect some dots for you right now. I hope I'll be brief with it, so you can understand. This map was presented to me from the assessors with labeling of neighborhoods. It's very unfortunate that the land schedules that I've been asking for have not been provided to the public as I requested 6-months ago to June, Josh, and the assessors. It's very important that taxpayers have this missing information. This map that they gave to me as part of the information is not valid. From a perspective of affordable housing to affluent housing, you can look up the statistics. Look at Cote Rd and Bordeaux Ln which are mobile homes on dirt private roads and driveways. They went up 80% while Southview Dr which is a paved public road with affluent houses went up 33%. We do not have a land schedule so that you cannot see what has happened to the neighborhoods and the land values, not home values. If you have a mobile home on Cote Rd and the value of your land is equal to the value in Southview, that's a problem. Jay has agreed to put asset management plan on the agenda.

Atkins: My name is Rachel Atkins, I live on East Hill Road. I've been a resident for 32 years, and I am an Certified HR Professional. I see an update on the Police hiring is on the agenda, but it doesn't look like there's any time for discussion. Given the high turnover that we've had in the police chief, I would encourage the Town to look at the cost effectiveness, and other benefits of contracting with the Hinesburg police chief.

Furr: We are in the hiring process. We're simply going to say where do we stand.

Hill: I was one of the Selectboard members that met with the Hinesburg representatives who told us to put on hold any conversation about a joint department, which is a complex interaction. A joint police department requires governance and under State law is far more complicated.

Additions or Deletions to Agenda: None

Items for Presentation or Discussion with those present

Comminos Zachary Litigation re: 23 Pleasant Street – Executive Session to discuss pending litigation to which the Town is a party and confidential attorney-client communication for the purpose of rendering legal services to the Town and Selectboard - 1 V.S.A. § 313(a)(1)(E) and (F)

Hill moved to find that premature general public knowledge of the Town’s litigation with Comminos Zachary would place the Town at a substantial disadvantage because public disclosure of the discussion would jeopardize the Town’s litigation strategy and would lead to the disclosure of privileged and confidential attorney-client communications. Sander seconded.

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

Hill moved to enter executive session under 1 V.S.A. 313(a)(1)(E) and (F) to discuss attorney-client confidential communications and the pending litigation brought by Comminos Zachary against the Town and others, inviting the Town Manager and Town Attorney David Rugh to join the executive session. Sander seconded.

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

Forward moved to exit executive session. Hill seconded.

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

Hill moved to authorize Stitzel, Page & Fletcher, PC to enter its appearance on the Town’s behalf in the two cases filed by Comminos Zachary against the Town regarding 23 Pleasant Street and the new Northfield Savings Bank. Sander seconded.

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

Update from Howard Center Assistant Director of Outreach Crisis Support Scott LaValley on the Community Outreach Program

LaValley: This presentation I put together a few years ago, when I was doing my doctorate program. I configured the data to demonstrate Chittenden County. I didn't break it all the way down to each specific town. I think it gives a fair representation of some of the things that make the Community Outreach Program valuable.

ACEs are Adverse Childhood Experiences or some negative health outcomes that communities face. It's important for communities to improve health outcomes for citizens. They're categorized in 3 groups of abuse, neglect, and household challenges. Tipping points are where people start to experience negative health outcomes as they go into adulthood.

As of 2021 the population of Chittenden County was 168,865. ACEs prevalence research suggests ~103,000 people have experienced at least one ACE and ~28,700 people have experienced 4 or more ACEs. In Child Abuse and Neglect Prevalence, 58,100 experienced emotional abuse, 30,200 physical abuse, 19,600 sexual abuse. Household challenges as a child include 29,600 intimate partner violence, 46,600 parent/caregiver

substance abuse, 27,900 mental illness at home, 46,600 parental detachment, 13,340 incarceration of household member.

Resilience is recognized as the ability to endure, recover quickly from challenging conditions. It's really hard to develop resilience when the adversity in childhood is overwhelming. Key players in developing resilience are obviously parents and families. We try to foster healthy families, support parents, social services, hospitals, human service agencies, pediatricians, the court system, and law enforcement.

We work hard to build those relationships. The specialists that work on that team are out there trying to connect with people, make relationships, and overcome that stigma and reach these populations of people that are that are hard to get to. We look at rural communities where there's space a lot of times between where we live.

Kids that experience ACEs or even young adults that have experienced a lot of adversity, often present themselves as behavioral problems. We realize there's a lot of underlying traumas that's underneath all of that. Solutions include community forums, pediatric ACEs screenings, and empowering resilience interventions. The American Academy of Pediatrics issued a memo to start implementing ACEs screenings into the practice. Community forums can provide some caregiver education around attachment and fostering positive emotions. We put all this work together to develop individual and community resilience. Empower resilience intervention builds on strengths and capitalizes on the strengths that already exist.

