

1 **Town of Richmond**
2 **Selectboard Meeting**
3 **Minutes of September 18, 2023**
4

5 **Members Present:** Bard Hill, David Sander, Jeff Forward, Lisa Miller
6

7 **Absent:** Jay Furr
8

9 **Staff Present:** Duncan Wardwell, Assistant to the Town Manager; Tyler Machia,
10 Zoning Administrator; Anthony Cambridge, Hinesburg Police Chief
11

12 **Others Present:** Meeting was recorded by MMCTV, Amie Curran, Andres Torizzo,
13 Bonny Steuer, Brady Katzman-Rooks, Bryan Farnsworth, Cara LaBounty, Cecelia
14 Danks, Colm Curran, Connie van Eeghen, David Rugh, Ian Bender, James Debay,
15 Joanna, John Rankin, Kyle Austin, Kyle Hartsfield, Laurie Dana, Margo Austin, Mark
16 Fausel, Mary Ann Debay, Mary Houle, Michael Sadler, Nancy Carlson, Patty Brushett,
17 Robin Pesci, Ron Rodjenski, Stefani Hartsfield, Stephanie Smith, Steve Bucks, Terry
18 Bambrick, Wafic Faour
19

20 **MMCTV Video:** <https://archive.org/details/richmond-selectbd-09182023>
21

22 **Call to Order:** 7:04 pm
23

24 **Welcome by:** Hill
25

26 **Public Comment:**
27

28 Houle: Happy birthday to librarian Rebecca Mueller.
29

30 Farnsworth: My brother has been buried in the Riverview Cemetery for the last nine
31 years as well as other family members. Recently a lot of members have noticed things
32 missing from the headstones which obviously led to initial anger. After reading the Front
33 Porch Forum, it was really handled in poor taste by members that decided to enforce
34 these regulations as swift as they did. Families could have been contacted if they
35 believed that things were outside of their regulations and requirements that were changed.
36 These families are due an apology, it was unnecessary. I have a lot of grief with family
37 members being destroyed. I also have a lot of anger that this was done. I want to address
38 the Town Manager and all individuals of the Cemetery Commission. It doesn't take an
39 ounce to just be compassionate towards these families.
40

41 Hill: I apologize for how you must feel and will certainly pass those comments along to
42 Linda and the Cemetery Commission.
43

44 Wardwell: A few Saturdays ago, Mow N Maintain, the Cemetery Commission, Josh and
45 I met and came up with that decision. They were getting some complaints about the
46 mowing not getting close enough and there were things around there. I hear what you're
47 saying that it could have been handled in a different timeframe and that will be passed
48 along.
49

50 LaBounty: I've been coming for a period of time requesting all the data that was pre-
51 re-appraisal and post-reappraisal will be made available. We've waited the amount of time
52 since the Grand List has been published. Are you aware of this and are we going to
53 follow through on it?

54

55 Hill: I do not remember the timeline. It's not on tonight's agenda so maybe put this as the
56 first agenda item for the next meeting to follow up on Grand List values.

57

58 LaBounty: It's the follow up on the data that you're supposed to be receiving that was the
59 pre-reappraisal and the post-reappraisal so the data can be compared.

60

61 **Additions or Deletions to Agenda:**

62

63 Hill: Item (c) is going to take longer than 10 minutes.

64

65 Dana: We're going to table item (e) the ARPA request from the Library. We're getting
66 updated estimates from the contractors about some of those projects. I'd like to have that
67 information and come back to you with a more accurate description of what the money
68 will be used for. The information for the steeple should be available by the end of
69 September.

70

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

72

73 **Review of FEMA buyout, elevation, and relocation options for private homeowners**
74 https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3a_FEMA_Buyout_Relocation_and_Elevation_Programs.pdf

75

76 Timestamp: 0:09

77

78 People who participated in discussion: Hill, Smith, LaBounty, Machia, Forward,
79 Hartsfield, Miller

80

81 Smith presented the information on Property Buyouts and Elevation and Relocation
82 Programs which was provided in the packet. More information can be found at
83 <https://vem.vermont.gov/funding/mitigation>. A question-and-answer page can be found
84 at <https://vem.vermont.gov/funding/mitigation/buyouts>.

85

86 Smith stated that for the purpose of property buyouts under either FEMA or State
87 funding, we have 100% funding available. On the FEMA side, there is a 25% match, but
88 the State is covering that. Smith stated that it's voluntary for the property owner and also
89 voluntary for the Town. Smith stated that in the intake form there is one property in
90 Richmond that has expressed interest so if the Selectboard is willing, we can start talking
91 to that property owner and putting together an application.

92

93 Smith confirmed that the value is not based on the Town assessment but a current market
94 appraisal value a day before the storm. Smith stated that the Town is the one managing
95 the funding. Smith stated that they are trying to set up a scenario where Vermont
96 Emergency Management (VEM) can be the one to actually manage the funding, but they
97 are still working on that with FEMA. Smith stated that either way, the Town would end
98 up owning the parcel and there would be a requirement to maintain it as an open space in
99 perpetuity. Smith confirmed that the grant covers all of the expenses, the appraisal, legal

100 fees, closing document, development, removal of any structures, capping utilities, and
101 usually some seeding and grading of the site.

102
103 Smith stated that if you have interested residents, start with that intake form.

