

Selectboard Meeting of July 12, 2018  
Town Hall Conference Room B, 7 Summer Street

Selectboard: Trini Brassard, Perry Armstrong, Matt Fordham, Michael Hildenbrand

Municipal Staff: Adolfo Bailon (Town Manager)

Public Attendees: John Lutz, Craig Stalnaker, Lawrence Stalnaker, Loretta Stalnaker, Robin Terry, Roger Farmer, Gary Kessler, John Mazzucco, Paul Haskell, Shane Niles, Ed Luce, Kyle Kapitanski, Bill Bohnyak, Jerry Ward

Media: *ORCA Media; Dave Crosby, Herald of Randolph*

### **Public Hearing**

Mrs. Brassard called the Public Hearing to order at 5:39pm. Mrs. Brassard asked if there were any comments from the public on the proposed amendments to the Land Use Regulations. There were no comments shared by the public.

On a motion from Mr. Armstrong and seconded by Mr. Fordham, the board adopted the amendments to the Land Use Regulations. Vote 4-0-1

The hearing came to a close at 5:41pm

### **Regular meeting**

#### **1. Call to order**

Mrs. Brassard called the meeting to order at 5:41 p.m.

#### **2. Public Comment**

Mr. Paul Haskell spoke to the board about the Rural Economic Development Initiative (REDI). Mr. Haskell provided historical context to the REDI including its creation through the state legislative process. Mr. Haskell described the REDI as being similar to existing governmental structures such as Fire Protection Districts, including powers afforded to these groups. Mr. Haskell stated that a REDI district currently exists in the town of Newbury.

Mrs. Brassard asked Mr. Haskell if he had brought handouts to share with the Board. Mr. Haskell did not, but agreed to do so in the future.

Mr. Armstrong asked if the REDI is similar to the concept previously shared by CJ Stumpf. Mr. Haskell confirmed that he and CJ Stumpf are speaking about the same issue.

Mrs. Brassard suggested that this item be placed on the agenda for the August meeting of the Selectboard. The Board and Mr. Haskell agreed.

#### **3. Approval of Agenda**

On motion by Mr. Armstrong and seconded by Mr. Fordham, the Board approved the agenda. Vote 4-0-1

**4. Consent Calendar**

- a. Meeting Minutes of June 14, 2018
- b. Warrants
- c. Cemetery Plot Sale

On motion by Mr. Hildenbrand and seconded by Mr. Armstrong, the Board approved the consent calendar as presented. Vote: 4-0-1.

**5. New Business**

**a. Presentation of Resolution**

Mrs. Brassard read and presented a resolution to Loretta Stalnaker.

(The resolution has been recorded in the public record by the Town Clerk, Joyce Mazzucco)

**b. Vermont State Police Briefing**

Lieutenant Roger Farmer, Commanding Officer of the Royalton Barracks, and Captain Michael Manly, spoke about the policing capabilities of the Vermont State Police, Royalton Barracks. Lt. Farmer shared general statistics on calls for service within the Town of Randolph including response time, which may reach up to 45 minutes. Lt. Farmer offered to continue providing support to Randolph, as needed. Lt. Farmer also stated that the existing agreement between the Town of Waterbury and Vermont State Police is currently not ready for duplication.

Mr. Fordham asked a question related to calls from dispatch to patrol vehicles. Lt. Farmer stated that dispatch calls issued by the Vermont State Police are transmitted through channels that are open to the Randolph Police Department.

Mr. Hildenbrand asked if the existing staff shortage within the Vermont State Police is related to lack of funds or candidates. Lt. Farmer stated that funding is available and that the staff shortage is due to a lack of qualified candidates.

Captain Manly stated that the Town of Randolph has approximately 1,200 calls for police services on a yearly basis. These calls are typically covered by the Randolph Police Department. Transferring all 1,200 calls from the Randolph Police Department to the Vermont State Police may create challenges as the Royalton Barracks territory is large and includes 19 towns. Captain Manly encouraged the town to maintain its own law enforcement through a contract with a local law enforcement agency or maintaining its own police department.

Mrs. Brassard and Lt. Farmer discussed the difference in dispatch service between the state police and Orange County Sheriff's Department. Lt. Farmer stated that he is committed to working closely with, and maintaining open communications with, the Orange County Sheriff's Department.

Captain Manly asked a question regarding potential challenges for maintaining the Randolph Police Department. Mrs. Brassard replied and stated that there are challenges in Randolph that will be addressed by the recently created Ad Hoc Police District Evaluation Committee

**c. Orange County Sheriff's Department Agreement**

Mrs. Brassard suggested that this agenda item be postponed until later in the meeting to allow time for Sheriff Bohnyak to arrive. The board agreed.