Trying to collaborate to solve these complex social issues does require commitment. We help move forward on trust and transparency, trying to bring community partners together. What is next is raising community awareness, reducing stigma, and demanding better services.

Forward: We've invested in this program for a number of years. We encourage our Police Department to utilize you. It would be good to know that data of how often your services are utilized in our community. Do you have any data that's relevant to Richmond?

LaValley: We issue quarterly data. In July, it will also be for the previous fiscal year.

Miller: Does your data include elder abuse or neglect?

LaValley: It does not.

Hartsfield: Thank you for all the collaboration with the Howard Center. I think we've had this partnership since about 2017. Because we have short staffing in our Police Department, how do we see that collaboration in the future? Resiliency is part of our current Town Plan, and we've been working hard on how to really promote youth resiliency. We're trying to start a prevention coalition because we are a gap area in that way as well. How can the Howard Center support these rural towns, whether it's financially or policy wise in bolstering resiliency?

LaValley: The ACEs idea is experiences that happen prior to their eighteenth birthday. A lot of those screenings are adults, so it's retrospective. We're looking at the whole

population that does include children that are under 18. It's the type of adversity, that's what they're counting in that study. I do have a presentation on ACEs that goes into it pretty heavily, it's more of a 45 min or an hour-long deep dive into the science behind it.

Barnard: Is it a free service to the Town of Richmond?

LaValley: It is a contract.

Arneson: It's about \$9,000-\$10,000 per year.

LaValley: The number of different cases last year will be shown in the quarterly report we send out to all the towns.

Arneson: I think we can go over that in the July meeting once the annual data is up.

Discussion of memorandum regarding Transit Service in Richmond

Furr: We have the consultant who put together this study on service enrichment. The study is in the packet (https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3c_Memo_Regarding_Transit_Service_In_Richmond.pdf).

The 20,000-foot view is the ridership would not justify the cost. It would cost about twice as much as any other route to provide the service here in Richmond.

Smith: My name is Jamie Smith. I'm the Director of Planning and Marketing at Green Mountain Transit. I'm also a resident of the town of Richmond. GMT was approached by the Town of Richmond Transportation Committee specifically Chris Cole and Cathleen Gent to look at transportation options. I'm also joined by Clayton Clark who is General Manager from Green Mountain Transit, we are happy to answer any questions.

Falbel: The memo talks about what was requested from the Transportation Committee, a bus route from Waterbury through Richmond to Williston, as well as a separate feeder service, whether that's micro-transit or a regular circulating bus route. I did some analysis based on commuting data. I'd be happy to answer questions about that but I won't go into detail on that.

Hill: We were talking about over the years how people get from the Mobile Home Park to the Village itself, how people get from the Mobile Home Park to the Park & Ride.

Falbel: I consider that in the map. The feeder service is designed to serve Riverview Commons. Most of the jobs in Richmond are within the CDP (Census Designated Place). The best use of resources would be a single route that combines a feeder component which circulates through Riverview Commons as well as the most popular parts of the Town. Then it turns into a line-hall service, so that you can have a one-seat ride both to the Park & Ride and connect to the link buses and get to Williston village and Taft Corners.

I present a potential timetable here of how it could work. It shows what times they arrive, going inbound toward Burlington and outbound toward Waterbury and

Montpelier. The feeder service was designed to hit as many of those link trips as possible.

Miller: The future brings a lot of affordable housing in the area. Richmond's concentrating on that as a State mandate. Do you plan to update this for the housing stock that's going to increase because those people are most likely going to be employees.

Falbel: A degree to which new development comes online we can certainly consider new numbers. This is based on experience about what percentage of people typically use bus services. I don't want to assume the rosy scenario going in and sell you an idea that that may not be popular based on broader experience.

Hill: Maybe you could talk about the number of trade-offs between the number of days and number of trips and riders.

Falbel: It depends on what your target market is. If you're thinking of this as a shopping shuttle, you can do it a couple of days a week. If you're trying to attract commuters, then a service that only runs a couple days a week will not be attractive. I designed a maximal service to serve every link trip to provide at least 2 or 3 trips in each peak period to give people flexibility. If GMT is going to operate this, there's certain limits to the cost savings. If you wanted to contract SSTA or a private agency that affects the cost ratios.

Forward: You said this service would cost about \$300,000 a year. You talk about a 20% local match for Richmond, it would be about \$60,000. Where would the rest of the money come from?

Falbel: It would be primarily Federal money. There's a fund called CMAQ which stands for congestion, mitigation, and air quality. VTrans has discretion with these Federal funds to allocate them to new projects, new proposals, and it is generally an 80%-20% match. The agency would put in a grant application, and it would have to justify the service and the need and here's the proposed ridership. We're not really in a rural area here. It's a little more suburban. A series of grant applications just went in April for the coming fiscal year. You'd probably be applying for FY25 to do it would start July 1st of next year.

