

## **Town of Richmond Selectboard Meeting Minutes of July 18, 2022**

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

**Members Absent:** None

**Staff Present:** Josh Arneson, Town Manager; Duncan Wardwell, Assistant to the Town Manager; Linda Parent, Town Clerk; Peter Gosselin, Highway Foreman; Kendall Chamberlin, Water Superintendent; Alyson Dengler, Police Officer

**Others Present:** Meeting was recorded by MMCTV, Allen Knowles, Anthony Cambridge, Bob Stafford, Bonny Steuer, Cara LaBounty, Diane Mariano, Gary Margolis, George Barrett, Janeann Miller, Jim Feinson, John Cohn, John Rankin, Jon Kart, Josh Hulett, Kristen Balschunat, Lauck Parke, Laurie Dana, Martha Nye, Mary Houle, Matthew Beittel, Matthew Bogaczyk, Pam, Rod West, Stephanie Barrett, Tyler Billingsley, Veronique Vanacker, Warren Myers

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

**Welcome by:** Heston

**Public Comment:**

Houle: What is a good Samaritan? As Plato stated, “good people do not need laws to tell them to act responsibly, while bad people will find a way around the laws.” Just because you have an equal start does not mean there will be equal outcome as it is based on what you put into it. I also had a question to Josh & June about the work from home program. I do not understand how some of these jobs can be work from home.

Heston: We are living in a different world. One of the things that Josh said that the Offices are open, and someone is there when they are supposed to be there. Sometimes, someone may be on vacation or have another conflict on that day.

Houle: Recently, I was at the Office on a Thursday between 3:30-3:45 pm and the Town Clerk’s office was open. On a Friday between 3:30-3:45 pm only the Town Manager’s office was open.

Arneson: Sometimes a person might leave early on a Friday afternoon if they exceeded their hours the previous days or weeks. The Clerk’s Office closes at noon on Friday. The timesheets are accurate for when people are at work.

Arneson: Former Police Chief Kapitanski recently received the Patriot Award. The Patriot Award reflects the efforts made to support citizen warriors through a wide-range of measures including flexible schedules, time off prior to and after deployment, caring for families, and granting leaves of absence if needed. Officer Kevin Wilson is in the Army National Guard and Chief Kapitanski has supported his service.

Heston: Officer Wilson nominated him for this award.

**Additions or Deletions to Agenda:** None

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

**Discussion with VTrans representatives regarding the Rt. 2 repaving project**

Arneson: The following representatives from VTrans are here to discuss the work on Rt. 2, Matthew Bogaczyk, Josh Hulett, Stephanie Barrett, George Barrett.

Bogaczyk: Thank you for having us tonight. This project is a rehabilitation of Rt. 2 beginning at Paquette Full of Posies in Williston and continues 8 miles to Bolton that matches up with a previous finished project. We will mill off the top layers of pavement to get to the concrete slabs. We will remove those slabs and replace with about 10 inches of new engineered material. The intent of the project is to get those slabs out. Those slabs create wheel ruts, potholes and paving degradation. We need to remove those slabs and repave to accommodate all that traffic loading for a 20-year period. There are strict Federal scope limitations. We have to remain within the existing right-of-way. The environmental permitting is also very specific for wetlands and large box culverts. There are a number of locations where we will replace culverts. We are limited in the specifications for those culverts as we need to stay within the right-of-way and under 5 feet of fill and of small diameter. The project is underway and started a few weeks ago on the Bolton end and moving West toward the Town. This year we are taking care of the drainage work and scaling of rock by the end of the construction season. By then end of next construction season, all the slabs are out and the base course, first lift pavement. The following construction season of 2024 will complete the final paving. The nighttime component will be from Rt. 117 to the interstate bridge project. We looked at hourly traffic data to determine if we were doing night work. We do not take this decision lightly as night work requires additional safety and costs associated with lighting and pay rates. During the day, we found that we could not reasonably cut out the periods during the day and still provide significant time for the contractor to work. In other words, when you consider setup and takedown of equipment, the 9 am to 4 pm timeframe was not reasonable.

Hill: What will you say to the residents that live or sleep about 50 feet from the where you will be removing concrete slabs.

Bogaczyk: This is a mobile project. The work will not be in any one place for an extended amount of time. It will be about a week to remove slabs then we will be away for another week before returning to pave. This is a mobile project that will impact different residents at different times. We did this in Waterbury-Stowe Rt. 100 project and in Rt. 2 in Williston. You will not have equipment out for two construction seasons.

Hill: Do you have any specifications on the decibels or lumens? Do you know how loud and bright your equipment is working at night?

Bogaczyk: I would have to follow up on that. There are decibel levels and illumination requirements. The contractors are balancing those impacts, so they won't be pointing lights at oncoming cars or into houses. There are some provisions for back up noises which is more of a swooshing sound.

Hulett: There are provisions for tailgates slamming and breaking up slabs. The slab removal is not as loud as the backup sounds.

Bogaczyk: These slabs are circa 1930 so there will be some concrete breaking but they are old.

Heston: How does it compare to the current interstate work which I hear from quite away.

Hulett: That is driving sheets in the ground. They will be averaging about 800-1000 feet per night breaking up the concrete slabs. Once lane of the road will be completed in one night and the other lane the next night. There will be some inconvenience. Individuals would probably experience 2-4 nights of impact.

Heston: Do you have a sense of when the Village stretch will be done?

Hulett: We have a baseline schedule that was developed June of this year. It will be late next season when we remove the slabs in the Village. But that depends on this year's progress. There might be some drainage work to take place in mid to late August of this year. We are still negotiating that for next season.

Bogaczyk: There is one pipe by Papa McKees that is about 10 feet down for an overnight closure of Rt. 2 on a Friday or Saturday night. This will allow us to get everything removed and installed. That is currently set for this construction season.

Arneson: It will be a couple of nights this summer.

Barrett: I will provide a two-week notice before any overnight closures.

Hill: Thank you for dealing with some of the drainage issues. People with specific addresses will want to know the specific details of when construction is taking place outside their residence.

