



## Select Board

Town of Hinesburg  
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### Meeting Minutes - November 20, 2017

- Approved 12/04/17 -

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

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

There were no comments from the public and no changes to the agenda.

Phil noted there would be an executive session at the end of the public meeting regarding Observatory Road agreement with the Goodrich's.

#### Trails Committee Grant Application Request / Budget Discussion

Lenore Budd was present to explain the request of the Trail Committee in applying for grant through the VT Recreation Trails Program to provide funding for the construction of a parking area at the Buck Hill Road trail head. Total for the job (labor and materials) is \$8,013.38 based on the initial estimate received. The 20% town match required by this grant program comes to \$1,603. If the town can provide the 3/4" plant mix AND the three 18" plastic culverts (estimated at \$1,483.02) that would equate to 31% of the match, and thus no need for cash from the town. Lenore said the Committee is looking for approval from the Board to go ahead and submit the grant application and agree to the Town match.

Andrea asked who would do the trucking. Lenore said the estimate includes trucking. Andrea noted if availability allows the Town can provide the trucking also.

Tom asked if the landowners have been notified. Lenore said she had discussed this with the Cudney's who own the property where the easement will exist in the past and will contact them again to go over the project.

Andrea noted of concern is the drainage and we should make sure there are no problems created in building this parking area.

Andrea moved the Board support the Trail Committee Grant application with the VT Recreation Trails Program with the in kind match provided by the Town. Second by Tom and approved with 5 yes votes.

### **Lake Iroquois Association (LIA) Presentation**

LIA Chair, Chris Conant discussed their projects. The Greeter program is one at the access area. It works on preventing the spread of invasive plants into the lake. The program has been funded by Hinesburg, Williston and Richmond as well as State grants. The boats are inspected and washed. He thanked the Hinesburg Fire Department for filling the water tank when there was a problem pumping water to it. The Aquatic Nuisance Control Grant also funded the Benthic barrier mats installed by the fishing access.

They finished an aquatic plant survey with funds from the Richmond Conservation Program.

With an ERP Grant they worked on streambed restoration and run off remediation by Pine Shore Drive.

They have applied for more DASH funding for next summer.

They are waiting for word from the State on the application to apply Sonar herbicide. If denied the permit the only option is to pursue the hand pulling and harvesting. The intention is to use \$20,000 (10,000 a year) of the \$30,000 approved over the next two years returning \$10,000 to Hinesburg with the intention they will be coming back to the Town to ask for a new program in the future funds.

Phil said they will need to look at the wording of the motion from the 2016 Town Meeting to see if the funds can be used for other than the Sonar and suggests a lawyer review the article. Jamie said the article was for milfoil control. Andrea also noted the article stated Eurasian milfoil control and the funds are available till June of 2018 and hopefully they will know by then if the permit is approved. The funds can be reserved for that purpose.

Elizabeth Deutch said LIA does not represent all homeowners who are affected by this. Some have strong opposing opinions and would like the Town to wait till they hear both sides of the story before making a decision.

Phil replied that this was discussed and voted at Town Meeting and there were Public Hearings held.

Rodney Putnam, homeowner on Pine Shore Drive, said he hand picked the milfoil and with no containment system it just replanted elsewhere. He was given permission and now has installed the Benthic mats which work well.

### **Creekside Flooding Issue / Resolution**

Alex Weinhagen, Director Planning & Zoning, said he is requesting authorization to spend \$2,000 to hire the Town's consulting engineer to design a solution to intermittent flooding issue in the Farmall Drive, Fredric Way neighborhood (Creekside Community Association), design a solution. A berm placed

over a private water and sewer line installed in 2011 by the Bissonette family contributes to flooding a low-lying neighborhood recreation area north of Fredric Way – lot 30 from the Creekside development. Only one culvert was installed under the berm when it was installed, and additional culverts are clearly needed to facilitate more timely drainage during large storm events. The Planning & Zoning office has been trying to help coordinate a solution to this issue for many years, in part because one is necessary and in part because we failed to consider this issue properly during the development review process for the Bissonette subdivision (Haystack Crossing project) that was approved in 2011. Alex feels it is appropriate for the Town to help resolve this issue by covering the cost of the engineering/design work. Joe Bissonette has tentatively agreed to cover the cost of installing additional culverts based on the design our engineer comes up with.

Merrily said she feels the developer is responsible to remedy the situation.

Andrea asked about long term responsibility. If the Town intervenes are we then responsible to keep the culverts cleared. She would like a legal opinion on the whole water and sewer line and agrees it is best to use a common sense approach to this.

Tom said he likes the idea of collaboration and would like to see the questions raised answered.

Aaron suggests moving ahead with a solution in conjunction with addressing the long term question.

Phil feels the landowner should engineer a solution. He likes the idea that the Town is involved and can watch out not only for the Town concerns but also for Creekside's concerns.