104
105 LaBounty asked if there is an opt out at no expense to the homeowner. Smith confirmed
106 that until signing closing documents the homeowner can change their mind. The
107 appraisal is already paid for at that point so the grant will still cover that fee. Smith
108 confirmed that if the homeowner thinks it's too low, they can appeal and hire their own
109 appraisal. Smith confirmed that there is no risk to the homeowner to start this. LaBounty
110 asked if there was a specific deadline. Smith stated that there's no specific deadline and
111 the mechanism to fund most of these buyouts is FEMA's Hazard Mitigation grant
112 program. Smith stated that based on this July flooding, \$30 million is available in that
113 program, and that applications will be due at the latest under that funding round next
114 summer. Smith stated that if your home flooded during this July event you need to apply
115 to have the full application in to FEMA by next summer.

116
117 LaBounty asked if the Selectboard could let us know if they support going through the
118 process, because if they don't then they can't have a buyout.

119
120 Smith stated that any property that did have damage during this event and homeowners
121 received funding either through a flood insurance policy or from individual assistance,
122 make sure you're saving all your receipts. Smith described an example if you use 30,000
123 to fix your house and you can show receipts for part or all of it, then it wouldn't take that
124 out of the buyout offer.

125
126 Hill asked about a time limit on filling out the intake form. Smith stated that it is open
127 and there isn't a deadline set up for it at this point. Smith confirmed that if you think you
128 might want to go forward, fill out the intake form as there's no risk.

129
130 Hill asked about a mailing or other communication to the people whose homes were
131 flooded. Smith stated that she would chat with the Town about a resource to send out but
132 the State is not sending things out. Hill asked if Duncan and Josh could follow up and
133 identify the residents who were potentially flooded and communicate directly with this
134 document as an enclosure. Smith suggested that the Selectboard identify areas where
135 they are willing to support buyouts and reach directly out to those people. Smith
136 confirmed that the intent of the program is purchasing things before they flood. Smith
137 stated that you're not required to have flooded, you're required to have some form of
138 demonstrated flood risk. The FEMA side is a little more specific but our State program
139 can be a little bit more flexible. LaBounty stated that anybody in Richmond's floodplain
140 should be made aware if you want to do a buyout, the prime time is when it's at 100%.
141 Hill stated that vote was not warned, and that map is not readily available. Forward
142 confirmed that the Town has been reaching out through Front Porch Forum and meetings
143 to encourage people to think about this as they do not need to decide in order to apply.
144 Hill confirmed that the Selectboard needs to properly warn it and be transparent about
145 which areas. Smith stated that because of State funding, it's not a requirement that it be
146 within FEMA's Special Flood Hazard area. Smith stated that the Agency of Natural
147 Resources has a map river corridor layer that's a little bit broader.

148
149

150 Smith pointed out the Elevation and Relocation Programs in the packet.

151 More information on Elevation and Relocation can be found at

152 <https://vem.vermont.gov/disaster-based-funding>.

153 The necessary forms for elevations or relocations are at

154 <https://vem.vermont.gov/funding/mitigation/infrastructure>.

155

156 Smith stated that there's a bit of a gap between what FEMA wants to pay for, lifting a
157 house up and setting it back down a little higher, and what a property owner thinks that
158 FEMA should be paying for. Smith stated that FEMA doesn't want to pay for it, they're
159 just paying for lifting your house, not anything else. Smith stated that it's 75% funding
160 with a required 25% match, generally the homeowner. Smith stated that the easiest way
161 with FEMA funding to do an elevation is for properties that are within the Special Flood
162 Hazard Area and if the total project cost is below \$205,000. Smith confirmed if those
163 two things are not met then a benefit cost analysis would show FEMA that a project is
164 cost effective, which is tricky. Smith stated that if it's in a historic district, the Federal
165 funding follows the historic district requirements. Smith confirmed that the elevation
166 needs to be designed in a way that it exceeds your local National Flood Insurance
167 Program (NFIP) requirements and required to maintain flood insurance on the property in
168 perpetuity. Machia confirmed the requirement is 1 foot about the Base Flood Elevation
169 (BFE).

170

171 Hartsfield asked if there is anyone left in Vermont who can raise the house and if the
172 Selectboard has to be willing. Smith confirmed that the funding has to be managed by
173 the Town. Smith stated that erosion flooding which is water that's moving really fast
174 down and cutting around corners, elevations don't make as much sense. Smith
175 encouraged the Town to speak with your Regional Floodplain engineer about sorting out
176 where elevations might make sense in Town. Smith stated that FEMA separates out two
177 completely distinct things, repairing your structure and mitigating through elevation.
178 Smith confirmed that the repair would need to happen in advance of an elevation as the
179 home needs to be structurally sound enough to lift. Smith stated that FEMA wants to see
180 what your plan is and that there's some sort of engineered design to show the elevation
181 based on your structure. Smith confirmed that for the elevation, the engineered designs
182 are required before you can apply.

183

184 Smith stated a full timeline would likely be at least six months before FEMA awards the
185 project. Smith confirmed it's going to be based on who you can find to do the work as
186 she does not know if there are eligible contractors.

187

188 Hill confirmed that the Selectboard will be returning to this topic ideally at the first
189 October meeting. Machia stated that homes located in the Flood Hazard Overlay district
190 are required by NFIP to track improvements on all properties including interior remodels.
191 Machia confirmed that the regulations are written that if the cost of either the damage or
192 repairs equals 50% of the current market value of the property and up, that's Conditional
193 Use and requires approval by the Development Review Board. Machia stated that if it's
194 under that, he can do it administratively through Zoning permits. Smith confirmed that
195 the allocation received from the Legislature was to focus on the buyouts and not
196 elevation. There are enough buyouts following this event that money is going to run out
197 and there is not enough money to do all buyouts and all elevations.

