



Select Board

Town of Hinesburg
10632 Route 116 Hinesburg VT 05461
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Meeting Minutes – May 1, 2017

- Draft -

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

Meeting called to order at 7:03 p.m.

Agenda Changes

The Board agreed to change the agenda by moving item 10 to be discussed after item 4.

Public Comment

Dawn Francis, Colchester Town Manager and longtime member of the Hinesburg community, thanked Trevor for his services to the community of Hinesburg and offered her help if needed.

Interview and Possible Appointment of Three (3) At-Large Members to the Water/Wastewater Allocation Committee

The scope of this committee, as approved by the Select Board on April 3rd, is the following:

- Examine how allocation ordinances or procedures work in other municipalities.
- Make recommendations regarding an allocation framework, including what the baseline should be (Time? Population? Water quality? Cost? A blended approach?).
- Make a recommendation regarding the appropriate ordinance venue (i.e. should the allocation policy appear in the zoning ordinances as a “growth control” tool or in a stand-alone allocation ordinance focused on impact to infrastructure, regulatory compliance, and/or impact on current users?)
- Examine whether or not requirements related to low flow or other efficiency/conservation models can extend capacity and useful life of infrastructure without capital improvements to the wastewater treatment facility.
- Re-examine and make recommendations related to the recently changed fee structures.
- Other duties as assigned by the Select Board.

The committee's initial goal was to complete its work at or near the close of the fiscal year (June 30, 2017). Given the changes in appointment schedule, that target should be moved back at least one month (July 31, 2017).

The three at-large members will join the following committee members appointed previously:

- Select Board – Tom Ayer and Andrea Morgante
- Planning Commission – Jeff French
- Development Review Board – Sarah Murphy.

The committee is a public body, and as such, shall comply with all applicable requirements of the open meeting law. Staff support will be provided by the Town Administrator's office, the Utilities Department, and the Planning and Zoning Department. Committee reports will be expected regularly from the Select Board representatives, with at least one mid-point "check-in" expected from the committee as a whole.

Some discussion occurred of a possible second phase considering the capital needs associated with water and wastewater. This initial committee's purpose is to answer the question repeatedly asked – how should we allocate finite water and wastewater resources – with the focus on long-term capital questions following at some point after. A phase two scope is in development.

Rob Bast, past Select Board member, submitted a letter of interest to serve on this committee. Rob, as Andrea noted is familiar from his work on the Select Board with creation of the allocation policy and will be a good addition. Aaron agreed as did Tom who noted he liked all three candidates interested.

Peter Erb addressed his concern that people in the Village need an equitable way to have available good water in an affordable way and also his concern for the environment.

Dan Myhre introduced himself and said after learning about the challenge the Town is facing with water and wastewater became interested in getting involved. He is familiar with collection of data and presenting in a way to promote an informed decision.

Andrea moved that the Select Board appoint Rob Bast, Peter Erb and Dan Myhre as the at-large members of the Town of Hinesburg's water and wastewater allocation committee. Second by Aaron and approved with 5 yes votes.

Regional Dispatch Presentation

Joe Colangelo, Shelburne Town Manager / Dawn Francis, Colchester Town Manager and Charlie Baker, CCRPC were present to answer questions.

Charlie Baker reviewed the findings and recommendations of the study on regional dispatch.

Aaron asked how Burlington handles dispatch and how this will impact individual departments.

Charlie advised that Burlington is a participating partner and there will be a need for standard operating procedures within the departments in the region. Dawn advised they are evaluating the impact on police services.

Merrily asked about the cost to Hinesburg and Charlie said they have no answer on that yet, no extra staff will be added. Asked if Chief Barber and Chief Koss have had input, Joe replied he has been discussing this with them.

Andrea asked about the physical office. Charlie said they are looking at co-locating.

Phil asked who is paying for the study now. Charlie said there are 7 towns contributed to the study cost and the work is now being done by CCRPC municipal staff.

Chief Barber said he feels it best if all communities become members.

Consider Approving a Bond Anticipation Note for the Highway Garage Project

Town staff has solicited options for bond anticipation notes to provide the funding necessary to begin the highway garage replacement project. National Bank of Middlebury, which responded to the earlier request, is the only respondent as of this writing. The interest rate quoted is 1.62%. The motion seeks authorization to borrow an amount not to exceed \$500,000 – the entire purpose of which is to provide financing for the highway garage project to begin before bond funds become available in late July/early August. Any updates will be provided Monday night.