Bogaczyk: I would like to plug that the VTransparency website (<https://vtransparency.vermont.gov/>) shows the construction project in any location. We will also send weekly updates.

Gosselin: My question is about the base course that will ride for a year. Will the utility valve boxes and manholes be lowered to finish grade a base course we can plow in the winter? Will risers be put on to match finished paving surface as we have to finish the curbing and sidewalks? Is that a Town issue? Our Water Superintendent might have some concerns as well.

Bogaczyk: There is a utility agreement in place. I will follow up with you. It depends on the municipality and how we handle the billing. The road will be plowable at the end of the construction season.

Sander: We need residents to be aware of vibrations that will occur in households due to removal of the slabs and the tamping down of the new road base. People will have a hard time with rattling shelves and windows within their residence. My second concern is the

coordination of Rt 2 and Interstate construction as we are dealing with both East-West corridors. My fear is that something will happen and there will be no coordination.

Hulett: Both project managers report to the same person, and we are constantly in communication with each other. We are well aware of any provision that might need to be taken in a situation where we allow traffic in one spot to accommodate a road closure.

Furr: How are we coordinating with the Bridge project over the interstate.

Bogaczyk: The schedules are off set to accommodate remove the slabs up to the Bridge project. They have to raise and realign the road. We gapped out the Bridge project so that it does not interfere to destroy the Rt. 2 rehabilitation project.

Heston: Kendall posted something in the chat.

Chamberlin: The State would be responsible for the utility adjustments as it would be impossible for Water and Sewer to handle that. The State would be responsible for all utility adjustments.

Heston: Would it be possible to be done in the Village earlier than September?

Hulett: There is a potential.

Bogaczyk: We will touch base again in the Spring. The contractors are feeling things out with this project. They did the Waterbury and Williston projects, so they have a pretty good idea of the scope.

Hulett: It comes down to the equipment and personnel.

Barrett: We send out weekly emails to help communicate this to Josh and other interested contacts.

Bogaczyk: This project has a federal funding component. Therefore, we follow federal guidelines. This includes a very detailed process for attaining a right-of-way outside of what the State already owns. The State owns the right-of-way for what the road goes through. For Rt. 2, there is no separation between the State and Federal rules for this process. As long as we stay within our right-of-way, we do not have to do an acquisition process.

Houle: Safety provisions cannot be overlooked or minimized. Munson needs to be careful putting up fencing due to the blistering agent found in wild parsnip.

Hill: What is the State right-of-way distance?

Bogaczyk: There was a statutory right-of-way study. We were concerned with the assumed right-of-way. I believe it is 4 rods through the Village. Outside of the Village setting, we assumed the statutory 3 rod right-of-way. This survey we assumed a 49.5 ft right-of-way, centered on centerline.

Hill: I am aware of the ledge removal to the far end of the right-of-way. There is a retaining wall on West Main St that is closer than that distance. Is there a plan to remove that retaining wall? What is the difference between removing the ledge and removing the retaining wall?

Bogaczyk: Ledge is a solid rock that can be pushed back to a steep slope. A retaining wall is there for a reason. If we remove that retaining wall, then we need to slope that hill back and put in a new retaining wall. Then we get away from the 24.75 ft from the centerline to the end of the right-of-way. You do not have enough space in that area and the slope behind it is too steep to dig into.

Furr: Can you demonstrate how the VTransparency website works.

Bogaczyk: Yes, notice the Project section on the bottom right and click on Project Map. If you click on the Explore button will tell you information about the project and who to contact if you have other questions.

Forward: You are hearing from us about the impacts of people in houses, not just the flow of traffic. We also have a lot of bicycle traffic. It will be a lot harder for bicycles to use the road during this construction project. There was discussion with Joe Flynn, Secretary, Vermont Agency of Transportation about having a shuttle bus to help coordinate opportunities between the Village, the Park & Ride by the interstate, and Riverview Commons.

Bogaczyk: I was part of that discussion, but I do not know of the status. You can follow up with Secretary Flynn who can forward it to the correct person.

Heston: We need to follow up on that.

Hill: Who can own and maintain vehicles and work with the Transportation Committee? A bike rider will be messed up for two years. The average citizen might think I cannot ride my bike from the Village to the Park & Ride for a 5–6-year span.

Bogaczyk: We are putting in 5-foot shoulders from the Village to the Park & Ride where possible. There will still be pinch points. There will be a new nice surface for bicyclists. We have a bicycle priority map. There will be a time period where there will be gravel and not good to ride a road bike. The new pavement will be a significant improvement. A few culverts, the retaining wall, and a section between two steep slopes create some of those pinch points. We are providing notice to vehicles to anticipate bicycle traffic.

Hill: What are the narrowest shoulders for the finished project?

Bogaczyk: There is about a 50-100 ft section that is about 1.5 ft shoulder. About 77% of the finished project will have 5-foot shoulders which is above the standard requirements. Another 20% has a 3-4 ft shoulder. Or about 97% of the shoulders between the Park & Ride and the Village will have at least 3-foot shoulders. We will be adding markings to those pinch points.

Knowles: There is a 300-foot, 1.5 ft wide shoulder section coming uphill into the Village going West to East. That is not a pinch point, that is a death strip. Back to the nighttime

work. My bedroom is 20 ft from the edge of the current pavement. There will be at least two nights of drills, backups, generators, and power shovels to dig from my location to the low point at Papa McKees. I want to know why we prioritize the people who drive through Richmond and not those that live in Richmond.

Bogaczyk: It is a balance. There is not one entity more important than the other. It is not a decision we take lightly. There would be massive disruptions to traffic. I do not know that I will have a satisfactory answer. We did our research, and we are aware of the impact. We want to get the word out there early and often.

Heston: We have to do the best job we can. The job needs to be done. We can only trust that VTrans is doing the best they can with the given conditions.

Hulett: If the contractor can maintain two lanes of traffic, rip out the slabs, and pave the road then we are game for it.

Heston: The conversations will continue to investigate these options.

Bogaczyk: Nighttime work will be from 7 pm to 7 am up to six nights a week (Sunday through Friday morning). The current Burlington project is typically 5 nights a week beginning on Sunday night and ending Friday morning.

