



Select Board

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

Meeting Minutes - November 7, 2016

- Draft -

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

Meeting called to order at 6:30 p.m.

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

Tom 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 Phil and approved with 5 yes votes.

The first is a discussion with Town Attorney Bud Allen regarding Observatory Road. Highway Foreman Michael Anthony has been invited to attend as well. The enclosed report (made available to the public) details the results of material sampling performed by Knight Consulting Engineers. Town Attorney Bud Allen recommended the discussion occur in executive session.

The second issue to discuss relates to pending civil litigation and receive legal advice related to the excessive force allegation levied earlier this year. Sgt. Casco will be filling in for Chief Koss during this discussion.

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

Tom moved the board consider a motion to come out of executive session. Second by Phil and approved with 5 yes votes.

Phil moved the Board consider a motion to extend the paid administrative leave for a police officer for an additional period not to exceed 30 days. Second by Andrea and approved with 5 yes votes.

Additions/Deletions/Changes to the Agenda

There were none.

Public Hearing on Solar Tracker Purchase Bond Vote

Tom moved the Board open the Public Hearing, second by Andrea and approved.

Phil recused himself due to his employment by All Earth Renewables. Phil commented regarding a post on FPF stating a Select Board member is employed by All Earth. He said that goes against his values, he did not work for All Earth nor was he a member of the Select Board when the project was initiated.

Trevor reviewed the proposal for purchase and the information on the bond.

Richard Hopwood, member of the energy committee and All Earth employee explained the PPA.

Andrea pointed out the Town Hall, Police and Fire stations, Town wells and sewage treatment plant can all be included in the credits earned if the Town owns the trackers. Under the PPA only the sewage treatment and Town Hall are included.

Alison Lesure asked why the Public Hearing is only one night before the vote. She also wanted to know each Board members opinion on the purchase.

Aaron said he is in favor of the purchase as it supports sustainability as required in the Town Plan and financially is a good move as they should be operating 10 to 20 years after the Bond is paid off. He expressed the Board's frustration regarding the timing of warning the bond and the Public Hearing and noted that is State Statute requirements.

Tom said he is not necessarily in favor and would like to continue with the PPA due to unforeseen maintenance issues but agreed to put the question to the voters.

Andrea is in favor and feels the Town should be benefitting. If the Town owns the trackers All Earth will continue the maintenance agreement. They can continue to produce after the life expectancy at a lower rate.

Mike B said he was in agreement to put it to a vote.

It was noted the cost of purchase is 30% of original fair market value, the O&M contract will continue with All earth, there is 4 years left on the parts warranty and the O&M pays labor costs.

The debt service will be across the entire tax base.

Kyle B. asked what an expected part expense might be and associated costs for 10 to 20 years.

Richard H said inverters are \$2300 each and other parts average \$300.

Steve Knowlden asked about the 237000 kw per year at \$49,000.

Richard H said the .20 per kw includes the .06 adder which will be removed in 4 years.

Paul L asked if the Town owns the trackers can they decide where to apply the credits, not just sewer and Town Hall.

Kyle said he believes any savings from credits go back to the general fund and will be spent elsewhere and will not reduce taxes.

Tom moved the Board consider a motion to close the Public Hearing, second by Andrea and approved with 4 yes votes.

Consider Making Appointments (2) to Recreation Commission

Kyle Bostwick and Rodney Putnam are applying for the two open seats on the Recreation Commission. One of the term expires on 01/01/18, the other on 01/01/19.

Both candidates have been attending meetings and have been active in helping the Recreation Commission.

Aaron moved the Board consider a motion to appoint Kyle Bostwick to the Recreation Commission for a term that expires on January 1, 2019. Second by Tom and approved with 5 yes votes.

Aaron moved the Board consider a motion to appoint Rodney Putnam to the Recreation Commission for a term that expires on January 1, 2018. Second by Tom and approved with 5 yes votes.

Discuss Baldwin Road Intersection Reconfiguration Pilot Project

Bill Lippert, resident of Baldwin Road said he was not aware the barricades would be put up or any plans to change the intersection.

Enrique Peredo, also resident of Baldwin Road, said he feels travelling toward Charlotte on Charlotte Road the turn to Baldwin Rd is too sharp.

