



Select Board

Town Of Hinesburg
10632 Route 116 Hinesburg VT 05461
802.482.2281 | hinesburg.org

Meeting Minutes - March 28, 2016

- Draft -

Attending the Meeting: Mike Bissonette, Tom Ayer, Phil Pouech, Aaron Kimball, Andrea Morgante, Trevor Lashua, Renae Marshall, Eric Bailey and attached list.

Meeting called to order at 7:00 p.m.

There was no public comment.

The agenda was amended for item 6 to be an update report.

Discuss Next Steps Regarding Geprags Park/VT Gas Pipeline Project

Mike B said he met with VT Gas last Friday. They are still interested in working on an agreement and they will answer questions the Town has.

Mike B said committees, commissions and residents should submit questions and concerns. He proposed to meet with VT Gas to include legal counsel for the Town and work out an agreement.

Phil wanted to verify that VT Gas is willing to continue to work with the Town and suggest putting together a committee to include a Conservation Commission member and solicit input from other Town committees. To invite VT Gas to give the Town ideas of what they want in an agreement.

Tom asked why the Board has not received any feedback from Town committees to date.

Bob Hines, Conservation Commission member, said they have 3 areas of concern; construction methods, restoration and terms of easement.

Tom said the Conservation Commission was directly asked for input on the agreement.

Nancy Baker said how could the CC give any feedback when they were not aware of what was in the agreement.

Linda Gage said the past is the past and wants to move forward and work from the present to find a solution.

Bob Thiefels said part of the process needs to be to slow down. He asked regarding the extension up Richmond Road for VT Gas to pay, he wants to know who is eligible for a hook up, what is the cost, what would an easement for the line be, and if Birchwood Lane would be included.

Phil said the Town needs to know what specifically VT Gas is committed to do in regards to the Richmond Road line.

Andrea said it is important for the Board to be clear on what the legal requirements are and that it is important to have legal counsel. Andrea wants to be sure we understand the longevity and importance of the easement and it should be written to Hinesburg's benefit.

Rachael Smokler said in follow up to Andrea's comments we need to understand the legal basis. She said the Public Service Board does not have the authority to use eminent domain in a public park.

Nancy Lee Ross said the damage will be irreversible.

Mary Beth Bowman asked the Chair be respectful and allow people to finish their comments.

Janice Nadworthy asked if the Board checked with other towns that have negotiated an agreement. The Board replied no but can do that.

Lawrence Shelton expressed his appreciation for the compassion towards the Town's needy citizens. He said VT Gas is not a local entity and wants to add to the agreement that VT Gas put 2 million dollars forward for a grant for eligible households whether the line goes through Gegrags or around.

Bob Thiefels said we should look at a new process and scrap the agreement. A process to allow as much input from committees and residents and to hire a negotiator to do that.

Tom said the Board needs specifics at this point not just ideas.

Bill Marks, Conservation Commission, said he met several weeks ago with VT Gas representatives. Bill says the CC was promised to be brought into the executive session before any agreement was made. He said in crafting the contract we should use legal representation that is familiar with eminent domain.

Aaron suggested the Board rough out a timeline, categorize questions and make sure the Town is represented as best we can with legal knowledge of the issue and that all is done in open meetings.

Andrea said she has been reading a lot of documents from the Public Service Board and will share them with Board members.

Nancy Baker said there should be 2 agreements so there is one if VT Gas can't use eminent domain and uses another property.

Tom said the negotiations on the agreement are done.

Aaron said a major concern is the easement language.

Phil said it is reasonable for the Board to define if they want an agreement or not.

Andrea said we need to do our due diligence to get the best agreement, she feels we did not get a good agreement.

Phil said we need a clear answer regarding eminent domain on public lands, to look for counsel to advise the Board. He said the Select Board is willing to work toward creating an agreement that allows VT Gas to move forward.

Mike B said the current agreement can be a model to work from.

Mike B asked who the Board would like him to meet with. He will meet with the Conservation Commission, Mike Anthony Road Forman, the Fire Department and VT Gas.

In working on a timeline the Board agreed April will be the comment period. In May they will compile information and craft a draft document. June will be for review and discussion.

Discussion on Proposed Changes to the Water Use and Wastewater Allocation Ordinances

Board members reviewed the proposed ordinance drafts which focus on the changes deemed most necessary prior to the expiration of the State's water connection ban and the local wastewater allocation ban as well as the effort to tie the two ordinances together.