Gosselin: There is obviously a lot of frustration from people in the Village. Can you minimize the grinding at night? The milling can happen during the daytime and maintain one-lane traffic. It would be a great compromise to the Town where I do not think the grinding has to happen at night.

Hulett: That would work for a traditional overlay. This project is 8 to 9 inches of pavement which would require a 4 ft swatch to provide access over the bathtub to individual driveways.

Gosselin: There are things we can do to help residents not deal with the nighttime work.

Bogaczyk: This is a signed contract, and we are not at liberty to change this contract. If you want more information on the right-of-way distances inside our outside of the Village then you can contact Lloyd MacCormack (802-279-8686, [lloyd.maccormack@vermont.gov](mailto:lloyd.maccormack@vermont.gov)) as he was part of the statutory survey. There is a wider right-of-way in the Village.

Heston: We were not happy to learn about the nighttime work after the contract was signed. We will be in touch in the future. Thank you for your time.

### **Consideration of approving the Midwives Move Mountains fundraising running event**

Heston: There is information in the packet. Are there any questions?

Steuer: I am here on behalf of the Vermont Affiliate of the American College of Midwives which is planning a fundraising Fun Run/Walk. We are seeking financial support for the work of Certified Nurse Midwives in the state on behalf of women and

all birthing people. We have a bill working thru the legislature that seeks to have birth centers licensed in VT. We are hoping to attract up to 50 people to the event. It was originally approved before the pandemic. We are looking to hold the event on Sunday, October 2. We would use the Volunteers Green Bandstand Green for staging and celebration. We are not requesting a road closure.

*Forward moved to approve the Midwives Move Mountains running event for Sunday, October 2, 2022. Hill seconded.*

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

### **Consideration of approving trail maintenance work in the Andrews Community Forest by the Vermont Youth Conservation Corps**

Balschunat: I am the Conservation Water Quality Project Manager at VYCC. We look to connect Youth Conservation Crews with Non-Profits, Municipalities, State and Private partners to improve water quality. I am here to collect 3 Selectboard signatures for our proposal. I need a signed O&M agreement for the DEC grant associated with this project. The Town of Richmond is the landowner and therefore needs to sign an agreement for the VYCC work. I have been coordinating with the Andrews Community Forest Committee and they approve of this plan. We confirmed with DEC and Zoning Administrator that we do not need a permit for this work.

Houle: Is there a price associated with this project?

Balschunat: Our average fee of service is \$6,100 for a water a quality crew. This year that funding will be covered by the DEC block grant so there would be no fee for the Town.

Houle: The VYCC has a history with the Town of Richmond recognizing it as pilot program which was payment in lieu of taxes. The payment in lieu of taxes was supposed to be beyond the \$6,000 per year. We were supposed to have maintenance of pathways and assist with the river shore project. I don't think the Selectboard should be signing anything tonight.

Forward: VYCC is a terrific neighbor that does wonderful work. I am not familiar with the agreement associated with payment in lieu of taxes. I respect their work and mission.

Houle: I am looking for an answer on the payment in lieu of taxes

Heston: The pilot program went away essentially when we went to court. We do not have a current agreement. We are not paying for anything on this project. I would like to see this and other projects with VYCC for this very reason. They are a non-profit and it is a way to give back to the Town.

Houle: They do receive services from the Town.

Balschunat: Thanks for sharing your concerns and I will look further into it. It would be best to contact Breck Knauft, Executive Director if you would like more information. If the Selectboard is not willing to sign these documents today then it would be challenging to matching the crew with the work for this season.

Hill: I have a question about removing the perched culvert. Is this trail used as a logging road? I am contemplating what happens when feet, bikes, and potential logging trucks goes over that spot.

Balschunat: We will remove the culvert and replace with some steppingstones. The main issue with the perched culvert is that it is undersized and creates a big backsplash pool. There would be a water quality benefit.

Gosselin: That culvert is a steel casing that was excess material and was put in as part of the constructed trail. The splash pool just needs a stone outfall about a foot thick to reduce the erosion force. If you remove that culvert that will be a saturation problem especially with high water flows. We do this everyday as it reduces the erosion and filters out silt. It is fairly inexpensive and easy. I would leave that structure there.

Heston: Would VYCC be willing to work with Pete on the best solution for that culvert section?

Balschunat: Yes, I also think this is a lower priority project so maybe think about doing this in 2023 if we need to do more design work.

*Furr moved to approve the services agreement with the Vermont Youth Conservation Corps for trail maintenance work in the Andrew's Community Forest. Forward second. Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

*Furr moved to approve the Operations and Management Agreement with the Vermont Department of Environmental Conservation for the trail maintenance project on the Andrew's Community Forest. Forward seconded. Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Update from American Rescue Plan Act Committee and consideration of reducing the number of members on the committee**

Furr: ARPA is specific to the \$1.2 million from the federal government to aide in COVID recovery and economic stimulus. We started meeting once a month in the beginning of 2022 but recently increased to twice a month. We have been meeting at 4 pm but are considering a later meeting time to encourage more participation. We originally modeled a survey from Jericho but decided to collect ideas at public information sessions and focus groups in September. The Selectboard recently authorized spending some of our money for an informational mailing about the September focus groups. We will use those focus groups to determine what other groups we want to reach out to for ideas. One focus group will be at the Volunteers Green on a Tuesday evening in September. Another will be at Riverview Commons on a September Saturday afternoon. We originally included the Finance Director, Connie Bona, as a full member of the Committee. Since Connie is not a Town resident it was suggested that she might not be a voting member of the Committee. So we are considering whether we leave her on as a full member, remove the seat, or change the Finance Director as a liaison.

Hill: What does the Selectboard think of making the Finance Director ex-officio, non-voting member?

Forward: I also want to point out that the ARPA Committee is only making suggestions to the Selectboard.

Heston: It is important that the Finance Director serves as a liaison. There is a risk if you keep her as a member influencing meetings. As the liaison, she can be called in for specific information.

LaBounty: I believe this Committee is about collecting information from the public. We can always contact her if we have specific questions. Her time would be better spent attending to other Town business. She does not need to attend the meeting especially if it is outside normal business hours. We appreciate the resource.