Mike Anthony and the Board discussed feedback received from residents and the next steps to take.

It was agreed to put up reflective markers outlining the change to the intersection and see how it works over the winter season. Information on the change will be put out to residents including on FPF.

Update on Geprags Park/Vermont Gas Pipeline Protest

Sgt. Caleb Casco, Hinesburg Community Police, reported on activities during the protest.

He reported there were safety issues with protestors walking on Shelburne Falls Road and they had to shut down traffic on the road at one point. Protestors went onto private property and were advised by the homeowner they were trespassing. Other safety issues were protestors climbing on construction equipment and down into the construction hole.

There were 6 arrests as a result of trespassing.

All four Hinesburg officers were needed resulting in some working an 18 hour day. Hinesburg Police used a total of 55 man-hours at a cost of \$1500.00 to the Town.

Andrea asked how much time they used in preparing. Caleb said that was mostly done by Chief Koss and he did not have that information.

Andrea said the police did not immediately say the protestors needed to disperse and the Select Board was not notified of the need for police.

Trevor checked past meetings and it was noted that police would be needed.

Lake Iroquois Association Annual Visit and Budget Discussion

Pat Suozzi, Jamie Carroll and Chris Conant of the Lake Iroquois Association, reviewed the work of the Association last year highlighting the milfoil removal program.

Jamie said the diver assisted suction harvesting cleared ½ acre with 10 days of work. They will be pursuing herbicide use in 2017.

Chris spoke to the commitment made by many residents on the lake. They will holding public information sessions and will continue private fundraising.

They are seeking a commitment from Hinesburg of \$25,000 a year for 5 years.

Town Administrator's Report

- a. **Geprags Park/Public Service Board Update** – Town Attorney Bud Allen notified staff Friday afternoon that the Public Service Board ruled on a motion to reconsider filed by the intervenors. The Public Service Board denied the motion to reconsider; an appeal has already been filed by the intervenors with the Vermont Supreme Court.
- b. **Test Well Drilling** – A test well was drilled recently on the parcel Black Rock is proposing to develop. The test site was independently identified earlier this year by the Town and its hydrogeologist as part of the continued exploration activities related to water supply. The Town has unsuccessfully drilled three prior test wells following the discovery of sufficient capacity at the Wainer wells (now online as the Town's water source). Black Rock scheduled and paid for this test well; pre-drilling coordination included working with both the Town and State officials. The test drill showed a well with potential capacity in the 150 gallons per minute (gpm) range at nearly 500' deep. Continued drilling, combined with a widening of the drilled well test hole (from 6" to 8"), could verify the 150 gpm or result in an increased yield. No further drilling is scheduled at this time. For comparison, the capacity in the Wainer wells was "discovered" more than 600' deep. Any new wells would need to produce a net capacity of 200 gpm. The reason for that threshold is twofold: 1) the nanofiltration units used for water treatment require a specific flow, and, 2) 200 gpm provides an amount of allocable capacity sufficient to meet current and projected demands and justify the capital expenses associated with well development, permitting, and connection.
- c. **Overweight Vehicle Enforcement Scales** – Hinesburg Community Police went to Berlin this week to pick up a set of scales from the Agency of Transportation. The scales are a necessary component of increased and improved enforcement of weight limits on local roads.
- d. **Baldwin Road Paving** – Highway Foreman Michael Anthony is still working to schedule paving.
- e. **CVU/Pond Road Crosswalk** – The culvert was relocated and the crosswalk installed this week.
- f. **Pedestrian Activated Signals** – Pedestrian activated signals for the intersection of Silver Street and Route 116, as well as other locations, may be possible – though they won't come cheap. Signals similar to those recently installed along State highways (Route 15, for example) in village settings cost approximately \$10,000. There is some indication that VTrans is amenable to the

installation of signals at the Silver Street intersection (the agency has not been supportive in the past). Given the cost per unit, highway safety or pedestrian safety grants would be an appropriate first place to turn for funding.

