



Select Board

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

Meeting Minutes – October 3, 2016

- Draft -

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

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

There were no changes to the agenda and no public comment.

Executive Session – 1 V.S.A. § 313 (a) (1) (E) and (F) [pending/probable litigation and legal advice]

Nancy Sheahan, an attorney with McNeil Leddy and Sheahan in Burlington working with the Town, was present to discuss the current status and projected next steps related to the excessive force allegation lodged against two police officers last spring. Nancy was assigned to the Town through its property, casualty, and liability insurer (VLCT PACIF).

Executive session is the appropriate venue for this discussion given that the Town will be receiving legal advice on pending/probably civil and/or criminal litigation.

Phil moved the board consider a motion to find that premature general public disclosure would place the municipality at a substantial disadvantage with pending or probable civil or criminal litigation and to receive confidential advice from the Town's legal representative. Second by Tom and approved with 5 yes votes.

Phil moved the board consider a motion to enter executive session, to include the Town Administrator, Police Chief, and Nancy Sheahan under the provisions of 1 V.S.A. § 313 (a) (1) (E) and (F). Second by Tom and approved with 5 yes votes.

Andrea moved the Board consider a motion to come out of executive session, second by Phil and approved with 5 yes votes.

Andrea moved the Board consider a motion to extend paid administrative leave for one employee for a period not to extend beyond November 7, 2016. Second by Aaron and approved with 5 yes votes.

Consider Authorizing Funds to Pave a Short Section of Baldwin Road (continued from August)

This a return to a discussion started in August when a request was made to pave a short section of Baldwin Road, beginning at the intersection with Charlotte Road and extending just beyond the top of the first rise. The proposed source of most of the funds remains the same – paving funds from the capital program that were unspent in FY17 (due to the paving project coming in well under budget). Vermont Gas has offered to contribute \$10,000 towards the paving as a result of the ongoing discussion with the Town about repairs to Baldwin Road made necessary due to the impacts of the traffic from construction vehicles working on the Addison Natural Gas Pipeline.

Andrea asked why the change from 800 to 1200 feet. Mike A explained that VT Gas had previously agreed to pave 400 to repair damage by their trucks last spring. He estimated the cost for that portion at \$10,000.

Mr. Miner said he feels the everyday traffic volume and speed are the cause to the road problems.

Sue Johnson said years ago work was done on the road but there is still a problem by the hill near the beginning of the road.

Tom Barden said he feels redefining the intersection as proposed is a good idea. He is requesting a sign warning of hidden driveways and a sign regarding speed enforcement.

Pat Mainer said she is concerned with increased speed if the road is paved. She suggests a better place to pave is the hill by Lewis Creek to avoid gravel washing into Lewis Creek. She liked the narrowed entrance to Baldwin Road.

Frank Koss feels the paved apron is a good idea as that is the area of problem mud in spring.

Tom moved the Board consider a motion to approve the use of an amount not to exceed \$24,000 in remaining FY17 paving funds and the \$10,000 contribution from Vermont Gas to pave a small section of Baldwin Road as discussed. Second by Aaron. Motion amended to include 2 road signs, one about speed enforcement and one warning of hidden driveways.

Phil said he feels if the Town is going to be doing more paving there is the need to realize the cost of upkeep. It adds more miles of paved roads which means either paving more miles each year or changing the paving cycle on existing paved roads. He agrees with paving the apron as this is a safety issue.

Motion voted and approved as amended with 4 yes votes and Phil voting no.

Consider Warning Bond Vote for Purchase of Solar Trackers at the Wastewater Treatment Lagoons

Phil recused himself from the Board for this item.

The Town has been working with attorney Paul Giuliani as bond counsel; he prepared the documents included in packets and needed to facilitate the warning of a bond vote. There are two motions below: one to adopt the necessity resolution (text on page two of the pdf), stating that a bond is the necessary and prudent way to finance the purchase of the trackers, and one to warn the vote and the required special meeting.

The bond vote would occur on November 8th (Election Day), with the special meeting the evening before during a regularly scheduled Select Board meeting (November 7th).

Board members expressed concern with absentee ballots sent out that did not include the bond vote. Trevor agreed timing is a problem but they can send a ballot for the bond vote to those who requested absentee ballots.

Andrea noted wording for the bond vote refers to “for use in the operation of the Town’s wastewater treatment facility”. Trevor made the change to remove that phrase from the warning.

Also will remove any reference to operation of the wastewater facility in the resolution certificate.

Mike B read the resolution as amended.

Mike B moved the Board vote to consider a motion to adopt the resolution of necessity, as amended. Second by Andrea and approved with 4 yes votes and Phil abstaining.

Mike B moved the Board consider a motion to warn the following question for Tuesday, November 8th, with a special meeting to occur on Monday, November 7th: Shall general obligation bonds or notes of the Town of Hinesburg in amount not to exceed Three Hundred Twelve Thousand Dollars (\$312,000) subject to reduction from available state and federal construction grants-in-aid and other financial assistance, be issued for the purpose of purchasing 31 solar trackers, such improvements estimated to cost Three Hundred Twelve Thousand Dollars (\$312,000)? The special meeting on November 7th to begin a 7 p.m.; polls open from 7 a.m. to 7 p.m. on November 8th. Second by Andrea and approved with 4 yes votes and Phil abstaining.

Discuss FY18 Budget Priorities

In discussing priorities Andrea asked that rather than using the dollar amount to first look at services each department is looking to provide and find the most economical way to do so.

Frank Koss discussed where the Police Department is now with staffing and said he is not looking to make any changes. He asked to be allowed to keep the advertised position open rather than make adjustments with personnel and hours.