Furr: At our last meeting we had the Town Manager, Finance Director, two Selectboard members and one Community member. That is not a good representation of the public. We need better input so that is why we are considering an evening meeting time.

LaBounty: I would suggest that we keep the ARPA membership at 9 people and try to fill it with another community member.

Furr: I think that is a good idea.

*Hill moved to remove the Finance Director from the current ARPA seat, make the Finance Director a liaison to the ARPA Committee, and pursue another member of the community for that seat on the ARPA Committee. Forward seconded.*

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

Houle: The Gifford property recently went up for sale. Would ARPA money be available to purchase it for a potential 75 car parking lot? I would not want this opportunity to go by as it would benefit current and future residents.

Heston: I am trying to get a phone number to reach out about this possibility.

Furr: That is the type of idea we are looking for.

Chamberlin: Purchasing the right of way would be an excellent consideration.

LaBounty: It is listed as \$675,000 and you could also use Conservations Funds. We could keep the bulk of the land for parking. We could still sell the house. The ARPA funds might not be available in time.

Hill: We can be nimble with funds other than ARPA. Is it the sense of the Selectboard that we should pursue this? This is time sensitive.

Furr: Yes, this opportunity is not coming around again.

Heston: Thank you Mary for bringing that up.

## **Consideration of approving a contractor for projects at the Town Center and Library**

Forward: The Town Center and Library Committee has hired an architect to investigate options for this building. In the meantime, we need to address some issues around Americans With Disabilities Act (ADA) compliance. The packet illustrates the work associated with door openings, smoke detectors, drinking fountain at the Library, and ventilation in the Library. We decided to postpone the work for the Portico gutter system until we have a better idea of how we might use this building in the future.

Hill: I do not understand the drainage problem. Is this due to the design, installation or deterioration?

Forward: It is entirely due to the design. The roof has internal gutters that goes down through a column. The problem is the downspout failed which requires ripping it all apart. The construction on the Portico is beautiful.

Gosselin: I suggest you open the wood on the columns that contain the down spouts. They are made of copper so I would go with polyethylene with heat tape.

Forward: The joints failed, and they are impossible to replace. The cost was something around \$30,000. We need to deal with this health and safety issue as we haven been dealing with this for 5 years. It might be more cost effective if we do this when we do other work on the building.

Houle: Maybe there is a short-term opening we can do to keep water from backing up.

Forward: We tried to look at many suggestions. The most cost-effective advice was the total replacement.

Houle: That Portico is not that old. It looks beautiful on the outside, but it does not function.

Forward: It was built to the design. The Committee determined it wasn't worth spending that much money on a complete replacement at this time. The current damage is contained within the Portico.

Gosselin: Can we just attach an exterior down spout like everybody has on their house?

Forward: I suggested the same thing, but you would have to take the entire standing seam roof off.

Heston: We are not voting on this topic tonight. The proposal does not include work on the Portico.

Gosselin: It is an exterior issue, and it does not impact the interior of the building.

Arneson: The Owner's Representative suggested adding a 5% contingency in case we run into unexpected issues. We adjusted the total to not exceed \$179,100.

*Forward moved to enter into a contract with Opus Corp for the projects at the Town Center and Library which outlined in their revised bid in an amount not to exceed \$179,100 to be paid for with funds from the Town Center Reserve Fund. Hill seconded. Roll Call Vote follows discussion.*

LaBounty: What did the Portico originally cost to construct? Why not fix this now as it might create further damage and additional costs.

Forward: The Committee has not decided if we are dealing with this building or going to a new building. It is part of the process that the architect will help us investigate. This work will be going to contract this summer.

Heston: We asked the contractor to remove the Portico from his quote as it is not a priority at this point.

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

### **Review of bid documents for Bridge St. bridge repair and discussion of possible closure of Bridge St. during repair work**

Arneson: On June 6 a truck was transporting an excavator on a trailer. The arm of the excavator was too tall and struck the bridge on Bridge St. as the driver was traveling southbound. VTrans inspected the bridge and determined it was safe to use in the current condition, but repairs are needed. VLCT/PACIF is assisting in our claim against the driver's insurance to cover the cost of the bridge repair. Engineer Tyler Billingsley has finished a draft of bid documents for the repairs. He also described some possible scenarios for repair including the possible closure of the road.

Billingsley: There is no major structural risk. The first cross beam is bent back. The repair is straight forward but a tight space with 20 feet curb to curb. Ideally, we will do a short closure and take the damaged pieces out. Then we can fabricate a new piece to the exact dimensions off-site. Then we can come back and drop it back in place. So, there would be two closures. There is an opportunity to keep one lane open if there was a lot of heartburn about closing Bridge St. If we only do work in the middle of the day, then they we would be paying for full day of work that will be setting up at 9 am and tearing down before 2 pm. The detour would be the Jonesville Bridge. It will be during the school year. The first closure would be for about a day or two. The second closure would be around a week.

Hill: Is the Bridge structure still safe with the broken piece taken out?

Billingsley: There is enough redundancy in the design as it is doing nothing now as the gusset pipe got ripped out.

Hill: Then why put it back in?

Billingsley: You don't want to take out too many redundancies and for aesthetic purposes. There are many bridges in the State that have an existing condition like this.

Arneson: We will probably have to pay at first, but the driver's insurance will reimburse us. Our VLCT PACIF insurance is helping us with this process.

Billingsley: There will be some issues matching the paint due to sun fading. The lowest bid for this might not be the best as there are limited number of contractors who can do this project.

Gosselin: Do you think it will be closed overnight? It would be great to open it up after 5 pm.

Billingsley: That is reasonable, and I think we can build that in. We would put up message boards well ahead of time.

Heston: We need to decide how to do this so we can put it into the bid. We have the choice of closing the road and getting it done quicker or keeping one lane open and taking longer. I do not think we want to consider overnight construction.

LaBounty: I recommend we keep it one lane open for safety reasons especially for fire, emergency, and police. Also, with Rt. 2 closures there will be other obstacles to getting around Town.