Contract for Construction of Bissonette Recreation Fields Access Road

Tom reported they have enough funds and the organizing committee wants to show progress on the project. They will construct what they can with the money while still leaving some funds for future work.

The Board asked about the bidding process. Tom explained the project poses a different need due to volunteer work included in the project. He pointed out this is just phase 1.

FY16 Budget Status Report

Trevor advised the FY is 73% complete. He reviewed with the Board where departments are in regards to expenditures and revenue.

Mike B asked the Board if they want Trevor to start to look at areas where funds can be shifted to cover overages. The hope is the Board will have this information on a monthly basis so they can be proactive.

Town Administrator’s Report

- a. **Connector/Old Police Station Project** – A decision by the Development Review Board is expected Tuesday, 4/5. Andrea asked when will we give 30 day notice of selling a Town asset. Trevor said he is working on the doing all notices at once.
- b. **Workplace Safety Effort** – The Town is working on identifying issues with and making improvements related to workplace safety. The effort involves multiple departments.

<i>“Two-and-Two”</i>	
<i>04/04/16</i>	<i>04/15/16</i>
<ul style="list-style-type: none"> ▪ Presentation of wastewater capacity study by Aldrich and Elliott. ▪ Water and wastewater ordinances (potential adoption). ▪ Interviews for Boards, Committees, and Commissions (Planning, Energy, Recreation). ▪ Board of Health (Lane/Gilman Road). 	<ul style="list-style-type: none"> ▪ Amend old Police Station purchase and sale agreement (based on DRB review process, timing changes, etc.). ▪ Set Select Board workshop/retreat date and agenda (may move to 04/04). ▪ Annual adoption of Local Emergency Operations Plan.
<p><i>To be determined:</i></p> <ul style="list-style-type: none"> ▪ Changes to the Animal Control Ordinance. ▪ Proposed zoning changes related to siting of solar facilities. ▪ Special meeting – to discuss water and wastewater ordinances (in between 3/28 and 4/4, if necessary only). 	

The Board will begin the 4/04 meeting at 6:30 for discussion on the Board of Health issue.

Select Board Items

Tom requested changing the meeting schedule for the summer. Starting in June the meetings will be on Thursdays.

Phil brought up again the need for a fence on the sidewalk section by the canal.

Mike B cautioned Board members to be aware when speaking to be clear when it is their personal opinion and they are not speaking for the Board.

Discussion followed regarding statements made following the previous meeting.

Renaë Marshall spoke about her contact with the Conservation Commission during the process of working on an agreement with VT Gas and the open meeting law alleged violation and efforts by staff to be sure the open meeting law is followed.

Andrea apologized and said her intent was not to question staff integrity.

Phil also apologized.

Warrants

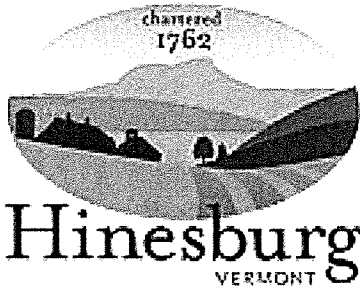
Aaron moved the Board vote to approve the warrants, including payroll warrants, as submitted by the Town Treasurer. Second by Tom and approved with 5 yes votes.

Minutes

Andrea moved to approve the minutes of 3/21 as corrected, second by Phil and approved with 5 yes votes.

Tom moved to adjourn at 11:10 p.m., second by Aaron and approved with 5 yes votes.

Respectfully submitted,
Valerie Spadaccini, secretary



Selectboard Meeting Sign-in Sheet March 28th, 2016

1. Marybeth Downman

2. Ned Faragher

3. FRANK KOSS

4. Bob Marks

5. Carlson Verano

6. LINDA GABE

7. NANCY LEE ROSS

8. Rachel Smolker

9. Lawrence Shelton

10. Beth Ayer

11. Karl Novak

12. Nash Palm

13. Jane Palmer

14. Bob Thaisel

15. Janice Nadworny

16. Bob Hyman

17. Marilyn Lovell

18. Nancy Baker

19. Lyn Gardner

20. Phil Woodworth

21. Dan Jacobs

22. _____

23. _____

24. _____

25. _____

26. _____