198

199 **Consideration of approving a coin drop to support the Fire Department to be held**
200 **on Saturday, Oct. 7, 2023**

201 Timestamp: 0:43

202

203 People who participated in discussion: Hill, Miller

204

205 Miller stated that the Finance Director had raised the question about how to account for
206 the money as there is no real method for doing that.

207

208 *Forward moved to allow the Fire Department to hold a coin drop on Saturday, October 7*
209 *from 9am – 2pm at the traffic signal at the intersection of Bridge St. and Rt. 2. Miller*
210 *seconded.*

211 *Roll Call Vote follows discussion.*

212

213 Wardwell stated that with the Parade and Fireworks Committee having a Town staff
214 member while you're collecting money is one of the things that comes through on the
215 audit. Wardwell confirmed that by collecting money on the street we need a Town
216 employee to identify where the money goes and who is documenting it.

217

218 *Forward amended the motion to allow the Fire Department to hold a coin drop on*
219 *Saturday, October 7 from 9am – 2pm at the traffic signal at the intersection of Bridge St.*
220 *and Rt. 2 and to have a Town employee present when the money is counted. Miller*
221 *seconded.*

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

223

224 **Follow up on the Esplanade swale**

225 Timestamp: 0:46

226

227 People who participated in discussion: Hill, Austin, CurranA&C, DebayJ&M, Machia,
228 Cote, Forward, Danks, LaBounty, Miller

229

230 Hill stated that he walked the property a couple of times and observed that this might
231 actually be part of a former river. Hill stated that the Town has since grown up around it,
232 including roads, farm housing developments, and extending the floodplain. Hill observed
233 that some of the homes in the last 30 years would not be permitted and built in 2023. Hill
234 stated that he felt sympathetic for the pain.

235

236 Austin stated that during Irene the swale filled and within 24-48 hours the water was
237 gone. Austin stated they have heard from the Town that there's been unprecedented rain
238 and that the water table is so high that this water is just naturally occurring groundwater.
239 Austin also stated the Town has sympathy, but this is on private property. Austin stated
240 that they wanted to present maps to show otherwise the Town's claim of not utilizing the
241 swale for any stormwater. Austin claimed that the actual design from the stormwater in
242 our Town is so it can use the swale for stormwater.

243

244 Hill read from a note from Pete Gosselin that describes the "swale at 62 Esplanade
245 appears to be an old culvert that drains into the swale from the stormwater structure in the
246 north side of Esplanade. This storm water structure appears to be full of gravel and soil
247 which is buried the connection point of the culvert to the structure. We surmise that the
248 culvert is likely plugged and not functional. The culvert in the swale is lower than

249 Esplanade so the culvert would not be able to drain water out of the swale.” Hill stated
250 that one thing you can do is put cement in the stormwater structure and it won't drain.
251 Hill stated that he wonders what the Town could do to mitigate this and has no idea if it is
252 contributing to the problem. CurranC stated that wouldn't be stormwater management
253 for the roadways, it's still finding its way. Hill stated that he has been told by attorneys
254 and engineers that when water flows downhill, the uphill properties are not responsible
255 for diverting it from the downhill property. CurranC asked about Church St and
256 Esplanade when they were constructed and had a stormwater system.

257
258 CurranC stated that the swale is used as part of the Town's stormwater system as a
259 convenience method, but it doesn't convey anywhere. Curran showed the lines that come
260 across and enter the swale from Church St picking up all the runoff from all the
261 properties. CurranC stated that the two stormwater ponds overflow on a regular rain
262 basis but do not capture much else. Hill stated that those ponds are not the Town's
263 property but private stormwater management structures. Machia confirmed that those
264 stormwater ponds are owned by part of some subdivision with the hardware store.
265 Machia confirmed that the Town does not own those, those are privately owned.

266
267 CurranC presented lines around the swale, another catch basin from the road and runoff
268 coming across from Borden & Church St. CurranC stated that obviously a pipe runs
269 down into the swale, but it looks like it is somewhat buried, and this catch basin was to
270 drain into the soil. CurranC stated that the water comes down and runs into a catch basin.
271 DebayJ stated that he has seen the Town trying to clean it up a few years ago. DebayJ
272 stated that there is an old culvert that way goes through our yard that's been flooded the
273 whole time. Hill stated that it appears to be full of gravel and soil which has bared the
274 connection point of the culvert to the structure.

275
276 CurranC stated that the swale is part of the Town infrastructure because of stormwater
277 conveyance. Machia confirmed that Water/Sewer and Highway state that this is not a
278 Town owned piece of infrastructure, and this land feature is more or less a natural pre-
279 existing feature. Machia stated it wasn't built by anybody and the Town didn't build it.
280 CurranC stated that like all the stormwater infrastructure that runs through everybody's
281 property, that conveyance is supposed to find its way to the river, the intent of the
282 stormwater master plan. Austin asked if the Town could hire an engineer and assess the
283 situation. Hill stated that he was told repeatedly the Town is not using it. Cote stated that
284 the blue line runs up hill and water does not naturally flow up. Cote stated that it was
285 running into the swale from the farm. CurranC stated that this water would always find
286 its way to the Winooski River by erosion and that would have been the natural way for
287 the water to flow. Hill stated that the Town has no authority over the farm. Machia
288 confirmed that following State requirements for stormwater management within a
289 floodplain he has absolutely no jurisdiction over it. Machia stated that it's up to the State.
290 Hill stated that municipalities do not have the authority to regulate stormwater on farms
291 and therefore cannot assess stormwater utility fees or other management. Machia stated
292 that it is spelled out in our Zoning regulations. Machia stated that as a Zoning
293 Administrator, he has no jurisdiction to evaluate State criteria.