Andrea moved the Board seek legal opinion on how the Town would proceed recognizing the Town wants to facilitate but needs to know the long term implications to the Town. After further discussion and no second Andrea withdrew her motion.

### **Hannaford Court Decision Update and Next Steps**

Alex Weinhagen, Director Planning & Zoning, will provide an update on the Hannaford supermarket proposal based on the November 9, 2017 VT Supreme Court ruling. The lower court (VT Superior Court, Environmental Division) is scheduling a follow-up conference to discuss next steps, possibly for early December, and the attorney who represented the Town for the Supreme Court proceedings (David Rugh of Stitzel, Page & Fletcher) is entering an appearance with the lower court on behalf of the Town. This will be a brief update and discussion. Any strategy sessions will occur at a later date once we know how Hannaford plans to proceed.

Andrea moved that the Board select David Rugh of Stitzel, Page & Fletcher as the Town's legal representative for any upcoming Hannaford supermarket proceedings in the VT Superior Court, Environmental Division; and further, that the Director of Planning & Zoning and the Town Administrator shall work with Mr. Rugh, and report back to the Select Board prior to any decisions being made on how to proceed. Second by Aaron and approved with 5 yes votes.

## **Discussion of the Draft Capital Budget and Capital Improvement Plan**

The Board reviewed a draft version of the Capital Budget and Capital Improvement Plan and Narrative at the October 2<sup>nd</sup> meeting.

Renae has reached out to Department Heads to provide feedback regarding any changes we want to make to this as well as suggestions of other items you might want to consider including in the CIP.

Andrea said it would be good to reach out to Town Committees such as the PC as far as things in the Town Plan, looking forward to costs for cemeteries / sidewalks / community center. Renae said those would be good to include in the narrative.

Phil said this is a chance to look at the Capital Budget and put together some basic policies to follow moving forward. Add a line for Town Hall or municipal buildings.

Andrea said to look out 15 to 20 years not just the first 5 years where there is a need to accumulate funds.

### **TA Report**

- Update on Health Order Status – The Select Board and Kent Fraser, Town Health Officer, will convene as the Local Board of Health at a special meeting on November 27. This will serve as a hearing on this matter.
- Initial budget discussions with department heads ongoing
- Have received 75+ applications for the Assistant Town Administrator position so far. Deadline is November 27.
- Water Supply Development Agreement Discussion tentatively scheduled for December 4<sup>th</sup> meeting.
- Reaching out to Board, Committee, Commission members whose terms are set to expire on 12/31/17 to see if they are interested in being reappointed. Will schedule reappointments at December 4<sup>th</sup> Select Board meeting.
- Submitted (hopefully by Monday) Transportation Alternatives Program grant application for potential funding of the new sand/salt shed at the Highway Garage.
- Submitted Better Back Roads Grant on November 17th for stormwater mitigation work along segment of Lavigne Hill Road.
- Union Negotiations were close to wrapping up and then the latest AFSCME representative just left. Have to review where we left off with the new person and will resume negotiations in late November.

## Select Board Forum

Andrea suggests moving the meetings to the meeting room downstairs unless there is an item they expect a large crowd to attend. Andrea also noted she received an email from Richard Watts expressing his interest in serving as Hinesburg's rep for the TAC.

Tom reminded the audience of the fundraiser in January for the Bissonette Fields.

## Review Minutes from November 6, 2017

Merrily moved to approve the minutes of November 6, 2017 as written, second by Aaron and approved with 5 yes votes.

## Consider Approving Warrants

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

## Executive Session

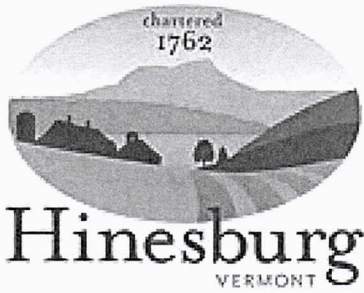
Andrea moved the Select Board find that the premature general public knowledge regarding the town's agreement for Observatory Road would clearly place the town at a substantial disadvantage, because the Select Board risks disclosing its negotiation strategy if it discusses the proposed contract terms in public. Second by Tom and approved with 5 yes votes.

Andrea move that the Select Board enter Executive Session including Renae under the provisions of 1 V.S.A. § 313(a)(1). Second by Aaron and approved with 5 yes votes.

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

Tom moved the Board adjourn the meeting at 9:53 p.m. Second by Aaron and approved with 5 yes votes.

Respectfully submitted,  
Valerie Spadaccini, Clerk of the Board



# Selectboard Meeting Sign-in Sheet November 20, 2017

1. Meg Handler

2. David Kaminsky

3. Chris Conner

4. Levare Budd

5. Rodney Putnam

6. ROGER DONEGAN

7. WAYNE MACEYKA

8. Alex Weinberger

9. Sarah Hamington

10. Elizabeth Deutsch

11. Jeff Tobrocke

12. Dan Jacobs

13. Merrill Jacobs

14. Jamie Cavall

15. Mike Anthony

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