



Select Board

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

Meeting Minutes – January 8, 2020

- Draft -

Attending the Meeting: Phil Pouech, Aaron Kimball, Merrily Kimball, Tom Ayer, Jeff French, Renae Marshall, Joy Dubin Grossman, and attached list.

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

Additions/Deletions to the Agenda

Phil said he would like to take a few minutes after the budget discussion to discuss update on the wastewater bond vote. He also noted there is no need for executive session at the end of the meeting.

Public Comment

Andrea Morgante wanted to acknowledge the fact that the Town website was down so people were not getting correspondence or information. She said she appreciates the effort to get the agenda and meeting packet posted and hopes it can continue to happen on a timely basis so people have time to read the information.

Review Conflict of Interest Policy with the Planning Commission

Phil said this is an educational opportunity for everybody. Maggie Gordon, Planning Commission chair, sent a memo to the Select Board and Planning Commission (PC) members in response to the discussion around conflict of interest at the Select Board's last meeting.

Tom explained his reasons for questioning the possible conflict of interest in connection with reappointments. His concern was with members of the PC who also were members of the Responsible Growth for Hinesburg group at the time the new zoning regulations were proposed, specifically the official map.

Bill Marks asked Tom if he has a problem with a member of the PC being associated with RGH as having a conflict of interest. Tom replied only with certain decisions such as with lot 15. Bill asked Aaron if he feels the same way. Aaron said he was making sure a Board members opinion and motion was recognized and for the process to move forward at the meeting. Bill asked Aaron again if he feels there is a problem with participation of PC member because of their association with RGH. Aaron said he agreed with Tom's point that if a person has a specific connection to a decision, such as the examples

noted of Phil, Andrea and Mike Bissonette recusing themselves in the past, it would be appropriate to step back from that discussion and decision. Bill asked if Aaron felt there was a specific connection in this case with Barb and John participating in decisions on the official map. Aaron said according to what the PC sent to the Board on that issue he feels it was a problem.

Renaë said the opportunity at this meeting was not intended to be accusatory but a learning opportunity concerning all boards, committees and commissions.

Phil said in this instance he does not necessarily agree with Tom but can see how it could be perceived. He noted when he has recused himself, he has done so in case it might appear there is benefit for him. Maggie referred to her conversation with Susan Senning, an attorney for VLCT. She addressed the process of the person disclosing a possible conflict and the entire group then discussing whether or not the conflict might exist. The board member then deliberates and makes the decision to recuse or not. This is all done in open meeting and documented.

Alex had minutes from a meeting in 2018 at which the PC made recommendations to the DRB while the Hannaford project was active. The issue of conflict of interest was raised and discussed.

Jeff, who noted he was a member of the PC at that time, said in his opinion it is more of a perceived conflict rather than the actual policy. Lot 15 was on the official map before the Hannaford application was proposed. His concern is that a person should not be prohibited from serving on a board just because they are a member of a specific group.

Peter Erb noted the PC is not a decision making board it is a recommending board. John Kiedaisch said he did recuse himself at the meeting in question.

Merrily said it is important for the policy to be reviewed each year for trust. That the people in Town trust members of boards and commissions are working in the best interest of the Town.

Catherine Goldsmith referred to the term “personal gain” in the policy. She said she feels it is more personal opinion on a direction the Town should take and if it goes the way the person desires that does not make it personal gain.

Bob Thiefels said he feels what Peter and Catherine said it important. There is a question of vision and to have a vision for the Town is very different from a conflict of interest.

Bill Marks said to be a conflict, it has to be special to the individual and there has to be a gain, it must be an appearance of a personal conflict.

Mary Beth Bowman asked what constitutes perceived and questions use of that term. How many people does it take to perceive a conflict?

Dan Myhre, PC member, said this has been a good learning experience for him. He said he is not familiar with the RGH law suit and so not sure what is being questioned. Phil suggested Dan talk with someone familiar with that issue.

Tom said he was glad we had this discussion and was ready to make a motion.

- **Action Item** – Phil and Renae will put together a packet for every board member who is appointed that would include Town policies regarding serving on a board.

Tom moved to appoint James Donegan, Barb Foraurer, and John Kiedaisch to the Planning Commission to their respective terms noted in the previous reappointment packet. Second by Aaron and approved with 5 yes votes.

Consider Approving Funds for Repair of Hinesburg Hollow and Tyler Bridge Roads

Mike said this a temporary fix for the Tyler Bridge Road. He will look at this again in the spring and will be meeting with the State to discuss possible permanent improvements.