294
295 Forward stated that the swale goes towards the farm then there is either a proposed or an
296 existing catch basin. CollanC stated that one of the hypotheticals is that there may have
297 been some change to the grades through the farmland which has now prevented the water
298 from exiting the soil. CollinC asked the Town to hire an engineer to survey the swale and

299 to give an opinion on how the Town's stormwater is draining to the swale. Danks stated
300 that if something about that event changed the flow of water or clogged something up, we
301 could go to FEMA to help fund some of this. Cote confirmed that the amount of water
302 that was being discharged out of the manholes was minimal and it was not as big as what
303 was being discharged in Volunteer Green. Cote stated that he was not made aware of it
304 until a month after the flood. Cote stated that the manhole was operational 100%. Cote
305 stated that the whole system was overloaded from the flood in Volunteers Green. Cote
306 stated that the manholes were operational within days after the flood. Cote stated that the
307 line that's in Church Street takes all of the major sewage all the way up to the elementary
308 school and when Volunteers Green was overwhelmed there's no way around it. Cote
309 stated that the amount of head by the swale was not as great as the amount of head that
310 was in Volunteers Green where lifted the manhole covers off.

311
312 Hill suggested a follow up conversation that includes the Highway Department and
313 Zoning about the stormwater management plan. DeBayM stated that this suggests that
314 the Town plan was poorly manufactured in the first place and built to land in the swale.
315 Hill stated the only way to resolve that is to bring the Zoning Administrator and the
316 Highway Department together and actually look at what's there. CurranC described other
317 stormwater patterns conveyed to the swale. Hill stated that the Agency of Transportation
318 were not part of any solution even though their interstate collects it and sends it to our
319 system.

320
321 Hill stated that Highway is the key thing for the stormwater infrastructure. Forward
322 suggested that Duncan and Josh put together a meeting of the relevant parties. Miller
323 stated that stormwater systems were designed for some capacity so there's a lot of facts to
324 check that we don't have now. Wardwell confirmed he would coordinate something with
325 Josh and Pete about a future meeting with a community representative.

326
327 **Consideration of appointing members to the Volunteers' Green and Browns Court**
328 **Project Committee**

329 https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3d_VGBC_P
330 [roject Committee - Mary Lefebvre.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3d_VGBC_P)

331 Timestamp: 1:30

332
333 People who participated in discussion: Hill, Forward, Miller, LaBounty, Wardwell

334
335 *Forward moved to appoint Mary Lefebvre to the Volunteers Green and Browns Court*
336 *Project Committee. Miller seconded.*

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

338
339 Forward stated that there are five on the Committee right now and the Selectboard set the
340 number at seven. Hill stated that there is still room if people are interested. Hill
341 confirmed that it is for two different pieces, Volunteers Green and Browns Court.
342 Forward stated that this is a limited opportunity with a timeframe was six months until
343 March or April. LaBounty stated her concern of potentially hindering the committee by
344 not moving forward with five so that they could have a quorum of three. Forward stated
345 that he heard from somebody who is interested and assumed they missed the deadline.
346 Forward stated that the representation we have on this committee the more likely it will
347 be successful. Miller agreed. Hill suggested that those five people begin meeting and if
348 they have a problem making a quorum then let the Selectboard know. Wardwell

349 confirmed that they are currently planning to meet on September 28th. Wardwell stated
350 that it is a very soft deadline so people may apply for committees anytime.

351

352 **Consideration of allocating \$150,000 in American Rescue Plan Act funds for**
353 **Library building restoration**

354 [https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3e_Revised](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3e_Revised_Request_for_ARPA_Funds.pdf)
355 [Request for ARPA Funds.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3e_Revised_Request_for_ARPA_Funds.pdf)

356

357 TABLED

358

359 **Update on policing from Interim Police Chief Anthony Cambridge including**
360 **discussion of police cruisers and police data reporting**

361 [https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3f1_Richmon](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3f1_Richmond_Police_Blotter_August_9_-_20_2023.pdf)
362 [d Police Blotter August 9 - 20 2023.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3f1_Richmond_Police_Blotter_August_9_-_20_2023.pdf)

363

364 [https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3f2_Richmon](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3f2_Richmond_Police_Blotter_August_22-4_2023.pdf)
365 [d Police Blotter August 22-4 2023.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3f2_Richmond_Police_Blotter_August_22-4_2023.pdf)

366

367 Timestamp: 1:36

368

369 People who participated in discussion: Hill, Cambridge, Forward, LaBounty, Miller,
370 Wardwell, Sander

371

372 Hill reviewed that the Town of Richmond has engaged with the Town of Hinesburg in
373 two separate but related contracts. Hill stated that one contract is for police services,
374 patrolling and other activities. Hill stated that the other contract is for Chief services
375 provided by Anthony Cambridge and has Interim Chief of Richmond Police as a title, but
376 not as an employee, but as a contractor.

377

378 Hill stated that we plan to talk about activity reports, blotter reports, and then updates on
379 cruisers. Cambridge stated that he provided blotter reports similar to what is given to the
380 Hinesburg Record. Forward stated that the blotters are posted on the website under the
381 Selectboard materials. Hill asked if this should be posted in some other format like The
382 Times Ink. Cambridge stated that serious incidents might be left out due to active
383 investigations or revealing someone when there are only two houses on a road or if there
384 is a mental health crisis. Cambridge confirmed that they give this written format to The
385 Record once a month. Cambridge stated that once a week we get a phone call from The
386 Citizen and give something similar via the phone. Hill requested a follow up
387 conversation with Josh about doing the same thing in The Times Ink. Cambridge does
388 not think it gets posted on the Hinesburg website because of the exposure in the two
389 newspapers. Hill suggested that the Town website is another possibility. Forward
390 confirmed that the Richmond Police Department has a website, and it could be posted
391 there.