Hill: In our previous discussions with VTrans, we pointed out that the configured Rt 2 and Interstate and Park & Ride precluded access from our single largest point of affordable housing at the Mobile Home Park. There's no way to get there from there. When you think about our workforce problems and how people get to work, it's a subtle thing that's not really clear from just the map. There's no real viable pedestrian access from the Mobile Home Park to the Park & Ride even though it's several 100 or 500 yards. Is it viable to do it for a year to see if we get the riders?

Falbel: There's an example in Waitsfield, a bunch of community members sharing a single Subaru Forester to provide rides to people in town to get to where they need to go. One inexpensive option would be to have some volunteers in Richmond with a vehicle that either the Town owns or put up to try this out. That could help build the case at a very low cost. Having GMT do it is going to be more expensive. There are various volunteer driver programs around like United Way.

Forward: \$60,000 would be less than buying a vehicle and insuring it. Perhaps the Transportation Committee will investigate whether to submit a grant application for either next year or the year after.

Hill: Maybe that's a future agenda item with the Transportation Committee on how we move this forward.

Clark: I'm Clayton Clark, General Manager of Green Mountain Transit. I want to make sure that you all are aware that Green Mountain Transit is facing sort of a dual cliff scenario. We are operating more services than our revenue can support. We have COVID Relief funds that are dwindling and will expire in the next 12 to 24 months. There's about a 1 in 3 chance that operator of a large bus is on overtime. There's going to be some really hard realities pushing against you.

Public hearing for proposed amendments to Zoning Regulations for Village Residential/Commercial District and Gateway Residential/Commercial District and associated amendments

Furr: We have Virginia Clark, the head of our Planning Commission and Keith Osborne, our Director of Planning and Zoning.

Forward moved to open the public hearing for the consideration to amend Richmond Zoning Regulations Sections 2.5.2, 3.1.1, 3.1.2, 3.2.1, 3.2.2, 3.3, 3.4, 3.5.1, 3.5.2, 3.6.1, 3.6.2, 3.7.1, 3.7.2, 3.8.1, 3.8.2, 3.9.1, 3.9.2, 3.10.1, 3.10.2, 4.5, 5.5, 6.1.2, 6.1.3, 7, and the Official Zoning Map and its Legend. Minor references related to the district name changes have been amended in the following additional sections: Table of Contents, 2.1, 5.7.3, 5.7.4, 5.12.2, and Index. Sander seconded.

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

Clarke: I will go over what has changed since the initial presentation of information from the Planning Commission. At the discussion meeting that the Selectboard held, a majority of the discussion centered around adding the parcels on the Jericho Rd between the traffic light and the schools into the Village Residential Commercial district. Based on information that was gained from ground visit to these sites and information presented by the neighbors, it was determined that this was possibly not ideal to add these lots into the Village Residential Commercial District but to leave them in the district which they are currently in which is the high-density Residential district that includes Southview and Hidden Pines. All the text of the amendments remained the same. The map has changed to show the removal of the Jericho Rd lots from the amended zoning regulation map.

Furr: When people came to the hearing, they said that they did not think it was a good idea to have commercial businesses going in there. They made a fairly good case.

Clarke: There are very few lots that are developable in that area. The site distances are bad. There's a hill, there's a curve. The sidewalk that we created does host quite a number of people walking, including children. We didn't want to endanger any of those pedestrians. There's no space to really make a turnaround, so the traffic would be exciting as the traffic from the residences now does. This doesn't seem super desirable. The high-density Residential district does allow some commercial uses. It just seemed

like those lots were not very suitable for a lot of commercial usage. The lots themselves aren't terribly suitable.

Osborne: There are severe site limitations for development. You have natural feature issues and maneuverability on the lots is just almost non-existent.

Clarke: Now many communities are trying to allow for more housing because we have a severe housing shortage. Commercial activities have changed their nature.

Wood: I fully agree with the idea that area is not conducive to more commercial. One of the big changes that was overlooked was the Planning Commission is making the high-density Residential district significantly less dense than the Residential and Commercial district. In full transparency, my wife and I bought a lot on Jericho Rd. We settled on building a duplex. Under the proposed regulations, before the maps were changed, we were able to put 4 units there, condo-ize them and sell them. It'll now be 2 and the cost of those is significantly higher. I think that the Commercial is kind of a nonstarter, but I don't want the Residential density to get lost. I do think that there are other properties in a similar situation where we are going to give up a significant amount of density on a road where there is the ability to support that.

Clarke: One of the goals in our current proposal to update the entire Zoning Ordinance district by district is because we want to respond to the housing crisis. We added to the Residential Commercial district an increase in the ability to put up multi-family housing and to remove some barriers to putting additional housing. We have not yet taken on revising the high-density Residential district. It is possible that in our goal to add more housing to a number of districts, we will add a greater ability to put more housing in the high-density Residential district.