Andrea moved that the Select Board authorize the Town Administrator to seek a bond anticipation note for an amount not to exceed \$500,000 from the National Bank of Middlebury, with said note to be repaid by through the general obligation bond obtained through the Vermont Municipal Bond Bank. Second by Aaron and approved with 5 yes votes.

Consider Approving Reimbursement Resolutions for the highway garage and solar tracker bonds

Bond counsel Paul Giuliani penned the resolution for the solar trackers. The Highway Garage resolution is based upon that, and has been sent to Mr. Giuliani for review as well. Barring any objections, and keeping with past practice, the Town will seek to engage Mr. Giuliani's services as bond counsel.

Aaron moved that the Select Board approve the resolution of reimbursement as proposed, with the correction of the date to read 5/01/17 at the end of the document, for the bond related to the

purchase of the solar trackers, referencing The Declaration of Official Intent of the Town of Hinesburg To Reimburse Certain Expenditures From Proceeds of Indebtedness of which the clerk of the Board will provide written into these minutes. Second by Merrily and approved with 5 yes votes.

DECLARATION OF OFFICIAL INTENT OF THE TOWN OF HINESBURG TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS

WHEREAS, the voters of the Town of Hinesburg, Vermont, (the "Issuer") authorized the Town to purchase 31 solar trackers located adjacent to the Municipality's wastewater treatment facility at a special meeting thereof to held on November 8, 2016 (the "Project"); and

WHEREAS, the Issuer expects to pay certain capital expenditures (the "Reimbursement Expenditures") in connection with the Project prior to the issuance of indebtedness for the purpose of financing costs associated with the Project on a long-term basis; and

WHEREAS, the Issuer reasonably expects that for that part of the Project consisting of design, acquisition and construction costs, debt obligations in an amount not expected to exceed \$312,000 will be issued and that certain of the proceeds of such debt obligations will be used to reimburse the Reimbursement Expenditures; and

WHEREAS, the Issuer declares its reasonable official intent to reimburse prior expenditures for the above-described part of the Project with proceeds of a subsequent borrowing.

NOW THEREFORE, the Issuer declares:

Section 1. The Issuer finds and determines that the foregoing recitals are true and correct, and that all of the capital expenditures covered by this Resolution were or will be made not earlier than 60 days prior to the date of this Resolution.

Section 2. This declaration is made solely for the purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This declaration does not bind the Issuer to make any expenditure, incur any indebtedness, or proceed with the Project.

Section 3. The Issuer hereby declares its official intent to use proceeds of indebtedness to reimburse itself for Reimbursement Expenditures, within 18 months of either the date of the first expenditure of funds by Issuer for such Project or the date that such Project is placed in service, whichever is later (but in no event more than three years after the date of the original expenditure of Issuer funds for such Project), and to allocate an amount not to exceed \$312,000 of the proceeds thereof to reimburse itself for its expenditures in connection with the Project.

Section 4. The Issuer's debt obligations for the aforementioned purpose will not be "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986.

Section 5. All prior actions of the officials and agents of Issuer that are in conformity with the purpose and intent of this Resolution and in furtherance of the Project shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 6. All other resolutions of the legislative body of the Issuer, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 7. It is hereby found that all discussions and deliberations of the legislative body of the Issuer leading to the adoption of this Resolution occurred at one or more meetings of the legislative body conducted pursuant to public notice and open to public attendance.

Section 8. This declaration shall take effect from and after its adoption

The undersigned, Town Clerk of the Issuer, hereby certifies that the foregoing is a full, true and correct copy of the declaration of the legislative body of said Issuer duly made at a meeting thereof held on the date, specified below, and that said declaration has not been amended, modified or revoked.

May 1, 2017

Aaron moved that the Select Board approve the resolution of reimbursement as proposed, with the correction of the date to read 5/01/17 at the end of the document, for the bond related to the highway garage project, referencing The Declaration of Official Intent of the Town of Hinesburg To Reimburse Certain Expenditures From Proceeds of Indebtedness of which the clerk of the Board will provide written into these minutes. Second by Tom.