392

393 Forward stated that the Selectboard has been talking about data to try to get a sense of
394 who gets pulled over for what. Forward stated that there is data on arrests and stops and
395 data on radar signs. Cambridge stated he and Josh can decide on what information is
396 wanted. Cambridge stated that the trouble is often there is not enough information to
397 provide stats. Cambridge reviewed that in his five years of Hinesburg Chief they have
398 only searched 2-3 vehicles and you cannot really do stats on that. Cambridge stated that

399 it is the same thing with information on race data when the number of each race is less
400 than five.

401

402 Hill stated that the number of cruisers and hiring are related. Cambridge confirmed that
403 one cruiser is stripped out and he has given Josh the window sticker and data sheets to
404 stick on the window. Cambridge stated that the only thing that needs to be decided is a
405 minimum bid. Cambridge suggested a minimum bid of \$500. The other cruiser is
406 getting an appointment to get it stripped out. Cambridge confirmed that leaves us with a
407 Ford, two Durangos and a Tesla. Hill stated that the Hinesburg officers would start
408 driving them which keeps them in better repair than sitting. Cambridge stated that the
409 Durangos have appointments for breaks. Cambridge stated that the Tesla had
410 considerable pitting on the rotors from sitting but they use it at least once a day.

411

412 Hill stated that the Selectboard has asked Chief Cambridge to engage in hiring to the
413 Richmond Police Department. Cambridge stated that any questions from law
414 enforcement get directed to Josh and he believes two people have done so. Cambridge
415 stated that it's very important to have a very fast process to hire because people move on
416 quickly.

417

418 Cambridge stated that he encouraged Josh to rebrand the Police Department with new
419 graphics, badges, patches, and business cards. LaBounty confirmed that one officer is on
420 military leave. LaBounty asked if other Unions or Police Departments in the State of
421 Vermont have cruisers go home with them. Cambridge confirmed that Hinesburg has six
422 full-time officers and three or four part-time officers with four to five cruisers. LaBounty
423 suggested looking at breaking the contract so you're not sending cruisers home with
424 people down to Brandon or Randolph. LaBounty stated that you might have to disband
425 your Police Department to have a rebrand which is a maybe a good thing. Hill stated that
426 item (g) is related to written negotiations with the Union for a new collective bargaining
427 agreement. Hill stated that is a point of negotiation with collective bargaining. LaBounty
428 stated that she likes the idea of rebranding and making sure the cars are marked.
429 Cambridge stated that he does not believe in take-home cruisers, but it is what it is.
430 Cambridge confirmed that if we have four cars, we're limited to four officers or if you go
431 down to two cars, you can't hire more than two people. Hill stated that the dynamics
432 change in collective bargaining when we don't have any active officers driving long
433 distances. LaBounty stated that when everybody took home a car that was a big change
434 that the public wasn't aware of. Hill stated that was a policy decision made by a previous
435 Chief. Hill stated that it was heavily influenced by a couple of officers who were
436 commuting long distances.

437

438 Cambridge stated that the people in Richmond have been overwhelmingly friendly and
439 there has been no complaints from within the Department. Cambridge confirmed that
440 Richmond cars are being used if somebody's patrolling in Richmond. Miller stated
441 thanks to Cambridge for how things are going. Hill confirmed that we are further along
442 in the relationship between Richmond and Hinesburg than a year ago.

443

444 Wardwell asked what the Selectboard's opinion on a minimum bid of \$500 as Cambridge
445 suggested. Sander stated that he has a figure of \$3,500 in his head. Cambridge reviewed
446 that we could reject any and all bids so you don't have to sell it for \$500 if that's the
447 minimum bid. LaBounty stated that \$3,500 makes it feel like the car's worth more. Hill
448 stated that \$3,500 is a benchmark and if nobody bids on it you can always lower it.

449 Forward stated that he defers to Josh and the Police Chief. Hill confirmed deferring to
450 the Police Chief and Josh with a general support for \$3,500 as a minimum bid.
451 Cambridge stated that one of the reasons it is so low is because it is a police vehicle with
452 bad front ends, high idle mileage, and “as is” condition. Hill stated that Josh should talk
453 to Cambridge about his \$500 and the \$3,500 suggested by David. Miller stated that the
454 used car market is tight.

455

456 **Consideration of appointing two Selectboard members to engage in negotiations**
457 **with the Police Union**

458 https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3g_Open_Negotiations_Richmond_FY24.pdf

459

460 Timestamp: 2:02

461

462 People who participated in discussion: Hill, Forward, Miller

463

464 Hill stated that he and Jay expressed interest in doing this. Forward stated that the
465 previous agreement started in 2021 and it ends June 30, 2023. Forward stated that he is
466 happy they would want to do it. Hill stated the union is the New England Policemen's
467 Benevolent Association, based in Massachusetts, but represents a modest number of
468 police departments in Vermont. Hill stated that there is letter from them asking to open
469 negotiations dated September 5. Hill stated the question of if there are no members or no
470 active members, how does it play out. Hill confirmed that the advice is to enter
471 negotiations, because there is no clear reason or method of refusing. Hill confirmed that
472 he, Jay and Josh would be on the management side. Hill stated that all you can say in an
473 open public meeting is that you're engaged in negotiations. Hill stated that in Executive
474 Session the Selectboard could talk about the status in progress.