Billingsley: We will be lucky to get a few contractors interested. Our RFP should list some of recommendations, but we might need to accommodate the contractor's work schedule requests.

Heston: Our preference is to keep one-lane open.

Forward: I like Pete's suggestion of opening it up after construction hours. During the Bridge construction, we kept emergency vehicles on both sides of the river.

LaBounty: Since this is not a safety issue, can we push this down the road with all the other projects we have going on? If we cannot keep one-lane open due to lack of contractors, then we can postpone it for a season. I don't think it is an insurance issue if we are considering these safety features.

Billingsley: The Selectboard has the right to reject any bids that I receive.

Forward: I suggest we review the bids and make a decision at that time.

Hill: We could also postpone until after the Rt. 2 construction.

### **Discussion of Rivershore erosion on Richmond Land Trust Property near Cochran Rd.**

Feinson: The Beekman Preserve on 1901 Cochran Rd is experiencing erosion that might take out the Cochran Road to the east of the canoe access. We received a grant from the Richmond Conservation Reserve Fund to pay for Tyler Billingsley to do some design work to mitigate the problem and forestall the erosion. We wanted to share the design to see if the Town would be interested in contributing resources to this project.

Hill: I do not know how far away from the road the river should be before it is a substantial risk. I know on Rt. 2 in Williston there is an oxbow that is pretty close to the road and the State is not wanting to do anything with it yet.

Gosselin: We really do not have any involvement until it enters our right-of-way. This surfaced during Irene when we surveyed Cochran Rd with FEMA. This eddy really opened up during Irene. FEMA was clear that they wouldn't do anything with it until it entered the right-of-way, which could be 5-15 years. It is a Selectboard issue to consider. The Land Trust is not able to fund a repair like this. I did ask Jim to bring this to the Selectboard to consider.

Hill: I would be cautious about using public resources outside of the right-of-way. If the Town has worked on something, then we have an obligation in the future. I would not support Town staff doing it on Town time.

Heston: Maybe the Town has access to grants for this type of project. Would the Land Trust have access to grants?

Feinson: The Land Trust has not done any research on any potential grants for this project.

Forward: I would doubt it. When I was at the school district we had a wash-out twice. We followed the FEMA design and then we found out it was on Green Mountain Power land which prompted FEMA to ask for the money back. FEMA will not fund work on private land for public infrastructure. Tyler, you said it would cost around \$30,000-\$50,000 in material.

Billingsley: It would probably be on the higher end as it is a small quantify of material packed into a small space. It is a pain to get into to level it and add the material.

Forward: Where would this stack up as a priority compared to other Highway projects?

Hill: There is a case to be made for the Town to do the project, but I am still cautious based on the fact it isn't impacting the right-of-way. We would have a similar controversy with this as we had with the riprap, we put in at Volunteers Green. If we were to pursue this project, we would want to hold many public meetings and talk to the Conservation Fund and other river folks. Many people would state we should not mess with the river as it will go where it wants to go. For instance, it was not without controversy debating if Volunteers Green was worth similar protection.

LaBounty: If your Highway Foreman is asking the Land Trust to do this work and the Selectboard already approved the funds for engineering then it would be reasonable for the Land Trust to prepare a grant request of Conservation Funds to do the work. The Town Highway should not be doing work on private property. If the Conservation Committee was not interested in fixing the problem, then they shouldn't have spent money on engineering designs.

Feinson: The Land Trust has no priority on addressing this other than to investigate the situation. Our organization is not committed to doing. We wanted to avoid a larger issue in the future.

LaBounty: Why would we take care of erosion in the Andrew's Community Forest but not along the river path? I support this project and the engineering costs but wonder why we would stop at this point in the process.

Kart: I talked with the Town and the Land Trust about this issue in 2009. We are missing the forest from the trees. The bigger issue is the river flowing and hitting the bank just past the canoe access. The bank has lost 25 feet in the last 8-9 years. The issue is when the river jumps the bank and impacts other sections of Cochran Rd. Yes, it is private property now but if we wait then we will have few tools to do anything about a solution. This is one of the Town's most used recreation site. I would like the Land Trust and Town to contribute to a solution. I would consider engineering design for the bigger impact.

Houle: What you do here impacts something else downstream. Eventually, nature is going to win.

Forward: Does the current design address the problem previously mentioned by Jon?

Billingsley: No, that is a couple million dollars' worth of work.

Forward: Does the River Conservancy have any advice or opinions on the river?

Feinson: We have not contracted for any other larger study of the river. This is just to address the spot problem.

Billingsley: Fix what is of urgency and what you have funds to do. You cannot chase it further out than you have funds.

Heston: Who's priority is this and why is it on the Selectboard's agenda? I was under the impression that it was the Land Trusts priority.

Gosselin: This request came back to me a couple of months ago. Since it is out of the right-of-way, I was trying to be proactive about the problem so that the Selectboard was aware of the situation. If we can close off this eddy, then we can minimize the impact of that spot. I figured the Land Trust needed to go to the next level.

Forward: I suggest we kick it back to Conservation Commission and consider it with more of a public process. Then they could come back to us with suggestions.

Hill: The preservation of the trail, canoe access, and parking lot is of more interest now than the potential damage to the road. The Conservation Commission needs to consider the impacts to the trail system.

Arneson: Are we asking the Conservation Commission to write a proposal? Or are we asking if this a good use of the money? Who is putting together the request for the Conservation Commission?

LaBounty: The property owner would be making the request of the Conservation Commission. Would the Land Trust allow the work to be done regardless of the funds coming from Conservation or Town Highway?

Feinson: I would be willing to bring this topic back to the Land Trust to see if they want to pursue funds from Conservation Commission if that is considered the best action.

Heston: Yes, the Selectboard is asking you to do that.

Feinson: I will bring this back to the Land Trust board to see if we want to pursue this.