**d. Assembly Permit – Green Mountain Stage Race**

Mr. Gary Kessler spoke about the stage race and stated that he expects upwards of 650-750 participants. Mr. Kessler shared details about the event format and safety precautions being taken into consideration for racers and drivers. Mr. Kessler stated that he is working with the Vermont State Police and the Orange County Sheriff's Department.

Mrs. Brassard asked if a separate event is planned for the end of the stage race? Mr. Kessler stated that there is no event planned for the end of the race, but that he anticipates racers and their companions to visit local businesses before and after the race.

Mr. Bailon clarified that the appropriate department directors have yet to sign the Assembly Permit form, but have given verbal confirmation of their approval.

On a motion by Mr. Armstrong and seconded by Mr. Fordham, the Green Mountain Stage Race Assembly Permit was approved. Vote 4-0-1

**e. Water/Wastewater Ordinance Amendment**

Ms. Mardee Sanchez summarized the proposed amendments that she presented for discussion during the June meeting of the Selectboard and stated that those proposed amendments were incorporated into the draft ordinance being reviewed by the Selectboard.

Mr. Armstrong asked a question about historical data for allocation fees – how much has been collected by the water district in recent years. Ms. Sanchez acknowledged the request made by Mr. Armstrong, and committed to providing him and the Board with the information. Mr. Bailon suggested to Ms. Sanchez that they both work together to provide the board with this information.

Ms. Sanchez spoke about the suggested changes as they appeared in the draft Ordinance.

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Mr. Fordham suggested that the word 'with' be re-added to a sentence in §213F. Ms. Sanchez stated that 'with' had been deleted by accident. The board agreed to the inclusion of 'with.'

Mr. Fordham asked if there is any significance to having the distance of two hundred (200) feet in §301. Ms. Sanchez stated that she was not aware of any special significance to the distance of 200 ft. other than it is the distance in the existing version of §301.

Ms. Sanchez spoke about the proposed changes in §511 and used as an example the current project in town that will benefit the company LEDdynamics.

Mr. Hildenbrand expressed concern about the language in §205 B and suggested the deletion of 'via email.' The board and Ms. Sanchez agreed.

Mrs. Brassard asked if a public hearing is necessary to finalize the process. Ms. Sanchez stated that a public hearing is not necessary.

On a motion by Mr. Armstrong and seconded by Mr. Fordham, the board voted to accept as modified the Water and Wastewater ordinance. Vote 4-0-1.

**f. Set Public Hearing Date for Town Plan**

Ms. Sanchez shared an update to the existing process for updating the Town Plan including the most recent public hearing held by the town's Planning Commission.

Mrs. Brassard asked if the proposed Town Plan had been shared with the Selectboard. Ms. Sanchez said "no"; the proposed Town Plan has not been shared with the board as the Planning Commission continues to have time to make edits. A final draft of the proposed Town Plan will be shared with the Selectboard after the Planning Commission is no longer able to make edits.

Mrs. Brassard asked if there are any changes to the plan that may be controversial. Mr. Armstrong stated that the 'energy' portion may be controversial, but the controversy would mostly be due to the fact that the town does not currently have an Enhanced Energy Plan. Mr. Armstrong continued by stating that the town will continue working with Two Rivers-Ottawaquechee Regional Planning Commission on the issue of an Enhanced Energy Plan.

The board discussed possible dates for setting two public hearings. The board decided to make a change to the regular meeting of the Selectboard in August in order to accommodate the first public hearing on August 16th. The board agreed to hold the first public hearing on August 16<sup>th</sup> and the second public hearing on September 13<sup>th</sup>.

**g. Project Change Order for Elm Street Project**

Mr. Bailon and Ms. Sanchez spoke to the reason for a change order.

Mrs. Brassard made a clarification about the source of funding for this project. Mr. Fordham asked if Impact Fees would typically be used to fund this type of project. Mr. Bailon and Ms. Sanchez answered in the affirmative.

On a motion by Mr. Fordham and seconded by Mr. Armstrong, the board approved the change order for the Elm Street project. Vote 4-0-1.

**h. Proposed Re-Addressing of Belle Fred Drive**

Mrs. Brassard asked for the total number of homes on Belle Fred Drive. Ms. Sanchez stated that there are eight (8) homes on Belle Fred Drive; the change of addresses is needed in order to ensure compliance with Vermont E911.