475

476 **Update on status of Radar Speed Feedback Signs**

477

478 Timestamp: 2:07

479

480 People who participated in discussion: Hill, Wardwell, LaBounty, Forward, Miller

481

482 Wardwell stated that he is doing just some inventory on the radar signs as they've been
483 inconsistently working. Wardwell reviewed that he is opening them up, documenting
484 serial numbers and starting to figure out why it's not working. Wardwell stated that the
485 one by his house on Cochran Rd, the whole unit needs to be physically taken out and
486 shipped back to the company. Wardwell stated that the other ones say the batteries are
487 working but they're not working. LaBounty asked about a refund policy. Forward stated
488 that the Hinesburg signs don't have as much difficulty downloading data. Hill requested
489 a follow-up about the warranty and return policy. Miller suggested that the vendor do a
490 little bit of user training. Wardwell stated that the previous Chiefs were having issues
491 with it too.

492

493 **Consideration of approving the Notice of Intent for the State's 3-acre stormwater**
494 **rule as it pertains to the Southview Dr., Hidden Pines, and Mary Dr. subdivisions,**
495 **possible executive session**

496

497 Timestamp: 2:10

498

499 People who participated in discussion: Hill, Forward, Miller, Sander, Torizzo, Sadler,
500 Carlson

499

500 Hill stated that this has to do with stormwater management in yet another part of our
501 Town where it's a combination of impermeable surfaces in those developments and under
502 the statute passed in the last session. Hill stated that the proportion of impermeable
503 surfaces in that area are about 2/3 private and 1/3 Town roads which are under the
504 Municipal Roads Stormwater Management requirements. Hill stated that there's no
505 homeowner's association so 223 property owners appear to be part stormwater
506 mitigation, including engineering plan and implementing a plan to improve stormwater
507 management to current State expectations.

508

509 *Forward moved to find that premature public knowledge about attorney-client*
510 *communication would cause the Town or person to suffer a substantial disadvantage.*

511 *Miller seconded.*

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

513

514 *Forward moved that we enter into executive session to discuss the 3-acre stormwater rule*
515 *under the provisions of 1 VSA 313(a)(1)(f) and to invite attorney Dave Rugh and*
516 *Assistant to the Town Manager Duncan Wardwell to join the executive session. Sander*
517 *seconded.*

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

519

520 Hill stated that a quick overview from Andres Torizzo from Watershed Consultants might
521 be helpful before going into Executive Session. Torizzo stated that he is a stormwater
522 consultant and he talked with Josh about this permit several weeks ago to develop a scope
523 of work. Torizzo reviewed that he does a lot of these three-acre permits and this one is
524 somewhat complicated, given a large area about 25 acres. Torizzo stated that compliance
525 is really a two-step process, one is getting a handle on what is the regulated area and the
526 other is particularly complicated because of the network of roads and homes. Torizzo
527 confirmed that some stormwater permits that were issued and now are being bundled into
528 this one overall regulated area. Torizzo stated that they are trying to figure out the
529 regulated area. Torizzo stated that the homes, rooftops, driveways, garden sheds all the
530 impervious surfaces across the whole jurisdictional areas are part of the regulated
531 footprint. Torizzo stated that the next phases of the project are looking at the existing
532 conditions in terms of the drainage flow and where any potential natural resources are
533 located. Torizzo confirmed that an engineering feasibility analysis is a step-by-step
534 process that is provided in the stormwater rules or how can upgrades for stormwater be
535 obtained on the site without impacting things like natural wetlands or having to move
536 utilities. Torizzo stated that once that's done, there'll be another application which is
537 submitted to the State with plans that show improvements. Torizzo confirmed that once
538 it goes through that step, a permit is issued and there'll be a five-year period of time
539 before these improvements would need to be put in the ground.

540

541 Hill asked about financial responsibility when there is no homeowner's association and
542 when it's 2/3 private, 1/3 public. Hill stated the financial responsibility, question of
543 precedent, and ownership of the Notice of Intent is relevant to our Executive Session.
544 Sadler stated the initial Notice of Intent is the first tier of application for this kind of site.
545 Sadler stated that there's been an agreement over email that the Town will be allowed to
546 move forward with the initial Notice of Intent provided there's an understanding that until
547 an HOA is brought on board, the Town is falling into the category of responsible party.
548 Sadler observed that's not the ultimate desired outcome for Richmond, but in order to

549 process the application on time and keep things in good standing with the State, that this
550 was the option. Sadler stated that when the initial Notice of Intent is issued the only party
551 that will be on that permit will be the Town of Richmond for the time being. Hill stated
552 that the decision is made by the Selectboard about whether to proceed in that direction.
553 Sadler stated that the application hasn't been issued yet, it's being held as technically
554 incomplete. Hill stated that if there's no Homeowners Association, and 123 property
555 owners, it's not only expensive but complicated, picturing 123 potential easements. The
556 Selectboard entered Executive Session.

557

558 *Miller moved to exit executive session. Forward seconded.*

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

560

561 *Forward moved to not submit the Notice of Intent regarding the 3-acre stormwater rule.*

562 *Sander seconded.*

563 *Roll call vote follows discussion.*

564

565 Hill stated that three-acre stormwater rule is somewhat controversial and challenging as
566 the Town roads are already covered for stormwater under the Municipal Roads general
567 permit which leaves unresolved the private property owners in affected areas. Hill stated
568 that the State and others might like to see the Town take over responsibility for action on
569 private property, the Selectboard is not currently convinced that's an appropriate action.
570 Hill stated that the Selectboard is willing to work with a homeowner's association or
571 group that will take that on but the Town is not willing to take responsibility of the entire
572 thing.

