



Select Board

Town Of Hinesburg
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Meeting Minutes – March 16, 2015

- Approved 3/30/15 -

Attending the Meeting: Jon Trefry, Phil Pouech, Mike Bissonette, Andrea Morgante, Tom Ayer, Trevor Lashua, Marge Sharp, Alex Weinhagen, Aaron Kimball, Joe Duncan, Brad Aldrich

Meeting called to order at 6:45 p.m.

Executive Session – 1 V.S.A. § 313 (a) (1) (C), (E) & (F)

The executive session was held with Jon acting as chair.

Mike B moved to find that premature general public disclosure would place the municipality at a substantial disadvantage with proposed or continued mediation, pending litigation to which the public body is a party, and to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the body. Second by Phil and approved with 5 yes votes.

Tom moved to enter executive session, to include the Town Administrator, under the provisions of 1 V.S.A. § 313 (a) (1) (C), (E), and (F). Second by Andrea and approved with 5 yes votes.

Tom moved the Board come out of executive session, second by Phil and approved with 5 yes votes

There were no comments from the public.

Andrea moved to amend the agenda to move items 6, 7 and 8 to the end of the meeting, second by Tom. Jon made a friendly amendment that they would follow the agenda till 7:50 when discussion on storm water regulations would begin and continue with any items left after item 13. Second by Phil and approved with 5 yes votes.

Select Board Organizational Meeting

Jon moved to nominate Mike Bissonette as chair of the Hinesburg Select Board. Second by Tom.

Andrea noted in the process of looking at the chair's responsibilities in the VLCT handbook it notes the chair runs meetings and is the spokesperson. Andrea said Hinesburg has designated the Town Administrator as spokesperson. Mike B said he agrees with that. Andrea also brought up possible conflict of interest on some items. Mike B said he is aware and agrees to recuse himself if appropriate.

Motion voted and approved with 4 yes votes. Mike B abstained.

Andrea moved to nominate Phil Pouech as vice-chair of the Hinesburg Select Board. Second by Jon and approved with 4 yes votes and Phil abstaining.

Phil moved the Select Board follow Roberts Rules of Order for the meetings. Second by Jon and approved with 4 yes votes. Tom voted no as he is not sure what the plan is for using the rules.

Consider Bonding for Public Officials

Statute requires that certain public officials be bonded. The level of coverage and motion are similar to years past.

Andrea moved to recognize Crime and Fidelity coverage of \$500,000 per occurrence, as provided via the Vermont League of Cities and Towns' Property and Casualty Inter-municipal Fund, as the bonding instrument required by 24 V.S.A. § 832 (b). Second by Tom and approved.

Consider Appointments/Reappointments to Statutory Positions

Phil moved the Board vote to appoint the following individuals to the respective positions.

- Animal Control Officer: Ed Waite
- Constable: Frank Koss
- E-911 Coordinator: Renae Marshall
- Fence Viewers: Suzanne Kneller, Pam Durda, Susan Johnson
- Fire Chief: Al Barber
- Fire Warden: Ed Waite
- Health Officer: Joe Gannon
- Inspector of Lumbers, Shingles, and Wood: Norman Smith
- Road Commissioner: Trevor Lashua
- Town Service Officer: Ginny Roberts
- Tree Warden: Paul Wieczorek
- Weigher of Coal: Lanny Dennison

Second by Andrea and approved with 5 yes votes.

Consider Designation of Newspaper(s) of Record

Jon moved to designate The Citizen and/or Hinesburg Record as the newspapers of record in which required warnings and/or notices are published. Second by Andrea and approved with 5 yes votes.

Consider Approval of Liquor Licenses

Andrea moved the Board convene as the Board of Liquor Control, second by Phil and approved with 5 yes votes.

Phil moved to approve first class liquor licenses for the period beginning May 1, 2015 and expiring April 30, 2016 for:

- Ayer Golf Incorporated, doing business as (d/b/a) Cedar Knoll Country Club;
- Travia's Inc., d/b/a Travia's Restaurant;
- Two Z's, Inc., d/b/a Pappa Nick's.
- Back to Basics, d/b/a Hinesburgh Public House
- Two Buffons, d/b/a Christo's Café

Second by Jon and approved with 4 yes votes. Tom recused himself.

Phil moved to approve second-class liquor licenses for the period beginning May 1, 2015 and expiring April 30, 2016 for:

- Coco Mart, Inc., d/b/a Jiffy Mart;
- Global Grapes and Spirits, LLC, d/b/a 116 Wine and Spirits;
- Jolley Associates, LLC, d/b/a Short Stop #143;
- K.B. Enterprises, Incorporated, d/b/a Lantman's Best Yet Market;
- KPH Drugs, Inc., d/b/a Kinney Drugs, #103.
- R & A Frost Inc, d/b/a Hinesburg General Store
- Frost Beer Works llc, d/b/a Frost Beer Works

Second by Jon and approved with 5 yes votes.