Forward: Virginia, have you been following that bill that passed in the Legislature that it is going to apply to the future Zoning Ordinances?

Clarke: Yes, S100. It mandates increased density in residential neighborhoods. We will know by Wednesday if it's been signed or if it's going to need a veto override. That bill requires neighborhoods that are served by water and sewer will be required to allow 3- and 4-unit buildings and some other changes to make it easier to put more housing. The legislature has grown tired of encouraging communities to do this, and now they've decided they're going to mandate it. There will be a very little changes that have to be made in these districts. We will definitely have to consider it going forward with the next districts that we take.

Forward moved to close the public hearing. Miller seconded.

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

Forward: We have not discussed in this this Zoning change, the Gateway district. Under the allowed and permitted uses and the conditional uses, one of the things that's been changed in this iteration is it's removed restaurants and retail. Conceptually, retail, and restaurants are high-density businesses that would increase traffic on Rt 2 and exacerbate traffic issues coming into the Village. Three uses that seem awfully retail-ish to me are bank, brewery, and grocery store. Should we eliminate those from the conditional uses as well?

Clarke: We have a limited amount of space for commercial activities in Richmond. We've removed the lots going up Jericho Rd. In the Gateway district we have tried to protect the scenic entrance to Richmond while allowing for there to be some commercial uses. The Gateway Commercial district, we have made it a Residential Commercial district. We need some more space where we can have some commercial uses. We feel that there's room to have another restaurant that is slightly out of Town. We've placed some restrictions on the grocery store size and the pharmacy size by requiring them to be Village scale, which is 5,000 square feet or less. We have not allowed strictly retail uses for lack of interest from some of the formula businesses. We have not allowed retail as a stand-alone. That's really why we have allowed a restaurant. We already have one restaurant out in that area. We feel like we put enough guardrails around them to make them not look like stripped development. There are restrictions on putting on any new access points. The Planning Commission didn't really feel that we wanted to completely restrict businesses from that area like the bank, brewery, grocery store.

Furr: I support these changes. I think an enormous amount of work has gone into proposing them and researching them and developing them. I'm really grateful to the people in our community who have given input.

Forward: I'm not disparaging that whatsoever. There are a number of commercial businesses beyond the ones that I've mentioned that are conditional uses and none of them are walkable.

Forward moved that from Section 3.4.3 to remove these conditional uses: b) Bank, c) Brewery, p) Grocery Store, Village Scale, dd) Restaurant, Standard, hh) Tavern. No second.

Miller: We're proposing something that isn't going to change much in the next month or three. We can always amend it or revoke it or steer it some other way. If those uses come along before our infrastructure can handle them or serve them, it won't turn out well.

Furr: Some of these uses are there because people were concerned that a Dollar General or similar store would come in. I think that the rules as set up for groceries, do fit in that area. You can only be so big, the parking has to be behind the store, you have to have a certain percentage of fresh food.

Hill: If it's not perfect, it seems very good to me.

Per 24 V.S.A. §4442, Hill moved that the Selectboard approve the Amended Gateway and Village Residential/Commercial Zoning Districts and associated updates to the Town of Richmond Zoning Regulations. This motion amends the following sections of the Richmond Zoning Regulations: sections 2.5.2, 3.1.1, 3.1.2, 3.2.1, 3.2.2, 3.3, 3.4, 3.5.1, 3.5.2, 3.6.1, 3.6.2, 3.7.1, 3.7.2, 3.8.1, 3.8.2, 3.9.1, 3.9.2, 3.10.1, 3.10.2, 4.5, 5.5, 6.1.2, 6.13, 7 and the Official Zoning District Map. Minor references related to the district name changes have been amended in the following additional sections: Table of Contents, 2.1, 5.7.3, 5.7.4, 5.12.2, and Index. In addition, the documents are accompanied by the required Bylaw Amendment Reports and Final Noticing was accomplished on May 21, 2023, in the Burlington Free Press and posted per statute. These amendments shall be effective 21 days after adoption or June 26, 2023. Sander seconded.

Roll Call Vote follows discussion.

Forward: I really appreciate the work on the language of the Grocery Store, Village Scale.

Miller: I don't know if we should set up some kind of review process to regularly review our Ordinances.

Clarke: Every 8 years we have a new Town Plan. The goal is to review the Zoning Ordinances after the new Town Plan to make sure that the ordinances are compatible. They will be reviewed after each new iteration of the Town Plan or after new legislation is passed, for instance S100.

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

Consideration of applying for a VTrans Large-scale Bicycle and Pedestrian Grant for a sidewalk on Jericho Rd. from School St. to Southview Dr.

Hill moved to apply for the VTrans Large-scale Bicycle and Pedestrian Grant for a sidewalk on Jericho Rd. from School St. to Southview Dr. and to approve funding for the \$75,000 match, to appoint Director of Planning and Zoning Keith Osborne as the Grant Program Manager. Sander seconded.