Presentation of Street Tree Inventory

Marie Ambusk, tree volunteer /Paul Wiczoreck, Tree Warden and Elise Schadler, Technical Assistance Coordinator, VT Urban and Community Forestry Program all who worked on the inventory were present to answer questions.

Along with an extensive inventory they presented a Community Forest Strategic Action Plan.

It was suggested that a committee be formed that would have a Town support contact person to work with.

Consider Request to Reject the “Alfalfa Lane” Irrevocable Offer of Dedication

Mike B moved into the audience and will abstain from voting on this item.

Phil took over as Chair.

The Board reviewed a memo from Alex outlining the history of the creation of the Irrevocable Offer of Dedication and the DRB comments.

Andrea pointed out rejecting Alfalfa Lane will make a single access to lot 4.

It is the consensus of the Select Board that in the interest of coming up with a better site plan they are amenable to giving up the irrevocable offer of dedication.

J. Bissonette asked if the sale does not happen will the offer still exist for creation of Alfalfa Lane and was advised that nothing will be done till after the DRB process.

Consider Approving the FY16 Water and Wastewater Reserves

The Board reviewed the proposed FY16 Water and Wastewater Reserves. Trevor noted the \$250,000 balance which had always been assumed as reserve funds but not tagged officially as such.

Aaron moved the Board consider a motion to approve the FY16 Water and Wastewater Reserves as amended and place the \$250,000 balance created in the Total Approved for Reserve Funds FY 15-16

Town Administrator's Report

- a. **Old Police Station** – Closing is scheduled for October 7th.
- b. **Village South/Norris Sidewalk Grant** – VTrans notified the Town this week that the grant application submitted for the “Village South” sidewalk project (Hinesburg Community School to Meadow Mist, Alan Norris’s project) was successful. The award letter is included.
- c. **Lane/Gilman Road** – There is no “news” to share on the formal processes (zoning violation and enforcement of the health order.
- d. **VLCT Municipal Policy** – Town Fair is on the horizon, please consider whether or not there are concerns and what, if anything, you’d like me to do as the Town’s representative. Aaron asked Trevor to bring up the issue between the warning and voting timeline.
- e. **FY16 Audit** – The audit begins Wednesday, October 5th.
- f. **Vermont Gas (VGS)/Geprags Park Update** – The intervenors have filed an appeal with the Supreme Court, choosing to do so before the Public Service Board ruled on their motion to reconsider. Rising Tide is planning a protest at the park on October 20th, State and local police are aware. Finally, within the next week, the Town and VGS will complete work on an escrow agreement that will specify how the following three payments will be made while the appeal to the Supreme Court is pending:
 - i. *\$3,400 easement payment, as ordered by the Public Service Board in its September 13, 2016 decision.*
 - ii. *\$246,600 in additional easement compensation, per the agreement between the Town and VGS approved July 28, 2016.*
 - iii. *\$3,000 for the first annual conservation planning payment (annual installments for 10 years), per the agreement between the Town and VGS approved July 28, 2016.* Andrea asked why the easement payment is part of the agreement amount. She feels the \$250,000 in the agreement should stand and the \$3,400 ordered by the PSB should be additional. Trevor will look into this.

Select Board Items

Phil asked for a report on the fog line painting, status of speed limit signal at CVU repair, and asked for discussion regarding request to pave O'Neil Road. Trevor noted that Mike A spoke with Larry Ketcham about the road.

Andrea asked to have documents on Observatory Road for the discussion next meeting.

Tom announced Friday, January 6, 2017 will be the date for the Bissonette Field fundraiser at which Quadra performs.

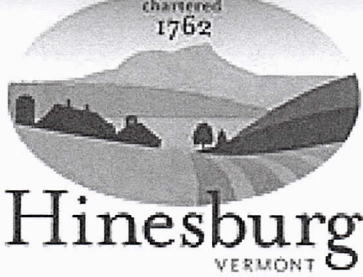
Minutes and Warrants

Phil moved the Board vote to consider a motion to approve the minutes of 9/18 and warrants, including payroll, submitted by the Town Treasurer. Second by Aaron and approved with 5 yes votes.

Motion to adjourn at 10:25 p.m. by Aaron, second by Phil and unanimously approved.

Respectfully submitted,
Valerie Spadaccini, secretary

<i>"Two-and-Two"</i>	
<i>10/17/16</i>	<i>10/10/16</i>
<ul style="list-style-type: none">▪ Crosswalk Request-Pond Road to Church (Jeff Glover)▪ Observatory Road (the developer has asked to address the Select Board regarding the road)▪ FY17 Budget Report.▪ Discuss water/wastewater allocation framework, research.▪ Review capital improvement program and budget.▪ Discuss the Vestry, and the Town's role/potential ownership.	<ul style="list-style-type: none">▪ Select Board Retreat (4:30 p.m.-8:30 p.m.; location TBD).
<i>To be determined:</i> <ul style="list-style-type: none">▪ Changes to the Animal Control Ordinance.▪ Town Plan update – begin review process.	



Selectboard Meeting

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Sign-in Sheet

October 3rd, 2016

1. Steve Johnson

14. Joseph L. Bissonette-Jr

2. Mike Anthony

15. _____

3. Tom BARDEN

16. _____

4. Yoh 174 ~

17. _____

5. Pat Mainer

18. _____

6. MARIE AMBUSK

19. _____

7. Lily Miner

20. _____

8. Gail Henderson-King

21. _____

9. Elise Schadler

22. _____

10. Paul Wiczorek

23. _____

11. J. Burke

24. _____

12. Dave Keeley

25. _____

13. _____

26. _____