DECLARATION OF OFFICIAL INTENT OF THE TOWN OF HINESBURG TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS

WHEREAS, the Town of Hinesburg, Vermont, (the "Issuer") intends to construct a new highway garage and make associated site improvements at land owned by the Municipality on Beecher Hill Road (the "Project"); and

WHEREAS, the voters of the Town of Hinesburg authorized the Municipality to borrow the amount necessary in the form of general obligation bonds at a duly warned meeting on March 7, 2017; and

WHEREAS, the Issuer expects to pay certain capital expenditures (the "Reimbursement Expenditures") in connection with the Project prior to the issuance of indebtedness for the purpose of financing costs associated with the Project on a long-term basis; and

WHEREAS, the Issuer reasonably expects that for that part of the Project consisting of design, acquisition and construction costs, debt obligations in an amount not expected to exceed \$3,100,000 will be issued and that certain of the proceeds of such debt obligations will be used to reimburse the Reimbursement Expenditures; and

WHEREAS, the Issuer declares its reasonable official intent to reimburse prior expenditures for the above-described part of the Project with proceeds of a subsequent borrowing:

NOW THEREFORE, the Issuer declares:

Section 1. The Issuer finds and determines that the foregoing recitals are true and correct, and that all of the capital expenditures covered by this Resolution were or will be made not earlier than 60 days prior to the date of this Resolution.

Section 2. This declaration is made solely for the purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This declaration does not bind the Issuer to make any expenditure, incur any indebtedness, or proceed with the Project.

Section 3. The Issuer hereby declares its official intent to use proceeds of indebtedness to reimburse itself for Reimbursement Expenditures, within 18 months of either the date of the first expenditure of funds by Issuer for such Project or the date that such Project is placed in service, whichever is later (but in no event more than three years after the date of the original expenditure of Issuer funds for such Project), and to allocate an amount not to exceed \$3,100,000 of the proceeds thereof to reimburse itself for its expenditures in connection with the Project.

Section 4. The Issuer's debt obligations for the aforementioned purpose will not be "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986.

Section 5. All prior actions of the officials and agents of Issuer that are in conformity with the purpose and intent of this Resolution and in furtherance of the Project shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 6. All other resolutions of the legislative body of the Issuer, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 7. It is hereby found that all discussions and deliberations of the legislative body of the Issuer leading to the adoption of this Resolution occurred at one or more meetings of the legislative body conducted pursuant to public notice and open to public attendance.

Section 8. This declaration shall take effect from and after its adoption

The undersigned, Town Clerk of the Issuer, hereby certifies that the foregoing is a full, true and correct copy of the declaration of the legislative body of said Issuer duly made at a meeting thereof held on the date, specified below, and that said declaration has not been amended, modified or revoked.

May 1, 2017

Phil noted the amounts are \$312,000.00 for the Solar Trackers and \$3,100,000.00 for the Town Highway Garage.

Motion voted and approved with 5 yes votes.

Consider Approving the Local Emergency Operations Plan

Chief Barber reviewed the Local Emergency Operations Plan with the Board. Al said he would like to have a presentation by VT Alert for the Select Board at one of their meetings.

Andrea moved that the Select Board approve the Local Emergency Operations Plan as presented. Second by Tom and approved with 5 yes votes.

Discuss Financing Options for Replacement of SCBA Equipment (Fire Department)

The Fire Department is looking to replace its SCBA (Self-Contained Breathing Apparatus) units. The units currently in use are at the end of their respective functional lives. As of the close of FY16, the capital reserves for this item totaled \$25,000. Another \$15,000 is proposed for transfer in FY18. Northfield Savings Bank has provided a quote for a five-year lease-to-own opportunity with an interest rate of 2.85%. The total cost of replacement is \$93,470.20; the Town would be looking to borrow an amount not to exceed \$75,000 at this time. The cost is also likely to be reduced through the “trade-in” value of older equipment.

Five years is the maximum length the Town can borrow for without voter approval; any arrangement would need to include the now-standard non-appropriations clause.

Fire Chief Al Barber explained the cycle of replacement for the units. The Town’s pace, as it relates to saving for replacement or doing it in an iterative fashion (a few units per year), is no longer sufficient. Andrea asked why this was not included in the budget. Trevor said there was money assigned but the amount available will not be adequate.

Tom asked Trevor about paying with the fund balance and then reimburse the Town to avoid interest charges. Trevor said he will have to check on the mechanism to do that.

Andrea said they need to look at the audit when it is done and have a full understanding of the fund balance.

Phil noted the Board’s agreement to discuss again at their next meeting with more information.

Town Plan Review and Discussion – Natural Resources and Community Facilities Chapters (#5 & #6)

The Board had some specific areas they were looking to change or clarify in Chapter 5.

Tom was looking to adjust wording on actions that pertained to subdividing and development, some Board members felt it was important to keeping the stronger wording as proposed. Suggested was to have the wording closer to that used in the Zoning By Laws. Alex was directed to ask the PC how they feel about this wording change.