Roll Call Vote follows discussion.

Sander: If this is approved and constructed, I would like to call it the Roger Brown Memorial sidewalk.

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

Consideration of appointments to the Andrews Community Forest Committee

Sander moved to appoint Caitlin Littlefield to a three-year term on the Andrews Community Forest Committee as the Recommendation from the Conservation Commission. Miller seconded.

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

Sander moved to appoint Ian Stokes and Julian Portilla to three-year terms on the Andrews Community Forest Committee. Hill seconded.

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

Forward moved to appoint Nick Neverisky as a mid-term replacement for a term that will expire in 2024. Miller seconded.

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

Consideration of appointing a Tree Warden and Deputy Tree Warden

Furr: Statute specifically says Tree Warden and Deputy Tree Warden are not positions that 2 people can share. Matt Leonetti has graciously offered to be the Deputy with Caitlin Littlefield as Tree Warden and if you know her is eminently experienced in this field.

Forward moved to appoint Caitlin Littlefield to a one-year term as Tree Warden and to appoint Matt Leonetti to a one-year term as Deputy Tree Warden. Sander seconded. Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.

Consideration of request to close Farr Rd. on June 30 from 3 – 5pm for Little Tots Academy Graduation

Arneson: They would just close off the area beyond that driveway to the end of Farr Rd. They want to limit traffic right through there and also allow cars to come in and sort of park on both sides of the road to allow space for graduation. They have had concerns when they've had like a heavy day at pickup. They're trying to actually make the situation better.

Forward: Have Sterling House and Mann & Machine been notified about it?

Arneson: I'll let Jason know to notify them.

Sander moved to close Farr Rd. from Sterling House to Thompson Rd on June 30, 2023 from 3 – 5 pm to accommodate the Little Tots Academy Graduation. Miller seconded. Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.

Consideration of approval of RUTFest trail running event

Furr: People tend to get a little skittish about running events. It's basically intervals on one day where there will be periodically runners going on a particular stretch of road.

Arneson: And using some Town trails. There's no need to close the road. You don't have big clumps of people like you would see in a 5K. They did it last year, and I didn't receive any negative feedback.

Hill moved to approve the RUTFest trail running event as presented to be held on July 8, 2023 with a rain date of July 15, 2023. Sander seconded. Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.

Review of Recreation webpage

Furr: Sheri Lynn is here from the Recreation Committee

Lynn: Thank you all for inviting us here. Kate Kreider is the Co-Chair, but she was unable to make it today. We've been working on this for a few months now. We looked at several different other town websites. We're targeting this for all the residents of Richmond, Bolton, and Huntington so they can locate recreational offerings, programs and activities (<https://www.richmondvt.gov/community/recreation>). There are 5 categories and we're just plugging in simple lists to start with about places and things

people can do in the area. We talked about parking because that's a problem. We also connected to the Senior Center. We're talking about physical activities, but also, of course, the Library and Art Space. We have various links to where you can get trail maps and general information about hiking and biking and things like that. We put in a Winter sports section. We meet on Tuesday, so we have a little bit more of a discussion with some areas we weren't sure what to do with when we made our original list. We would discuss whether or not to list businesses in the area that provide activities. I think maybe a disclaimer on the website that this is not an exhaustive list.

Hill: I didn't see Mansfield United Soccer Club.

Recognition of Juneteenth

Furr: Back in 2020, we have been allowing the Black Lives Matter flag and sign to be at the Town Offices and flying from the park. The people who put the flags up and the sign up do have our permission
(https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3k_Black_Lives_Matter_Flag_and_Sign_Resolution.pdf)
You'll notice that it is for a period of 3 months.

Our next meeting would be in 2 weeks, which would be on Juneteenth. This is not a Town holiday. Do you think we should meet on Juneteenth or should we put it off for a day?

If you don't have any conflicts, I think it's a fine idea.

Sander moved to schedule the next Selectboard and Water & Sewer Commission meetings for Tuesday, June 20, 2023. Forward seconded.

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

Update on Police Chief hiring process

Furr: There's a lot of confusion in the community about our hiring process. We actually had an extremely successful hiring process. There were some very good candidates. We offered public forums to our 2 leading candidates. One accepted one did not. The one who did accept the public forum subsequently withdrew. The person who was our other leading candidate has subsequently put his name back in the ring.

Arneson: I've been in conversation with him about moving forward on a background check prior to moving forward to interview with first responders and public forum.

Hill: It feels like it was close to 20 applicants, and we came up with a couple of candidates who were pretty highly rated. We were also engaged in discussions with Hinesburg about what I think is a medium to long term possibility of joint departments. It requires a municipal entity to oversee a shared department. We were looking for a skill set that they were able and willing to engage in that planning process.