On a motion by Mr. Armstrong and seconded by Mr. Fordham, the board approved the re-addressing on Belle Fred Drive. Vote 4-0-1.

**The Board recognized the arrival of Sheriff William Bohnyak and Captain Kyle Kapitanski, and agreed to return to agenda item C.**

Sheriff Bohnyak, Captain Kapitanski, and Mr. Bailon spoke about the proposed agreement between the Town of Randolph and the Orange County Sheriff's Department.

Sheriff Bohnyak provided details about the current work being performed by his officers within Randolph and the on-going supervision that would be provided by him and Captain Kapitanski. Sheriff Bohnyak concluded by providing a positive update to existing dispatch communications between the Orange County Sheriff Department's dispatch center and the fire departments in Randolph and Brookfield.

Mr. Fordham asked a question about general police coverage within the police district. Sheriff Bohnyak stated that Vermont State Police would cover all shifts that are not covered by Randolph Police or the Orange County Sheriff's Department. Sheriff Bohnyak also indicated that Orange County Sheriff's deputies may also respond to emergency calls within the Randolph Police District and throughout the town, as needed.

Mrs. Brassard spoke about the existing relationship between local law enforcement and groups such as Clara Martin and Gifford Medical Center. Captain Kapitanski indicated that the Sheriff's department would continue to work directly with Clara Martin and Gifford administrators, but also remain committed to fulfilling its obligation to the town.

Sheriff Bohnyak spoke about a potential increase in services to Randolph through a COPS grant, which may provide funding for a School Resource Officer. Mr. Bailon stated that this is a service that is not available through the Randolph Police Department due to COPS grant restrictions.

On a motion by Mr. Fordham and seconded by Mr. Armstrong, the board accepted the proposed agreement between the town and Orange County Sheriff's Department. Vote 4-0-1.

**i. Tax Anticipation Note Request**

Mr. Bailon described the Tax Anticipation Note and provided examples for its usefulness to town staff. Mr. Bailon also stated that the town has obtained tax anticipation notes in previous years, but has not had a need to draw from available funds.

Mr. Fordham asked a question regarding the borrowing procedure through a tax anticipation note. Ms. Brassard stated that funds borrowed through a tax anticipation note are requested, as needed, and processed by Joyce – the town Clerk/Treasurer.

On a motion by Mr. Hildenbrand and seconded by Mr. Fordham, the board approved town staff to obtain a Tax Anticipation Note in the amount of one million (\$1,000,000) dollars.

**j. Two Rivers Ottauquechee Regional Planning Commission Request**

Mr. Bailon described the request submitted to the town by TRORC. Mr. Bailon indicated that TRORC would like to include the town's property known as Branchwood mostly because of its general history and location, and does not have any evidence to suggest or reason to believe that the town's property is a brownfield site. Mr. Bailon further explained that the Branchwood property may become more attractive to a developer or open to greater use possibilities once the town receives an official, positive response from TRORC's assessment.

On a motion from Mr. Hildenbrand and seconded by Mr. Armstrong, the board approved TRORC's request to include the Branchwood property in its assessment. Vote 4-0-1

**k. Special Appropriations Policy Update**

Mr. Bailon spoke about and provided reasons for the proposed changes to the town's policy on special appropriations.

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Mr. Armstrong asked who in town might be affected by the proposed changes to the policy. Mrs. Brassard indicated that the proposed changes may affect organizations in town such as Stagecoach.

Mr. Bailon informed the board that the policy draft they were reviewing varied slightly from the version returned to the town by the town's attorney. The policy draft version returned to the town was the same in language, but was different in formatting.

Mr. Hildenbrand suggested that the board approve a change in time frame from forty (40) to forty-seven (47) to remain consistent with state law, but postpone other changes until the board has reviewed the policy draft presented by the town's attorney.

On a motion by Mr. Fordham and seconded by Mr. Armstrong, the board approved the amendment of forty (40) to forty-seven (47) days, and agreed to review all other changes during a future meeting. Vote 4-0-1.

**I. Grants**

- Preservation Trust of Vermont – Robert Sincerbeaux Fund

Mr. Bailon spoke about the work being performed by the East Valley Group to rehabilitate the East Randolph Community Hall. This grant would provide matching funds to assess the foundation of the East Randolph Community Hall.

On a motion by Mr. Armstrong and seconded by Mr. Fordham, the board approved the expenditure of \$500 to be used as matching funds for the Robert Sincerbeaux Fund grant.