### **Announcement of appointment of Interim Police Chief and discussion of next steps after Police Chief resignation**

Arneson: I have appointed Acting Sergeant Benjamin Herrick as Interim Police Chief since Chief Kapitanski has resigned. I appreciate his dedication and service to this role. At the last meeting, we discussed if we should hire a new Chief or should we pause and look at other options like a partnership with Hinesburg. Hinesburg Police Chief Anthony Cambridge has proposed a structure where he becomes police chief of both departments. I also spoke with Trevor Whipple from Vermont League of Cities and Towns. Whipple is a consultant on policing retained by VLCT. Whipple thought the idea of a shared chief could be problematic. He suggested forming a Union Municipal District to provide police services to both Richmond and Hinesburg. Following is an outline of how this structure could work as well as a few items to consider:

- Richmond and Hinesburg Police Departments are dissolved.
- The Union Municipal District (UMD) would provide police services to both municipalities.
- The UMD would be its own municipality with its own budget that would be funded by both Richmond and Hinesburg. The percentage of the funding that each Town provides would need to be negotiated.
- A Board consisting of representatives from both Richmond and Hinesburg would be formed to manage the UMD. In a shared structure each town would potentially lose some control that each has now over their own PDs, but the goal would be that both Towns could work together for best possible outcomes for each town.
- What would the Police Union in Richmond think of this structure and if they disapprove what rights do they have in the agreement to reject the structure?
- As mentioned above there are some differences between the Richmond PD and the Hinesburg PD. The Towns would have to compromise to find common ground for a new UMD.

There are a hundred different details to discuss in terms of the pros and cons of such a district.

Heston: Jeff and I have discussed this and done our own research as well.

Forward: A couple of years ago, I worked with the Hinesburg Selectboard and Hinesburg Police Chief Anthony Cambridge. I was impressed with how similar Hinesburg is to Richmond. They deal with similar issues, and it is contiguous. I think there is opportunity here. I strongly support asking a couple members of the Selectboard to further investigate this option.

Furr: I do not think Williston has any interest in a partnership, so the best option is probably with Hinesburg.

Hill: I think this is complex with the trials of regional dispatch. We would need some sort of technical assistance for governance and human resources.

Margolis: As I think about Hinesburg, I worry that they have similar issues with their small size. I worry we would take two weak Police Departments and create a third weak Police Department. I do think it is time for Richmond to disband its Police Department. I think regionalization is long overdue. The dispatch issue has been going on for forty years.

LaBounty: I agree. We might just consider being in a contact with another larger community. We want a service from another Town.

Stafford: I also agree. We have to sell to the other communities why there would be a benefit of joining with us. In 1992, we looked at regional dispatching and we are still here today talking about it. I would ask the Chief from Hinesburg about the staffing levels.

Cambridge: Our staffing level is we have 3 full-time and we should be back up to 5 by next month. We are slated for 6. This is where we are supposed to be. We have been fully staffed since I have been Chief. We have filled vacancies within a week. If we combined, we could have 3 people on staff at any given day time.

Heston: I have talked a couple of times with Chief Cambridge, and it is important to explore. This conversation has happened before in this Town. Things are different now. We have to rethink things as we are living in a different time.

Stafford: In the interim, I believe we need more visibility with our Police cars. I think we want as much exposure as possible.

Margolis: This is not a cost savings for the Town of Richmond. If you combine, you will only save partially on the Chief position. We still have to hire staff to police Richmond. Every time I look at mergers across the country, it has not saved them anything financially. They have improved efficiencies with response times. It is important but it isn't based on any fiscal responsibility.

Hill: The best position isn't always the cheapest option. We want to look at the quality of the responses. It is also important to see if this improves the work environment for the Police Officers.

Furr: We see everyday on Front Porch Forum about the speed and parking on Cochran Rd. If we went with Williston or State Police, I doubt we would get the attention for those spots. For instance, there is a place in Burlington where twice a week a case of beer gets stolen, and the Police say it isn't worth the time to deal with it. We need to make sure we have the details of a personalized response.

Cambridge: I think there would be better response times and better coverage if we put the two Towns together. We still do a lot of personalized service. We have a chance to increase the consistency we have established in Hinesburg. All of our Officers live in Hinesburg or close to the border so there is real connection to the community. I do not believe there would be a compromise in service for either Town.

Furr: I always felt it is important for Law enforcement to be a part of the community.

Forward: This will take several meetings. I like Bard's suggestion of having a third-party consultant help us with this process. I would support two Selectboard members further investigating this for a future meeting.

LaBounty: There is potential cost savings in that we have budgeted for more Officers than we are able to staff. We have 6 Police Cruisers and only 3 full-time Officers. I would like to have the third-party also investigate if we were to hire out this service.

Heston: We will look at all options.

Margolis: I have not been terribly impressed with the Richmond Police Department. The Town of Richmond would want to have some authority and control with the hiring and firing of staff. There is some complexity into the kind of services we want to provide to our citizens.

Stafford: I agree with others that Paco Aumand would be someone to help us look into this and provide perspectives on regionalized dispatch. I would support any costs associated with this.

Cambridge: Contracting with another Town for Police services essentially loses that personalized management and control. A Unified Municipal District would still provide Richmond and Hinesburg with that local attention. I look at the Richmond budget and I wonder where some of that money is going. It looks like there are too many Officers per caseload. There may be cuts to be made due to improper allocation. I think there will be some cost savings. Currently, there is no way to get in touch with an Officer in the Richmond Police Department as no walk-up or window provided. We could improve that sort of individualize attention.

Heston: I am volunteering to be one of the Selectboard members. We could come back at the next meeting to look at possible committee partnership.

Hill: I am open to participating as well, but I am not chomping at the bit. The first step is a plan to plan.

Forward: I defer to Bard and David and their history with the Selectboard and Police Department.

Heston: Most of my life I have lived with a Police Officer.

Sander: I have an interest but not the background of others who might be more qualified.

Hill: I think we should let this season and then come up with a second person for that committee. We also want to identify some sort of consultant.

Heston: This needs to be a thoughtful process and there is no need to rush it. We also need to include Police Officers. We need to be transparent and inclusive. We want to start with an exploratory process before we go too far down the road.

West: Is this discussion bad for morale? We should have a statement about maintaining a Police Department for a certain number of months. I would be concerned about losing staff.

Heston: We don't know enough yet. Our Officers have a job for the foreseeable future. We will still have a need for Police Officers.