Heston: It's important to note that this committee is serving as advisory.

Forward: There's some disagreement about which process we should be doing first. Should we be doing a hiring process first. Or should we be trying to understand what it is we want out of a Police Chief. I understand that it's Josh's decision, and that the committee is advisory. As we are elected officials, I think we should have some advisory capacity as well, statutory or political. I would like to have more understanding about it as it happens. I'm not the only one that shares these concerns. I've said this in the past, I don't see any urgency at the moment.

Furr: The process was not failed, it was just happening at a time in our society when we were unlikely to get good candidates. Hinesburg met with us and were very warm about exploring a joint district. Within one week, they informed us never mind. It would be nice to have police hiring information shared more openly with the Selectboard.

We hire a Town Manager for his knowledge, his diligence, and his expertise. I think he did a very good job of organizing the committee. He reached out to a lot of sectors, including Richmond Racial Equity. We're not doing anything wrong, Timing has been against us.

Heston: It's not a failed process, unfortunately it probably does feel opaque because we hadn't gotten to the public forum. The process is really set up to be transparent.

Arneson: When Kyle left, we did take a pause and talked with Hinesburg for about 6 months about whether we would want to join with them. We got a lot of feedback from Vermont League of Cities and Towns and Trevor Whipple, their law enforcement expert. VLCT has said it was one of the most transparent, publicly involved processes.

Miller: I still see that it's failed to provide us with what we want for a bunch of reasons. I still feel that it is not transparent to the Selectboard.

Furr: Josh has agreed that there should be more communication with the Selectboard.

Miller: I still feel that we could do a better job of getting out in front of the news, getting out in front of the gossip with messaging.

Furr: We could make a list of topics on which better communication could take place. We have 5 people on the Selectboard, because we need 5 different points to view.

Hill: The principle of HR is generally, you know what you need to know. The hiring committee saw all the resumes of everybody. Then there's the follow up on who's going to make it through the interview process. We could have done a better job saying this is what the process looks like and the timeline.

Arneson: We did have a timeline in January when we put together the committee. We put together the process that was shared at a meeting. We talked about who was appointed to the committee as well.

Forward: Since that time a lot has changed. We have initiated a contract with Hinesburg which was willing to contract with us for the past 6 months to a year. We have yet to have a public conversation about what we want our Police Department to do. I'm not speaking just for myself.

Hill: For better or worse, the statutes and regulations around police management and police supervision are really embedded in police certification. It's something you can't entirely ignore as we move forward with the Police Department. How do you create an entity that manages a shared police department with shared oversight control and financial management? It is really challenging in execution.

Heston: When the Selectboard appointed me to this hiring committee, it was because of some of the experience that I have. What's most important to remember is that we have a process that was identified years ago, and that we have been trying to follow. There are certain requirements of policing. It is important that Richmond Racial Equity say what they want to see in policing, but they're not the only group that has a say. Everyone's invited to participate in that.

Consideration of approval of agreement with Umiak for ladder to exit the Winooski River near Overackers parking area

Arneson: Umiak came before the Board few months ago to request permission to install a ladder at Overackers to assist tubers who would be renting to tubers to get back up onto the bank walk a trail to get over to where their cars were parked. The Board was in favor of moving forward which involved the Development Review Board for approval. The Board did say that before the ladder could be installed on Town property, there needed to be an agreement set up with Umiak about the ladder, and discussion about the route, and where they would be dropping people off. Our attorney's agreement outlined liability on the ladder and rules. Umiak made a few changes to that primarily to limit their liability to only add customers and propose roping it off when they didn't have a tour going on to limit their liabilities. Nobody would go on the ladder who weren't their customers. The VLCT/PACIF advice was not signing the revised agreement and keeping it if the ladder is going to be there then anybody who might be injured would be responsibility of Umiak. We have Steve from Umiak. I think there's probably going to be some talk about use of trails in the forest once tubing starts.

Hill: I think we mean liability.

Brownlee: I am Steven Brownlee from Umiak Outfitters. I went to my lawyer and insurance company and asked if we can add the liability of the general public to our policy. Although we are able to list the Town of Richmond as an additional insured for our clients, and any incidents, our coverage will not at all cover general public. They recommended that would be something that the Town would cover. We can close the ladder off and rope it off and say it's for customers only.

Furr: This is not something that Town has asked for or wanted so we're not going to take on the liability of something that doesn't really benefit us at all. Our attorney would never encourage us to sign off with an agreement that says if somebody gets hurt when nobody is watching it then it's on us.

Brownlee: So, we go back to no ladder and continue with the way we've done it. without a lot.

Miller: It is just leading to degradation of the shore. It's got an impact also which is again caused by the clients. There's an imbalance here.