- g. **Environmental Inspector/Geprags Park** – The request for proposals for an environmental inspector is included (minus the referenced attachments). The RFP was drafted by a combination of Alison Lesure of the Conservation Commission, Shannon Kelly (resident and recently a member of the Conservation Commission with professional experience in these areas), and the Town Administrator. The selection process, as envisioned now, will involve review and recommendation by the ad hoc RFP committee followed by formal blessing or selection by the Selectboard if required.
- h. **Gilman Road/Sheri Lane** – As of this writing there is nothing new to report with regards to formal (or even informal) action.
- i. **Hannaford Supreme Court Appeal** – Board members received copies of recent filings by the appellant collaborative.
- j. **Town Plan Drafts** – The draft Town Plan is available. Paper and digital copies can be obtained from Town staff; the draft and its component pieces are also available at the Town website (<http://hinesburg.org/townplan/>). The Planning Commission has a public hearing on the draft scheduled for Wednesday, 11/9, in the Main Hall of Town Hall. The hearing starts at 7 p.m.
- k. **Act 174 and Municipal and Regional Energy Planning** – From the Vermont Department of Public Service: “Act 174 of 2016” establishes a new set of municipal and regional energy planning standards, which if met allow those plans to carry greater weight - substantial deference - in the Section 248 siting process for energy generation. Meeting the standards is entirely voluntary; if regions and municipalities do not wish to update their plans, they will continue to receive due consideration in the Section 248 process.” Released Wednesday, the documents can all be accessed by following this link on the Vermont Public Service website: <http://publicservice.vermont.gov/content/act-174-recommendations-and-determination-standards>
- l. **Budget Discussion with School Officials** – Staff is working to set up a budget discussion with school officials in December (which works better for the school, based on budget development schedules). The discussion allows the two entities whose budgets affect property taxpayers to discuss what may be on the horizon for FY18. The recent consolidated district vote results in a single school budget developed for the entire district.
- m. **Railing by the Canal/Public House** – The cost to have Giroux’s fabricate and install a rail is an estimated \$1,500. This was not budgeted in FY17.
- n. **Pond Road Digital Speed Sign** – The Town had been awaiting a replacement part for the unit which has been installed. The sign is operating per usual.

Select Board Items

Phil asked if there had been any activity on the Vestry. Trevor said they have 4 calls out for work to winterize and are working on getting an assessment.

Status of fog lines. Trevor said Mike A has a call to the fog line painters. Phil said what he is looking for is the miles of fog lines done.

VT Gas and the Richmond Rd sidewalk plan. Trevor said the information has been shared with them.

Tom said Field 1 of the Bissonette Fields is completed.

He also reminded all of the fundraising concert on January 6, 2017 with Quadra performing, it will be a back to 80's theme.

Andrea asked who the temporary acting Health Officer is. Trevor said it reverts to the Town Administrator.

She suggest looking into establishing a buried utility permit fee.

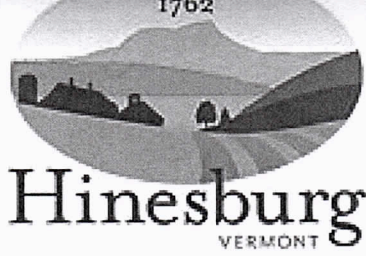
Stormwater and the Hannaford permit. She is concerned the Town is not taking a more active role, she feels the Selectboard needs to be aware of the system in Commerce Park. She would like discussion on this to be an agenda item.

Warrants

Phil moved the Board consider a motion to approve the warrants, including payroll, as submitted by the Town Treasurer. Second by Tom and approved with 5 yes votes.

Tom moved to adjourn at 10:15 p.m., second by Phil and unanimously approved.

Respectfully submitted,
Valerie Spadaccini, secretary



Sign-in Sheet

November 7th, 2016

1. Steve Fowler

14. _____

2. Bill Lippert

15. _____

3. Joe Jackson

16. _____

4. Ernie Fredz

17. _____

5. John

18. _____

6. Paul Lambert

19. _____

7. Charles Baker

20. _____

8. Alison Lesure

21. _____

9. Kyle Bestwick

22. _____

10. RICHARD HOPWOOD

23. _____

11. Jamie Carroll

24. _____

12. Chris Cayant

25. _____

13. Pat Suozz

26. _____