Discuss Proposed Storm Water Regulations

Alex gave an overview to the Board of the changes made and reasoning behind the changes.

Tom questioned the 7-day time frame from disturbance for erosion prevention. Why not have erosion control in place first.

Overall Board members were in agreement with the proposal. They will take a closer look at the regulations and discuss at their next meeting.

Discuss Potential Public Infrastructure Density Bonuses for Hinesburg Center Phase II

This is a continuation of the Board's discussion at the 2/23 meeting. Alex was present to provide additional insight into the conversations that led to the proposed public improvements. The Development Review Board will be reviewing the Hinesburg Center Phase II application again on March 17th, and is looking for some guidance on potential public improvements.

Jon again noted the proposed project is not something the Town can actually do without a lot of prep work and the contribution is small for a gain of 11 additional residential units.

Andrea said she is stuck on the idea of establishing density on how much one is willing to pay.

Phil is in agreement with the points Jon made.

Mike feels improving the area where the development will take place is a good idea.

After further discussion the Board came to consensus that they will advise the DRB they feel a contribution in the amount of \$150,000.00 for recreation purposes be made to achieve the density bonus.

Consider Approving Water Supply and Treatment Borrowing

The Town Administrator advised the Board of the following information.

Normally, the interest rate (3.0 percent) associated with the State of Vermont's Drinking Water Revolving Loan Fund (RLF) is significantly lower than other options such as 20- and 30-year general obligation bonds from the Vermont Municipal Bond Bank and borrowing from commercial lenders. At the same time, the RLF is more restrictive (or prescriptive, depending on how it is viewed) in the process elements a municipality must navigate. One notable example is the requirement that all projects follow the traditional design-bid-build process, even though certain projects may be well suited to the more compact design-build process.

Bound counsel (Paul Giuliani) confirmed that the full array of borrowing options are available based on the wording of the ballot questions, warnings, and resolution of necessity. The net interest cost (the average interest rate) for a 20-year bond from the Vermont Municipal Bond Bank is 3.25 percent – just 0.25 percent greater than the RLF. Commercial lenders have also been solicited, though none have responded to date. Given the general proximity in interest rates, and the potential to make up what difference there is through process-based efficiencies, considering another borrowing option is a

worthwhile exercise. The overarching goals remain the same – to have the new wells on-line in 2015, and for the project to be completed on time and on budget.

The bond bank can put together a projected amortization schedule for the Town. To provide a rough comparison, \$1.1 million in borrowed funds (the \$1.5 million project total minus \$400,000 in MTBE settlement funds) put into a basic loan amortization schedule shows a difference in total interest payments of just less than \$34,000.

After reviewing the options for borrowing and the implications of each option with Joe Duncan and Brad Aldrich the Board agreed to stay with the decision to borrow from the RLF

Consider Plumbing Reimbursement Request (continued from 2/23 meeting)

Mike B recused himself from this item.

Brooke Denis, a resident of Lyman Meadows, requested reimbursement for \$955 in unanticipated plumbing expenses incurred following replacement of a well pump serving the Lyman Meadows water system. What has been highlighted throughout is the difficulty in creating a link between the Town's actions and what happened in the unit that offers clear guidance in either direction. An earlier recommendation to deny the request was based on that uncertainty, the closest applicable language in the Town's water use ordinance, and the potential to establish precedent. Another option may be partial reimbursement, as a nod to both the known and unknowns involved (the Town's actions stirred up sediment, extreme cold altered actions normally taken during well pump replacements, etc.).

Andrea moved the Board vote to authorize a partial reimbursement to Brooke Denis for plumbing cost in the amount of \$300.00 for plumbing labor costs to identify the potential problem that may have been associated with sediment stirred up by the Town. Jon asked to amend the amount to the actual bill amount of \$304.00. Amended amount accepted. Motion voted and approved with 4 yes votes.