Andrea said there are lots of things happening upstream and the damage shows up at the bridge. She said unfortunately the Town does not have jurisdiction to investigate and get people to do something different.

Merrily moved to approve funds to repair Hinesburg Hollow Road and Tyler Bridge Road based on estimates received. Second by Aaron and approved with 5 yes votes.

FY 21 Capital Budget Review and General Fund – Expenditures & Revenue

- **Highway** – The Board agreed to remove funds for the screen plant. Renae reviewed areas where she tightened up the numbers and used reserve funds
- **Energy Committee** – Laura Capps, member of the Energy Committee, reported the Committee discussed the budget at their meeting last night and agreed to reduce to \$3100 which is the same as FY 20. The proposed budget is currently at \$2800. She said she would like to take that information back to the Committee to discuss. The Committee can come back to the Board with a detailed proposal aiming at the \$2800.
- **Police** – Renae noted the salary line has been adjusted to reflect the actual now that the new officer has been hired. Discussed the idea of pushing off the purchase of the new vehicle for a year but no decision made to do so.
- **Lake Iroquois Association** – After discussing the additional request for milfoil control with Chris Conant the Board decided to reduce their request back to the \$7,500 as funded in FY 20.

Elizabeth Deutsch questioned the request being used for herbicide and expressed her concerns with the process.

Roger Donegan asked if this will be a line item.

Laura Capps asked if a condition of funds could include not to be used for permitting costs. Chris said there is no permit costs as it is being done as a municipality through Lake Iroquois Recreation District.

- **Fire / EMS** – ambulance service will be discussed at a meeting next week. The Board supported the request for the additional position. Al reviewed with the Board the station repair request and shared cost estimates on work that needs to be done.
- **Community Resource Center** – they will be looking at other fund raising opportunities and will let Renae know.

Wastewater Bond Vote

Joy reported the Town met the number of surveys needing to be returned for review.

Phil said we still hope to reach out to some of the legislators for any options for possible additional funds.

There will be a notice in paper for a public hearing to be held.

Consider Approving Submission of Hazard Mitigation Assistance Funding Grant

Phil moved to authorize Renae to sign the 25% Match Certification for Hazard Mitigation Assistance Applicant Funding Certification. Merrily second and motion approved with 5 yes votes.

Town Administrator Report

- Continuation of budget preparation.
- The Town Hall stairway has been painted.
- The Energy Committee is working on proposals for solar on Town buildings. Renae has been meeting with the auditors.

Select Board Forum / Correspondence Received

- Phil said he met Hinesburg's new police officer.
- Phil responded to Mike Bissonette's comment on Front Porch Forum about possible conflict of interest relating to Phil's comment to the Citizen. Phil said Mike was making the point he actually was no longer on the Board when the vote regarding funding of the Bissonette fields took and Phil agreed. Phil sent an email to Mike clarifying the issue.
- Phil also mentioned a posting on FPF regarding a complaint of lack of winter road clearing. Renae noted road service is not a 24/7. Three employees are covering all the roads in Hinesburg.
- Tom suggested residents call someone in the Town if you have a complaint.

Review Minutes from December 4, 2019 and December 18, 2019

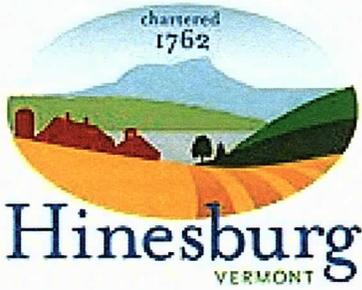
Phil moved to approve the minutes of December 4, 2019 as amended. Second by Tom and approved with 5 yes votes. Phil moved to approve the December 18, 2019 minutes as presented. Second by Tom and approved with 5 yes votes.

Consider Approving Warrants

Aaron moved 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 10:00 p.m., second by Aaron and approved with 5 yes votes.

Respectfully submitted,
Valerie Spadaccini, Clerk of the Board



Selectboard Meeting

Sign-in Sheet

January 8, 2020

1. Johanne White

2. John Kiedzisch

3. Bill Marks

4. Mary Beth Bowman

5. Alex Weinhagen

6. Rolf Kselman

7. Bob Thiefels

8. Catharine Goddard

9. Anders Morgante

10. ROGER DONEGAN

11. CHRIS LAMAR

12. Eric Jensen

13. AL BARBER

14. Laura Capps

15. Elizabeth Deutsch

16. Tim Eley

17. _____ ✓

18. _____

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