### **Discussion of parking on east end of Cochran Rd.**

Arneson: There has been discussion around the parking in the Bombardier Meadow and along the side of Cochran Rd. Parking is once again becoming an issue at the west end of Cochran Rd. This issue first came to the Selectboards attention in 2020. At that time the Richmond Land Trust created a parking area for 20 cars in Bombardier Meadow in an effort to encourage cars to not park along the road in this area. This solution seems to have worked in 2020 and in 2021. However, in 2022 the volume of cars seems to have increased and the lot is filling up and cars are also parking along the road. There have also been questions about the proper process for approving parking at Bombardier Meadow. In 2020 and 2021 the Richmond Land Trust submitted a permit for temporary parking which was approved by the Zoning Administrative Officer. The Richmond Land Trust submitted a permit again this year, but upon further review it was determined that they need to get a conditional use approval by the Development Review Board. Essentially parking is usually approved along with a use of the land, such as residential or commercial. In this instance no such use exists. It is allowable to park a car along the road as long as it is outside of the traveled portion of the road. If the Selectboard would like to prohibit all parking in the Right of Way, including off the traveled portion of the road, an amendment to the Traffic Ordinance would need to be made. To amend the ordinance the Selectboard would vote to hold a hearing that would need to be warned at least one week in advance. If amended the amendment would not go into effect until 60 days after the vote by the Selectboard. If the Board would like to consider amending the Ordinance, I could have a draft amendment ready for the August 1 meeting and a hearing could be set for August 15. If approved the amendment would be in effect on October 15. However, if such a restriction to parking were to be put in place there could be a couple of unintended consequences: 1) Drivers would move to other locations to park and thus may just move the issue to another neighborhood. 2) Other areas of Richmond may ask for the same consideration in the Ordinance which could further limit parking in other areas of town.

Forward: Has our Parking Advisory Committee weighed in on this?

Arneson: I did notify them we were discussing this tonight.

Forward: I don't think this is an urgent issue as we cannot change anything until after the current swimming season. I would defer to the Parking Advisory Committee to investigate and provide suggestions.

Hill: Enforcement can deal with the vehicles that are parking on the portion of the road.

Beittel: I agree the Parking Committee should make some recommendations on this. The Parking Committee created the additional spaces and were going to review the Ordinance. We continue to delay this discussion until the next swim season. I have been contacting people from the Land Trust and Selectboard as the situation has gotten much worse. Safety is the original issue. There are bikes, joggers, tubers, and a confluence of traffic that creates significant safety hazards. It would be awful to have a bad accident before we address it. We should start the conversation now so that maybe 4 months from now we have something in place for the next swim season.

Vanacker: I would also like to speak on behalf of Bob Bombardier who is the reason we get to enjoy the meadow. He no longer leaves his house on certain hours because it is not safe. Umiak no longer parks there and releases their customers on the road. I am unable to leave my driveway safely as I cannot see around parked cars, swerving bikes, cars and pedestrians. It is growing problem. I have been waiting for 3 years. Next summer it will be bigger. The people are moving the ropes and trying to expand the parking to 40 cars on Conserved land. Everybody does not need to come here. I invite everybody to come see for yourself.

Beittel: All the neighbors have had to change the way they live due to this problem and that is not cool.

Rankin: I am on the Parking Advisory Committee but speaking for myself. I would go slow on changing the Parking regulations. There are other neighborhoods that will feel the same way. There are safety reasons to prohibit parking along Dugway Rd or upper Bridge St too. In the past, people parked along Rt. 2 which is even more dangerous.

Mariano: I feel for everybody who has to deal with this. It has really fallen apart as we have 30 people parking on the road as well as the 20+ in Bombardier Meadow. The Parking Advisory Committee is meeting on next Monday to further discuss this. People are diverting from Rt. 2 to use Cochran Rd to avoid the traffic delays. It is an accident waiting to happen due to the line of site. We need to put up ropes or cones or temporary signs around corners. People cannot see leaving the parking lot. People are parking inside the intersection of Duxbury Rd. I want people to be here, but it is just too much. There is no safety factor even if someone parks off the road and they open their car door. We need some short-term solutions while we deal with the Ordinance.

Cohn: The only way to solve this problem is to define where you can park and enforce it. The sawmill on Duxbury Rd is for sale and it might be worth investigating for expanded parking. There is urgency due to safety.

Furr: I walk through this madness frequently. I am big on traffic safety. The other day, I saw a bicyclist got hit by a car door. Somebody is going to get seriously hurt.

West: I believe our Police Department is busting their butts. They have been towing, ticketing, and sitting out in the hot sun. Alyson has been working very, very hard but it is like a tidal wave. We need to do something to support them.

Hill: We might review the signage around intersections. Should we contract with the Sheriffs to do more ticketing? It will not solve people who are legally parked.

Goseelin: We have a very small Police Department, and we should contract with the Sheriff to patrol Cochran and Dugway Rd full-time. It would be money well spent due to the vacancy savings. It is something to consider.

Arneson: Our Police Department can contact the Sheriff's Department.

Mariano: Most people do not care about a \$25 ticket as it is the price of admission. Towing hurts when your car is not here.

LaBounty: I know Pete put ropes on the corner in 2020. The number one safety issue is the cars parking on the curve of that bend toward Huntington River. Those cars should be instantly towed. If you are down to 2-3 Police Officers, then writing a ticket is not a good use of their time.

Gosselin: There is a reason to tow them on that inside corner and at the intersection of Duxbury Rd, but we need a Police officer to initiate it. It is unfortunate that the temporary parking did not fix it. The tubing industry took off. We have adequate funding to add a shift for Saturdays and Sundays.

Beittel: We are losing sight of the safety issue. When the ropes were up it was better because there was no physical space to park. People know what the rules are so signs do not help and it only makes things worse if we try to lecture them. The Bombardier Meadow parking could be removed immediately in the sake of safety. We mow and maintain the paths, so we want to promote safe access.

Hill: Parking by the corner or the intersection is illegal, but I am not sure of the Bridge.

Heston: The Parking Committee is meeting next Monday.

Vanacker: Safety is the number one concern and the other parking areas on Cochran Rd are safer.