Town Administrator's Report

- a. **Water Source Exploration** – Test drilling for a potential well site west of the new wells off of Shelburne Falls Road is underway. Thanks are owed to the Lymans for their willingness to work with the Town to allow access to and across their property. The test well is the first step in exploring the viability of the area as an additional water source. A five-day pump test would follow later in the year to determine potential yield and whether or not there would be any impacts on the capacity/production of the wells on the Wainer property.
- b. **Town Hall Rental Policy and Moratorium** – When the moratorium was put in place, the idea was to prohibit all new requests until needed rental policy updates could be addressed in

February or March. Completion of the policy update inside that original timeframe is not likely. Given that the update will take longer than estimated, the Administrator's office is proposing to initiate a "thaw" in the rental moratorium. While private events would still be prohibited, civic and service organizations based in or serving Hinesburg would be allowed to rent the Main Hall or downstairs conference room under the terms and conditions of the existing policy for "one off" or single events. The Administrator's office would be responsible for rentals during the thaw, as well as for determining whether or not an organization or event qualifies. The Board agreed to the proposal for the "thaw".

- c. **FEMA Pre-Meeting/December Storm** – The initial assessment of damage for Hinesburg is in the range of \$100,000. This includes work completed by the Highway crew during the storm and its immediate aftermath, the debris disposal work remaining when weather allows, and the services provided by Teacher's Tree Service. The variable frequency drives and generator issues encountered at the Piette Meadow pump station may also be a part of the damage award, though it's likely FEMA would be covering what the Town's insurance does not (deductibles, excess costs beyond coverage, etc.). Potentially, removal of trees damaged in the Town Forest may be incorporated, but only for trees seen as safety risks to users of Town-owned and maintained trails only.
- d. **Highway Garage Update** – A full update had been scheduled for the 2/23 meeting, and the goal is to place the item on the agenda for 4/06 as well. The link that follows will bring folks to the videos, including the time-lapse video to be shared on the website. The project committee has been working on revisions to draft site plans and reframing the scope of services to fit the project's "new" timeframe.
Open in Dropbox.com:
<https://www.dropbox.com/sh/s060u6ps0klaev9/AABV7rX6zbz00k7rhdMAf14ca?dl=0>
Download:
<https://www.dropbox.com/sh/s060u6ps0klaev9/AABV7rX6zbz00k7rhdMAf14ca?dl=1>
- e. **Green Street VCDP Grant** – The Town received a certificate for the Vermont Community Development Program grant for the Green Street project at a ceremony at the Statehouse on Wednesday. The \$675,000 award will enable Champlain Housing Trust (CHT), working with Snyder Homes, to build 24-units of affordable housing. Amy Demetrowitz of CHT and Chris Snyder of Snyder Homes were also able to attend the ceremony.
- f. **Project List and Prioritization** – A list of projects is being compiled. The list, ostensibly for the next 12 months, is 21 items long as of this writing. The Board's prioritization process from the fall 2014 retreat is incorporated. The goal is to discuss the project list in April, and try to ensure that everything fits within a reasonable and achievable framework.
- g. **Old Police Station Sale** – The Administrator's office has connected with a commercial realtor to tour the building, assess where the Town may be at, and discuss options for moving forward. That meeting is scheduled for 3/18.
- h. **Economic Development Reading Materials** – Following the Planning Commission's forum on economic development, the Town purchased a copy of Bruce Seifer's book, "Sustainable

Communities: Creating a Durable Local Economy”. Bruce worked for Burlington’s Community Economic Development Office for decades, and was one of the speakers at the 3/11 economic development forum. The chair of the Economic Development Commission currently has custody, but the book will generally be available in the Administrator’s office.

- i. **Smoke and Cure Grant Closeout and Revolving Loan Fund** – The grant is closed out. For now, management of the revolving loan funds is vested with the Town, though the guidelines in place represent standard language presented by the State to enable the grant close-out. The intent is to buy time for the Economic Development Commission to work on a program and lending design. While that work is underway, money would likely not be loaned from the RLF unless there was an opportunity deemed too good to pass on (the quintessential “godfather offer”).

Select Board Items

Tom reported that Rec Director, Jenn, McCuin, presented the grant request for the Land and Water Conservation Fund today. They hope to hear back by next week.

Andrea advised of an opportunity for Hinesburg to partner with Charlotte and Shelburne at a summit at ECHO this Friday and Saturday which will make us eligible to apply to the High Meadows Fund for grant funds.

Jon thanked his fellow Board members for their support in his past years as chair.

Phil acknowledged Jon for his good job as chair. He also feels it is important for the Board to meet to work on prioritizing goals.

Mike B thanked Jon for his work and thanked the Board for the vote of confidence for the position of chair. Mike also feels some type of retreat meeting would be beneficial.

Warrants

Phil moved the Board vote to approve the warrants, including payroll warrants, as submitted by the Town Treasurer. Second by Jon and approved.

Meeting adjourned at 10:00 p.m.

Respectfully submitted,
Valerie Spadaccini, secretary