573

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

575

576 **Discussion of creating a no parking zone at the corner of Jericho Rd. and Southview**
577 **Dr.**

578 https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3j_Traffic_Ordinance_Effective_May_12_2023.pdf

579

Timestamp: 2:29

580

581

582 People who participated in discussion: Hill, Carlson, Miller, Forward, Rankin, Pesci

583

584 Hill stated that one of the things that the Selectboard contemplates is how do we deal
585 with this in multiple areas. Hill asked where are people allowed to park overnight or
586 where and when they want to? Hill reviewed that the advice generally dissuades us from
587 taking action that seems intended at a specific person or one property when there are
588 other public properties similarly situated. Hill suggested legal advice on the proper way
589 forward as to say no overnight parking in multiple locations like Overocker.

590

591 Carlson stated that this particular issue arose because of a homeless man who was
592 sleeping in his car where the previous water tower was located, and he followed a
593 resident around. Carlson agreed that it's the parks and Volunteers Green. Carlson
594 suggested that it should not be "no parking but certainly "no overnight parking" and
595 consider adding "no camping."

596

597 Hill stated that prohibiting overnight parking or camping is an ordinance change, maybe
598 more than one ordinance change. Hill observed that one is probably a parking ordinance

599 and the other is probably the Volunteers Green and recreational property. Miller
600 suggested the standard “no parking” sign and enforcing that. Hill and Carlson stated that
601 people park there to walk or cut into trails. Forward suggested a “no overnight parking”
602 sign. Forward stated that the national and Vermont housing issue and drug issues happen
603 here and we're not immune from any of these problems. Carlson stated that these areas
604 the Town uses for recreation, and this particular area is close to school. Hill stated that
605 Josh could do some work between now and October 2 on the Ordinance. Hill confirmed
606 an interest in possible changes to parking and park ordinance that says no camping or
607 camping allowed with permission. Forward stated he would defer to how much research
608 Josh can do between now and the next meeting.

609

610 Rankin stated that he thought this was related to recreation but if it's only overnight ban
611 then it won't have much of an impact. Rankin reminded the Selectboard that there is a
612 housing crisis and we do not have any shelters in Richmond. Rankin suggested
613 proceeding with caution on this issue. Forward stated that the public hearings could be
614 informative. Miller suggested that the Police Department chime in with guidelines needed
615 to enforce this. Pesci stated that she did call Howard Center and asked them to check in
616 with the person to offer resources and support.

617

618 **Consideration of requesting that Chittenden Country Regional Planning**
619 **Commission conduct speed studies on the 45mph section of Cochran Rd. and the**
620 **northern end of Huntington Rd.**

621 Timestamp: 2:42

622

623 People who participated in discussion: Hill, Miller, Forward, Sander

624

625 Hill reviewed that in order to reduce the speed, you have to do a speed study. Hill stated
626 that he is not sure if the speed study itself leads to a lower speed limit. Forward observed
627 that on Cochran Rd it's a big jump from 25 to 45. Forward observed that the Selectboard
628 has talked about several of these speed studies, they did half a Hinesburg Rd but not the
629 other half. Hill stated that the motions are part of getting it in queue, to get the speed
630 study, to get the results and decide what to do. Forward requested a speed study on
631 Hinesburg Rd going from Fays Corner to the Town line at some point in the future.

632

633 *Forward moved to request that CCRPC conduct a speed study on Huntington Rd. from*
634 *the Farr Farm to the intersection with Hillview Rd. Miller seconded.*

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

636

637 *Forward moved to request that the CCRPC conduct a speed study on the 45 MPH section*
638 *of Cochran Rd. Sander seconded.*

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

640

641 **Monthly Planning and Zoning update**

642 [https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/31_Planning](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/31_Planning_and_Zoning_Aug_18_-_Sept_15_Update.pdf)
643 [and_Zoning_Aug_18_-_Sept_15_Update.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/31_Planning_and_Zoning_Aug_18_-_Sept_15_Update.pdf)

644 Timestamp: 2:47

645

646 People who participated in discussion: Hill, Forward, Miller

647

648 Forward stated that Planning and Zoning Director Keith Osborne submitted a report in our
649 packet explaining what he's been doing over the past month. Forward stated that he
650 appreciates that he puts that together every month. Hill suggested that at future meetings,
651 various committees might provide similar updates annually or twice a year. Miller stated
652 that a fair number of committees feel rudderless. Forward suggested that Josh or Duncan
653 figure out a format and schedule for that.

654

655 **Consideration of entering into an agreement with Chittenden County Regional**
656 **Planning Commission to serve as the Municipal Project Manager for the southern**
657 **portion of the east side of Bridge St. Sidewalk Project**

658 https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3m_CCRPC
659 [MPM Contract RichmondTAP TA23 17 Final.pdf](#)

660 Timestamp: 2:50

661

662 People who participated in discussion: Hill, Forward, Sander

663

664 *Forward moved to enter into an agreement which will employ the Chittenden County*
665 *Regional Planning Commission to provide project management for the Richmond TAP*
666 *TA23(17) -CA0752 the Bridge Street Sidewalk Project at a cost not to exceed \$35,000*
667 *and to appoint Town Manger Josh Arneson as the duly authorized representative.*

668 *Sander seconded.*

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

670

671 **Consideration of approval of Clean Water State Revolving Fund application for 20-**
672 **year Wastewater Treatment Facility Evaluation**

673 https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/09/3n_CWSRF
674 [Planning Loan Application Richmond 20 Year Evaluation 002 1.pdf](#)

675 Timestamp: 2:51

676

677 People who participated in discussion: Hill, Miller, Sander, Forward

678

679 *Miller moved to approve the CWSRF loan application for the 20 Year Wastewater*
680 *Treatment Facility Evaluation. Sander seconded.*

681 *Roll call vote follows discussion.*

682

683 Hill confirmed that the Water and Sewer users and Commission have the financial
684 responsibility but not the financial authority. The Selectboard has the authority to borrow
685 money and the Water and Sewer Commission is then charged with paying it back. Hill
686 confirmed that the Water and Sewer Commission voted unanimously earlier tonight to
687 ask the Selectboard to approve this.