Feinson: The Land Trust wants to meet and find short-term solutions. If we want to close the Bombardier Meadow, then we will look at closing it. One of the worst days at Bombardier there were over a hundred cars on Dugway. The Land Trust is happy to participate in the conversation.

Cohn: It does seem to me that marking specific areas with ropes is the best short-term solution. This would not require an Ordinance change.

Gosselin: The legality was an issue with putting up signs without the Ordinance. The ropes were effective although people sometimes moved them.

Cohn: If people move it then it is a clear violation, so I think it is important on those intersections and curves.

Arneson: The Ordinance does not specify anything about sightlines. The Ordinance does specify no parking within 25 feet of an intersection and no parking on the traveled portion of the road. The corner on Cochran Rd does not appear to be illegal.

Furr: Vermont statutes state that you cannot park on bridges.

Rankin: I have photos of cars parked on the north side of Rt. 2. If we block all parking here, then people on Dugway Rd will ask for the same thing.

LaBounty: I think there are State statutes that prohibit parking on limited sight lines.

Heston: We want to move forward with the Ordinance change process.

Gosselin: Let's put up a rope on that inside corner on Cochran Rd and the intersection with Duxbury Rd. We should also use the ropes to increase the sightlines coming out of Bombardier Meadow. We need more authority to get people towed and we don't have enough Officers on-duty.

Arneson: We will come up with some draft language for Ordinance changes before the next meeting.

Forward: We should get Pete out there with the ropes as well as the Sheriff's Department

West: The Sheriff would be writing parking tickets under the municipal authority for the Town of Richmond so we would receive that revenue. I also encourage increasing the fee for a regular parking ticket.

Heston: We are asking the Highway Department to rope off those suggested areas around Cochran Rd. and Bombardier Meadow.

### **Update on future work of VTrans and Railroad on railroad crossing on Cochran Rd.**

Arneson: VTrans informed me that the Railroad needs to repair the railroad crossing on Cochran Rd. near the east end of Cochran Rd. This work will require that Cochran Rd. be closed for two days. My concerns were related to traffic that is already seeking alternate routes due to the I89 emergency repair work and due to the reclamation work on Rt. 2. VTrans is going to coordinate with the Rt. 2 reclamation project to try to find a time that would be least disruptive for the Cochran Rd. closure. Pete Gosselin is also in touch with VTrans to better understand the scope of work and coordinate this with the paving that the Town has planned for Cochran Rd. this summer. I will return with an update once we have a date for the closure.

Gosselin: Although it is a two-day closure, they will pave right up to our project and fix the issue that is deteriorating.

## **Discussion of amending personnel guidelines to include Juneteenth as a holiday for staff**

Heston: We will move this item to the next agenda.

## **Update on Re-Use Zone at the Solid Waste Transfer Station**

Arneson: The shed is pretty much built. Casella informed me that the Re-Use zone is close to opening. He is hoping it will be open within the next couple of weeks, if not sooner. There had been delays on construction due to permitting in the Flood Hazard Overlay District as well as delays in scheduling a contractor for the work.

Furr: It is about a third of the size of the old one.

Heston: We should have put a size on the contract. Let us know when the ribbon cutting will take place.

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

### **Warrants**

*Forward moved to approve the warrants as presented. Furr seconded.  
Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Purchase Orders**

*Furr moved to approve PO# 4447 to Simpleroute for FY23 Managed Services for Admin and Water and Wastewater not to exceed \$21,120.00. Hill seconded.  
Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

*Furr moved to approve PO# 4444 to RHR Smith for Audit of Fiscal Year 2022 not to exceed \$14,500.00. Hill seconded.  
Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

*Hill moved to approve PO# 4449 to Richmond Rescue for FY23 Appropriation not to exceed \$78,012.00. Sander seconded.  
Roll Call Vote: Forward, Furr, Heston, Hill, Sander in favor. Motion approved.*

### **Minutes**

Heston: There is a typo where it says June and Josh were at the meeting when it should say they were not at the meeting.

Wardwell: I found that Hill on Pg 5 should read: "It is awkward with June or Josh not here tonight."

*Hill moved to approve the Minutes of 7/5/22 as corrected. Furr seconded.  
Roll Call Vote: Forward, Furr, Hill, Sander in favor. Heston abstained. Motion approved.*

## **Discuss Items for Next Agenda**

- \*Juneteenth Holiday
- \*Parking updates
- \*Police Chief Plan to Plan

## **Adjournment**

*Furr moved to adjourn. Sander seconded*

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

## **Meeting adjourned at 11:30 pm**

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

00:33:42 Kendall Chamberlin: Pete or Josh - did the town sign a utility agreement with VTrans? If so, it should have specified the contractor/state will be responsible for utility adjustments.

00:38:43 Kendall Chamberlin: Can we link the Vtransparency in the chat and go back to the meeting? Thank you.

01:08:41 Allen Knowles: So, why were we not informed BEFORE you were under contract?

02:12:22 Jay Furr: <https://photos.app.goo.gl/5ned34EUF9Xf7YDQ9>

02:46:16 jon.kart: For what it's worth, the bigger fix in 2012, according to Roy Schiff (VT's preeminent river engineer) was estimated at \$5K for engineering and ~\$50K for construction. Two years ago, after much more erosion, it was \$50K for engineering and \$200K for construction.

03:12:25 Gary Margolis: Hire the Sheriffs Office to do speed enforcement if speed on Cochran is an issue.

03:45:16 Peter Gosselin: As a Department Head I would offer this comment on the future of the Richmond Police department. Please ask the Richmond Police officers their opinion on the future of the Richmond Police Department? They are vital to the community and their opinion(s) should be highly valued.

03:45:52 jcohn: Diane and I are not able to raise our hand for some reason

03:53:24 V: Duxbury rd and Cochran rd are on the Cross VT Trail.

04:09:01 Jay Furr:

<https://legislature.vermont.gov/statutes/section/23/013/01104>

04:09:17 Jay Furr: Illegal to park on a bridge

04:21:56 Rod West: Raise the price of the ticket!

04:24:59 jcohn: Thank you everyone !