Kart: Jon Kart, Richmond resident and I've spent the last dozen years wandering around that parcel. The riverbank changes every year. If you've been out there in the last few weeks, there hasn't been a big high water this year. The bank is a rather gradual slope. After heavy winters, it's often vertical because the high water in the spring washes that away. It's a rather gentle slope now. I don't know if a ladder is needed this year. That parcel is the biggest contiguous piece of Silver Maple, Ostrich Fern flood plain forest. Richmond has some of the best of that forest on the upper Winooski River. Taking care of that is part of what makes Richmond special. I think any agreement that's going to bring more people there should be cognitive of impacts of trails and the bank. More people mean more garbage, more need for cleanup, more need for policing.

Miller: Is there a way to grade that bank in a way that's walkable?

Kart: That particular spot is less prone to erosion than just upriver because it's on the inside edge of the bend.

Brownlee: That's why we chose the spot for that. I appreciate your thoughts on this and Umiak is certainly in favor of working with all the aspects that you had pointed out to the Board. Umiak will be cleaning up the site any day that we were there. They finish up and take any trash that might have been left behind by our clients or by anybody else. We would be happy to do that. You mentioned that there is a trail system from the parking lot that fisherman or other users of the river have made. We did not cut anything. We are certainly happy to use the existing route that we applied for. We're also happy to have good signage in posts and not on trees. We want to work with the Town. I'm open to other ways to work this. I am happy to donate the steps to the Town. I think the steps do a good job of protecting the riverbank from further erosion. If the liability of those steps is too much, we don't have to have those steps.

Hill: This hybrid kind of doesn't work. Is it a good idea to have steps going down the bank?

Kart: It probably reduces erosion particularly like last year or other years when the bank is steeper. If the Town approves it, does the Town have to follow ADA rules?

Hill: It doesn't seem like there's an obvious solution today. If Umiak's willing to donate the materials or costs then ask the Trails Committee, do you think it's a good idea? We've already built and installed structures through a Town sanctioned committee. If somebody had fallen off the old one as it rotted, are we liable? We should follow the very small number of trail infrastructure structures that have been built by the Trails Committee and treat this the same way.

Forward: The Johnny Brook Trail, do we own that?

Arneson: The Johnny Brook Trail is Cross Vermont Trail. I can follow up with our attorney and VLCT.

Hill: If the Trails Committee, with some level of confidence, built this and maintained it in the same way, it might be a solution.

Update: Future Conservation Fund Request from RLT for the Gillett Pond Dam Project

Furr: We have Judy Rosovsky and Wright Preston from the Conservation Commission wanting us to authorize \$50,000 more dollars in the Conservation fund to enable the dam to be built right.

Preston: We're not looking for your approval tonight. We need to go through the process of presenting it to the Conservation Commission with an application which we'll be doing next week. We have a construction budget of \$770,000. We have additional engineering oversight work for around \$40,000. The total project Gillet Pond dam is \$850,000. We have raised and available to us \$748,000. We are going to build the dam this summer. We are looking for \$50,000 from the Conservation Reserve Fund. We will be fundraising the remaining \$50,000. A good local bank has provided a commitment to fund that \$50,000 shortfall. Construction will start in July. It's a very tight schedule until October. We're very excited. We're close and we're now doing the final fundraising. We plan to return at a future meeting.

Hill: Will that longer discussion include any discussion of parking?

Preston: The engineering design does include a parking lot. You will see the future parking lot and staging area to the south of the dam. It will be a gravel parking lot that is designed for 6 cars but it's much bigger than that, 10 or 12.

Consideration of ratification of Agreement with New England Police Benevolent Association Local 415 regarding temporary support from Hinesburg Police Department, possible executive session

Arneson: This is the agreement with the Union to essentially give the officers sort of first right of refusal to allow them to work additional overtime shifts. It is not to reduce their hours or limit their hours because of the agreement with Hinesburg. Officer Kevin Wilson, who is currently on orders from the Army National Guard, is currently doing training actually over in Camp Johnson. He does have some leave time coming up in June. He said that during that leave time he would see what he can do to fill in some hours for us in Richmond. He's going to give me a schedule of what he thinks he can do for June and July. I'll be factoring that in our conversations with Hinesburg for coverage.

Furr: This is basically ratifying the agreement we saw 3 weeks ago.

Forward: My recollection during the budget process is we did a voluntary increase of wages based on cost of living. Do we do that for the police as well as for our employees?

Arneson: I believe we did. We might have kept that at the upper end of what is in the agreement because of the Union which sets the limit at around 3%. The agreement that modifies long-term wages came out of the executive session 3 weeks ago. You made the

motion to match the wages with Williston contingent on reaching an agreement with Hinesburg for temporary call.

Forward: This agreement doesn't pertain to money. It pertains to mutual consent that we're contracting with Hinesburg for a certain period of time and that our officers have the right first refusal for times.

Miller: If I were on the receiving end, it would be disruptive to scheduling.

