

Annotated Agenda

January 28, 2013

2. Addison Natural Gas Project

Guests: Phil Pouech

Enclosures: (1) Notice of Pre Conference Hearing
(2) Pouech Front Porch Forum Update – Jan 24
(3) Letter to Neighbors from Vt Gas
(4) Map from Vt Gas Accompanying Letter (2)

Phil published a Front Porch Forum Posting on January 24th updating the community of Vt Gas's plan to amend their pipeline route thru Hinesburg to the Public Service Board. Vt Gas has proposed to take the pipeline out off of the Baldwin and Charlotte Roads public rights of way and stay within the existing VELCO right of way, to the extent they can secure permits to do so. In other words, the Agency of Natural Resources and/or the Army Corps of Engineers may or may not approve of placing portions of the pipeline within VELCO due to wetland/environmental or archeological concerns. It seemed clear at that meeting that the pipeline could definitely be removed from the public right of way on the Town roads.

It's important to note, however, that nothing at this point has been officially changed. It is also important to note that the regulators could balk at the idea of placing the pipeline within VELCO and 'demand' that it be placed in the Town right of way. At this point, judging from the tenor of the meeting, that outcome seems highly, highly unlikely, but it's just important to acknowledge that nothing official has taken place one way or the other regarding the location of the pipeline in Hinesburg. It's also important to keep in mind that there are many players involved with the eventual placement of the line and it's not exclusively up to Vermont Gas and the Town of Hinesburg.

Anyways, the Public Service Board is holding the Pre Conference Hearing on Wednesday, January 30 in Montpelier. I will plan to attend on behalf of the Town. I have invited the Town's Attorney, Bud Allen, to visit with the Selectboard in Executive Session at the end of the meeting. I think at this point in the process the Town does not counsel to attend the Pre Conference Hearing. The two (2) main objectives of the Pre Conference Hearing will be to set the schedule moving forward with the PSB. Potentially, as the process continues the Town may want legal counsel with more familiarity of the PSB process to be involved.

Once Vermont Gas officially amends their proposed route in Hinesburg, Phil and I will work with Vt Gas to set-up another Open House/Public Meeting so the public has the opportunity to review the amended route.

No Official Action Anticipated.

4. PACE

Guests: (1) Chuck Reiss

Enclosures: (1) Updated Language for Ballot – Reiss email

Selectboard members promised to study PACE over the week. Hopefully you are all experts now. The proposed Warning for the Selectboard to sign (Agenda Item #10) will include an Article asking voters to consider designating Hinesburg a Property Assessed Clean Energy District. If this measure is approved, the Selectboard will be given the authority to implement the program in Hinesburg at which time it sees fit to do so; presumably at such a time when the mechanisms of the program are fully understood and ready to be carried out without a hitch.

The ballot language is 'silent' on the issue of having a 3rd party administrator – such as Efficiency Vermont – administer the program for the Town which is fine for the Town Meeting question concerning designation. Undoubtedly the Selectboard understands that prior to implementation that aspect of the program will need to be clear and a 3rd party administrator will need to be contracted with – the Town should be burdened as little as possible with the administration of PACE. This Article will be voted on at Town Meeting with a floor vote.

Consider a Motion to Place an Article on the Town Meeting Warning Asking Voters to Consider Designating Hinesburg a Property Assessed Clean Energy District.

5. Tar Sands Petition

Guests: (1) Chuck Reiss

Enclosures: (1) Submitted Petition
(2) VLCT on Discretion to Warn Advisory Items

I think Mr. Reiss was involved with the Tar Sands petition too so hopefully he will stick around for this item. As best I can tell this is the exact same petition that is circulating around a number of Vermont municipalities for inclusion as part of the Town Meeting discussion around the State. While I can't say I have a professional opinion (personally, yes, I do have opinions...) one way or the other on the topic, I am a bit skeptical about Resolution #2 and would encourage the Selectboard to consider the implications of binding language like that for this Town.

We have long standing relationships with Hart & Mead for our highway equipment diesel and garage heating fuel and they give us unbelievable service. Our police and fire departments fill-up locally; our police and fire station and Town Hall are hooked to Vt Gas. Do we really need to start making this a requirement of Hart & Mead and other local vendors? Isn't their longstanding service to this Town more important to us than making them supply us with a lists of refinery sources in order allow them to continue a business relationship with their own Town? I would imagine the signers and circulators of this petition would not object if this Town either removes Resolution #2 or at least disregards it regardless of the outcome of the vote. But, I suppose, maybe that would devalue the whole idea behind the petition in the eyes of the petitioners. I can't say.

Anyways, like last year's petition on the topic of residency requirements for Commission, Board, and Committee appointments, the Selectboard has complete discretion to include this or not on the Warning for Town Meeting. I believe this petition received the exact number of signatures it needed for submittal to the Town Clerk and not a single one additional; therefore, I'd say only a very 'weak' mandate exists requiring the Selectboard to include this item as part of the Warning based on public opinion. Last year, as you will recall, the Board did not include the petition regarding residency requirements.