688

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

690

691 **Consideration of setting dates for FY25 Budget meetings**

692 Timestamp: 2:53

693

694 People who participated in discussion: Hill, Forward, Hill, Sander

695

696 Hill stated that typically the Selectboard has an extra meeting in October, November,
697 December to just do the budget because you deal with different departments. Hill

698 confirmed that typically it is on the second Monday of each month, but October is
699 Indigenous Peoples Day so moved to Tuesday the 10th
700
701 *Forward moved to hold special Selectboard meetings to focus on the FY25 budget on*
702 *Tuesday, October 10th, Monday, November 13th and Monday December 11th. Sander*
703 *seconded.*
704 *Roll Call Vote: Forward, Hill, Miller, Sander in favor. Motion approved.*

705
706 **Approval of Minutes, Purchase Orders, Warrants**

707 Timestamp: 2:56

708
709 **Consideration of approval of use of Town Center Fund for work related to Town**
710 **Center Project:**

711 Forward stated that the architects wanted to understand the structure of the roof on the
712 Post Office addition. Forward stated that core samples were taken of the surface and
713 underneath to see what the structure and roof deck was made of.

714
715 *Forward moved to approve the use of \$1,023.72 from the Town Center Fund to pay for*
716 *core samples of the Post Office roof. Sander seconded.*

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

718
719 **Minutes:**

720 *Forward moved to approve the Minutes of 9/5/23. Miller seconded.*

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

722
723 **Purchase Orders:**

724 *Forward moved to approve PO# 4666 to Mount Mansfield Unified Union School District*
725 *for Quarter 1 Education Taxes not to exceed \$1,662,441.20. Sander seconded.*

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

727
728 *Miller moved to approve PO# 4726 to Mow n Maintain Property Maintenance LLC for*
729 *Grounds Maintenance FY24 not to exceed \$20,610.00. Sander seconded.*

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

731
732 **Warrants:**

733 *Forward moved to approve the general warrants as presented on 9/18/2023. Sander*
734 *seconded.*

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

736
737 **Next Meeting Agenda**

738 *Grand List data pre- and post- reappraisal

739 *Selectboard approval of elevation and buyout associated areas

740 *Overnight/Camping Ordinance update

741 *Speed Radar signs update

742 *Esplanade swale update

743 *3-acre rule update

744 *Natural Resources Conservation Service update

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Adjourn

Forward moved to adjourn. Miller seconded.

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

Meeting adjourned at: 10:25 pm

Chat file from Zoom:

00:05:32 Stefani Hartsfield: can you turn on the camera for the selectboard room?

00:05:48 David Sander: we have no video from the meeting room

00:19:26 Brady Katzman-Rooks: Besides sharing this info here, are you mailing this info to addresses along Esplanade Street?

00:21:11 Stefani Hartsfield: Is there a time limit on filling out the intake form?

00:21:20 Brady Katzman-Rooks: Or mailing it to other people whose homes were flooded?

00:28:54 Stefani Hartsfield: Can we please hear about the mitigation efforts

00:29:33 Stephanie A. Smith, VEM (she/her): More information on buyouts: <https://vem.vermont.gov/funding/mitigation>

00:30:46 Brady Katzman-Rooks: Thank you for the website link.

01:09:42 MMCTV Erin Wagg: A hand is raised

01:12:35 Brady Katzman-Rooks: The farm built two pathways into the field north of their barn, both of which block the water in the swale from flowing west, out to the Winooski. So now, excessive rainwater collects in the swale. This impacts people on Church Street and Esplanade.

01:19:11 Brady Katzman-Rooks: How can you determine if the manhole in the swale is operational, when it's been underwater for most days since the flood event?

01:27:03 Cecilia Danks: There is a time element if we want to access FEMA resources to help deal with an issue that arose as a result of the July flooding.

01:27:54 Joanna: Should this future meeting also include somebody from State Agriculture Department, if they might be a part of the solution?

01:29:07 Cecilia Danks: It is a mix of public and private so we should work together on it.

01:29:43 Joanna: I don't think we're debating who owns the swale. The question is whether it is part of the Town's water/wastewater system

01:30:54 Brady Katzman-Rooks: The end of Church Street, where the sidewalk changes sides going into the Church Street Homeowners Association used to be FARM LAND, and then was developed into a residential housing area.

01:32:30 Brady Katzman-Rooks: The farm changed the topography of the flood plain.

02:02:02 Patty Brushett: Thank you

02:04:43 Bonny Steuer (she/her): Looking forward to this "rebranding" becoming a transformational regional police department. Thank you to the Selectboard and the Hinesburg police and community.

02:19:03 Michael Sadler (he/him): Will there be follow up after this session that you'd like me to be in attendance for?

02:30:10 Michael Sadler (he/him): You can reach me: michael.sadler@vermont.gov