- Rural Fire Protection District – Dry Hydrant Grant

Mr. Bailon shared background information regarding this request. He informed the board that the dry hydrant in need of repair was part of a Dry Hydrant grant request that was approved by the board in 2017.

Mr. Hildenbrand asked if the Dry Hydrant Grant request had been reviewed by the Fire Advisory Committee and expressed concern that this most recent request may potentially decrease the town's future chances of obtaining this type of grant. Mr. Bailon indicated that this dry hydrant request had been previously shared with and discussed by the Fire Advisory Committee.

Mrs. Brassard shared historical context about the request.

On a motion by Mr. Fordham and seconded by Mr. Hildenbrand, the board authorized town staff to apply for this grant and placed a limit on any potential expenditures of \$500. Vote 4-0-1.

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- Restorative Justice Grant Extension

Mr. Bailon shared information about the town's existing historical justice grant and reasons for the state's request of a 6-month extension.

The board discussed the grant and population it serves within Randolph.

On a motion by Mr. Armstrong and seconded by Mr. Fordham, the board authorized a 6-month extension. Vote 4-0-1.

- Municipal Highway and Stormwater Mitigation Grant

Mr. Bailon asked the board to authorize staff to apply for funds through this grant. Examples of projects that could benefit from this grant were shared with the board.

On a motion from Mr. Fordham and seconded by Mr. Hildenbrand, the board authorized staff to apply for the Municipal Highway and Stormwater Mitigation Grant. Vote 4-0-1.

## 6. Old Business

### a. Animal Control – Wolf Hybrid Directive

Mr. Bailon indicated that the board had previously approved this directive during the June meeting, but did not sign the letter created by the Town Clerk. The board agreed to sign the letter.

### b. Acceptance of Water Main for LED Project

The board discussed the request made by Green Mountain Economic Development Corporation to accept ownership of two segments of a private water main.

Mrs. Brassard indicated that the most recently proposed request does not prohibit other types of utilities from being buried above the existing water main line. Mr. Bailon indicated that the issue of a utility easement had been addressed and resolved with the second segment of water main line, but had not, until now, been a concern with the first segment.

Mr. Hildenbrand expressed concern over the request and stated that he does not believe that the town should accept ownership of this private water main line. Mr. Hildenbrand also stated that he would need additional information including design specifications before he can make a decision on this request.

Board members discussed the potential for business expansion in the immediate area and also the potential risks to the town in accepting ownership of the existing water main line.



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Mr. Hildenbrand and Mr. Armstrong agreed that they would both like to see specific engineering specifications including the composition of the existing water main pipe before they can make a decision.

The board agreed to not take any action until the requested information was presented to the board for review.

**7. Other Business**

Mrs. Brassard stated that she would like the board to schedule a retreat to discuss and set goals. The goals set during the retreat would also determine how the town provides leadership for town-based groups and organizations. The retreat would be properly warned and open to the public.

The board discussed date options for a board retreat and agreed on Saturday, August 18 at 8am. The location is to be determined at a later date.

**8. Manager's Report:**

Mr. Bailon reported on several issues: discussions with Preservation Trust of Vermont regarding the Whales Dance sculpture, updates to repair activities at the town swimming pool, and a potential bid for the All-American City project.

Board members asked questions regarding the ongoing conversation between the town and Preservation Trust of Vermont. Several board members expressed concern over becoming a partner on this project. Town Resident, Jerry Ward, was granted permission to speak by the board. Mr. Ward spoke in favor of a potential partnership between the town and preservation trust of Vermont that would establish a sculpture on property adjacent to Exit 4.

**9. Executive Session**

- a. Ad-Hoc Police District Evaluation Committee, Pursuant to 1 VSA §313 (3)
- b. NextEra, pursuant to 1 VSA §313 (1)(A)
- c. Attorney-Town Communication, pursuant to 1 VSA §313 (1)(F)
- d. Lister's Open Position, pursuant to 1 VSA §313 (3)

The Board voted to enter into executive session with Mr. Bailon present at 8:11pm. The motion was made by Mr. Hildenbrand and seconded by Mr. Armstrong. Vote: 4-0-1.

The Board exited executive session at 9:27pm. The motion was made by Mr. Hildenbrand and seconded by Mr. Fordham. Vote: 4-0-1.

At the conclusion of Executive Session, the Board appointed Carolyn Lumbra to serve on the Ad Hoc Police District Evaluation Committee. Vote 4-0-1.

**10. Adjournment:**

The Board voted to adjourn at 9:30pm. The motion was made by Mr. Hildenbrand and seconded by Mr. Fordham. Vote 4-0-1.