Arneson: They have to give us 72 hours prior notice to want to work an overtime shift. Ideally, I would try to schedule as early as we can.

Hill moved to ratify the Agreement regarding Temporary Support from the Hinesburg Police Department between the Town of Richmond and the New England Police Benevolent Association Local 415. Sander seconded.

Roll Call Vote: Furr, Hill, Miller, Sander in favor. Forward not in favor.

Motion approved.

Consideration of waiving the permit fees for installation of a fence at the Bridge St. cemetery

Hill moved to waive the permit and recording fees associated with the installation of a fence at the Bridge St. Cemetery because the parcel is owned by the Town of Richmond. Miller seconded.

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

Consideration of setting the increase for the wage grid

Furr: The consumer price index from April 2022 to April 2023 increased by 3.8%. Our budget was built with a 5% increase.

Arneson: In order to build the budget, we took 5% as an estimated number, then we used April 2023 3.8% New England number as an update. Duncan has been reaching out to Towns that we used in our wage study to comparable Towns. You don't have to stick to 3.8%.

Miller: There's almost certainly a recession happening, so wages are going to be not under pressure soon.

Furr: Do we wish to kick it down one meeting?

Hill: It is not only inflation but comparable increases.

Consideration of approval of use of Town Center Reserve funds to pay for structural study of the Town Center roof

Forward: The Town Center Committee looked at energy efficiency and renewables and potentially going to net zero. One component might be putting solar on the roofs. You need a structure capable of holding that. The structure of this roof is creative. Sometime in the past, it's been modified.

Hill moved to approve the use of up to \$7,500 from the Town Center Fund to pay for a structural study of the Town Center roof. Sander seconded.

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

Consideration of approval of liquor licenses

Forward moved to approve a second class liquor license, a tobacco license, and a tobacco substitute endorsement for William Donovan Inc. LLC doing business as Lucky Spot Variety. Miller seconded.

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

Consideration of making appointments to the 4th of July Parade and Fireworks Committee

Forward moved to appoint Donna Niquette, Donna Lewis, Ken Nussbaum, Harland Stockwell, Rebecca Roose to the 4th of July Parade and Fireworks Committee. Hill seconded.

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

Update on approval from VTrans Traffic Committee regarding no parking area on Rt. 2 near Richmond Family Medicine and Our Lady of the Holy Rosary Church

Furr: We didn't have to go in person, it was about maybe 3 minutes discussed, this desk expert looking at the map and said sure it's yours.

Discussion of Naloxone training and supply

Furr: There has been a push at various levels to try to have Naloxone in various places. One option would be stocking places like the Library and the Town Center and making sure we had a couple of people who had the training to administer. The State has a training license that they'd be happy to administer for us. It'd be great if somebody on the Library staff could do it. Rebecca had some discussion about this, I think they're moving towards doing that with her staff.

Discussion of next Selectboard meeting dates

Furr: We already discussed the next June meeting change.

Arneson: July Fourth is a Tuesday, so the question is if we want to meet on Monday July 3rd or go to the 5th which is a Planning Commission, but they've been meeting virtually. We do not need a motion as we can just post the public notice.

Approval of Minutes, Warrants and Purchase Orders

Minutes:

Sander moved to approve the Minutes of 5/15/23. Miller seconded.

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

Warrants:

Sander moved to approve the general warrants as presented from 6/1/2023. Hill seconded.

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

Purchase Orders: None

Discuss Items for Next Agenda

*Conservation Commission RLT Permission

*Trails Committee for Andrews Community Forest appointment & Umiak Ladder

*Wage Increase

Discussion of agreement for temporary police coverage with Hinesburg, possible executive session

Hill moved to find that premature public knowledge about discussions regarding the agreement with Hinesburg for police coverage would cause the Town or person to suffer a substantial disadvantage. Sander seconded.

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

Hill moved that we enter into executive session to discuss negotiations with Hinesburg for police coverage under the provisions of 1 V.S.A. 313(a)(1)(a). Sander seconded.

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

Sander moved to exit executive session. Hill seconded.

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

Adjourn

Sander moved to adjourn. Miller seconded.

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

Meeting adjourned at: 11:00 pm

Chat file from Zoom:

00:12:24 Lee Diamond: Richmond has an opportunity here to stop and re-group on the hiring of police and a Chief and the Police dept format in general. PLEASE take advantage of this and consider all options. We could be more progressive as we move forward as the Town continues to grow. Could the Police Chief in Hinesburg oversee Richmond's police officers? Why are 2 Chief's needed? This could save Richmond money as well.

00:53:20 Stefani Hartsfield: ACEs screenings can be done up until age 65. once per lifetime past age 25. Annually up until 25

00:53:34 Stefani Hartsfield: Adult protective services handles elder abuse cases

01:58:40 Judy.Rosovsky: Thank you Jay for acknowledging Caitlin's superlative work on EAB in Richmond.