Merrily said numerous surveys indicate the importance of the rural character in Town and does not want to dilute that.

Other discussions included to add hunting as a traditional use of Forest Resources.

Mike B asked about wording in the Agriculture section referring to preserving Ag land while maintaining the landowner's equity in that land.

Alex replied it refers to goals, there are no specific action items to address this.

Town Administrator – Transition Discussion, Continued

The Board agreed to meet next Monday at 7:30 p.m. to discuss the path to take regarding replace Town Administrator or change to a Town Manager.

Consider Approving 2nd Class Liquor License*

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

Tom moved that the Select Board approve a second class liquor license for the period beginning May 1, 2017 and expiring April 30, 2018 for R&A Frost, Inc. d/b/a Hinesburg General Store. Second by Aaron and approved with 5 yes votes.

Tom moved to adjourn as the Board of Liquor Control, second by Andrea and approved with 5 yes votes.

Town Administrator's Report

- a. **Vermont Gas Update** – The Richmond Road distribution extension is well underway. Per the stipulated agreement, that has to be completed before.... Staff will meet with VGS personnel to review the agreement and ensure that all tasks are either completed, scheduled for completion, or otherwise in motion.
- b. **Town Administrator Out-Of-Office** – The Town Administrator will be out of state from April 27 through April 30. Renae Marshall will have the wheel until May 1.
- c. **Update** to previous discussion regarding Highway equipment replacement
- d. **Highway Garage Project** – The RFQ is drafted. A project review sheet has been filed with the Act 250 district office. Stormwater planning and site visits have occurred. The Town continues to discuss temporary siting for and with the Chittenden Solid Waste District; the goal is to keep some drop-off center components in operation while construction is underway.
- e. **Summer Schedule Reminder** – Just a quick note to give the following dates again:
 - i. June – Thursday 6/8 and Thursday 6/22
 - ii. July – Thursday 7/6 and Thursday 7/20
 - iii. August – Thursday 8/3, Thursday 8/17, and Thursday 8/31

"Two-and-Two"

<u>05/15/17</u>	<u>06/08/17</u>
<ul style="list-style-type: none">▪ Town Plan Review▪ Selectboard retreat planning and preparation.▪ Discuss adoption of formal purchasing policy.▪ Continue Highway Garage project planning discussion.▪ Animal Control Ordinance – on/off premises discussion, drafting.▪ Transition discussion, continued. Review job description, draft advertisement.▪ Request to reduce zoning fees (resident request).	<ul style="list-style-type: none">▪ Town Plan Review▪ Animal Control Ordinance – on/off premises discussion, continued (if needed).▪ FY18 Water/Wastewater budget review and adoption▪ FY18 Allocation tables adoption (per the current ordinance).▪ Transition discussion, continued (if needed).▪ Alarm ordinance discussion/presentation

Select Board Items

Tom reminded all of Green Up Day this Saturday. He is looking for volunteers to plant 8 trees and shrubs at the Bissonette fields. Phil will be organizing the move of the lunch to the fields. Merrily said she has signed up to volunteer for truck duty. Aaron suggested someone take pictures of Town activities. And Andrea mentioned the contest to submit a video of youth (under 18) working at Green Up activities.

Minutes

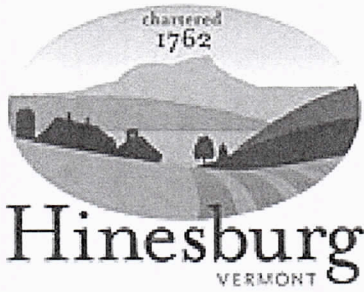
Aaron moved the Board vote to approve the minutes of April 17, 2017 as corrected, second by Merrily and approved with 5 yes votes.

Warrants

Phil 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.

Meeting adjourned at 10:40 on a motion by Aaron, second by Tom and unanimously approved.

Respectfully submitted,
Valerie Spadaccini, Clerk of the Board



Selectboard Meeting

Sign-in Sheet

May 1st, 2017

1. Perez Erb

14. _____

2. Charlie Baker

15. _____

3. Joe Cameron

16. _____

4. Al Barber

17. _____

5. Don Myhre

18. _____

6. Alex Weinhausen

19. _____

7. Maggie Gordon

20. _____

8. Joe Iadanza

21. _____

9. Frank Tunoy

22. _____

10. Lenore Bull

23. _____

11. Ben Marks

24. _____

12. Bob Hopkins

25. _____

13. Tom Ginn

26. _____