The petition was received on time and, as stated above, did include the number of signatures required. As I stated above, it is completely up to the Selectboard to place this on the Warning (or not).

Consider a Motion to Place the Petition to Keep Vermont Tar Sands Free with the Qualification that the Hinesburg Selectboard will not Enforce Resolution #2 if this Article is Supported at Town Meeting.

6. Hannaford

Guests: (1) George Dameron, Village Steering Committee
(2) Al Barber, Frank Koss
(3) David White, White & Burke

Enclosures: (1) Alex Memorandum I: Process
(2) Alex Memorandum II: Municipal Impact Update
(3) Draft Stormwater Agreement
(4) Overall Plan
(5) Village Steering Committee Comments
(6) Utility Plan Commerce Street

I'll take a few minutes to update the Board on where things stand with the following items associated with the Hannaford project – all of which will come before the Board for official consideration in the near future:

1. Act 250 Municipal Impact Questionnaire
2. WW/W allocation request
3. Water and Wastewater Extension Permit
4. Buried Utility Permit for stormwater pipes in Commerce Street
5. Storm water Agreement for maintenance of stormwater pipes in Commerce Street

George Dameron indicated to me that he will attend the meeting Monday night to discuss the Village Steering Committee's position on traffic. Chief Barber and Chief Koss may be in attendance; if they are the Board could always prod them with a few questions pertaining to their department's expected 'extra' burden due to the project, if they expect any.

Just a few hours prior to Monday's meeting we received permit applications from White & Burke. Staff will review those applications not that they have been received. Also, David White contacted me today and will attend tonight's meeting and make a comment.

Now that all forms have been completed and submitted to staff we will review. Originally we planned on placing this back on the agenda on February 4 so the Selectboard can consider action. We will only stick to that time frame if we clearly have the time required to adequately review.

No Official Action Anticipated.

7. CBC Interview

Guests: (1) Heidi Simpkins

Enclosures: (1) Heidi Application
(2) Heidi Resume

It's plain to see that the coolest thing to do in this Town is to join the Economic Development Commission. Andrew Frost started a trend that just can't be stopped; each week another comes forward. Heidi is scheduled to come before the Board to interview and ask for appointment. If appointed Heidi would be the fifth member: Andrew Frost, Matt Sayer, Melissa Levy, and that Town Administrator guy. The Commission has room for 7 and a few others have expressed interest so I think all seven slots will eventually fill. I would like to note that I noticed on Heidi's resume she is a 'member' of the Responsible Growth Hinesburg group. I think it would be nice to fill a slot on this Commission with someone with 'ties' to the Hinesburg Village Vision group to support communication and community. That whole balance idea that Mr. Bissonette is always very cognizant of is important, I think, as this group works on building its identity.

Consider a Motion Appointing Heidi Simpkins to a 2-year Term on Hinesburg's Economic Development Commission.

8. FY2014 Budget

Guests: None

Enclosures: (1) All Updated Budget Worksheets

Final budget – with changes made after last week's meeting – will be available. I will take a few minutes to hit the highlights of the FY2014 budget with special emphasis on what changed from November 5 to January 28th. Hopefully I will have time to finish a draft budget write-up over the weekend to share with the Selectboard. This will be the same write-up that will go in the Town Report, Front Porch Forum, the Citizen, the Record, etc.

No Official Action Anticipated.

9. Public Safety Facility

Guests: The Usual Suspects?

Enclosures: (1) Project Write-Up (Available by Monday)
(2) See: <http://www.hinesburg.org/public-safety-building-project/index.html>
(3) Bond Documents from Counsel
(4) Bond Declaration of Official Intent

Review the project again. Like the FY2014 budget I hope to have a draft write-up to share with the Selectboard which will be published in various mediums. Chief Koss and I have been interviewed by the Burlington Free Press so I can only guess they plan to run a feature article about the project prior to Town Meeting. I think the Free Press has also reached out to a few Hinesburg residents regarding their thoughts of the project and bond proposal.

On the 'official' business side of things, a few items need attention to action Monday night. 1) the Selectboard needs grant Authority to the Town Clerk to Sign the Declaration of Official Intent; 2) Sign the Resolution to Warn a Town Meeting Article asking voters permission to take out up to \$1,055,200 of debt for the purpose of financing the construction of a public safety building.

Consider a Motion to place an Article on the Town Meeting Warning asking voters if general obligation bonds of the Town of Hinesburg in an amount not to exceed One Million Fifty-Five Thousand Two Hundred Dollars (\$1,055,200), subject to reduction from the receipt of available state and federal grants-in-aid, and other financial assistance, be issued for the purpose of a proposed public safety building, at an estimated cost of One Million Fifty-Five Thousand Two Hundred Dollars (\$1,055,200)?

Consider a Motion to have the Selectboard sign a Resolution dated January 28, 2013 indicating its commitment to placing the Article, as stated above, on the Town Meeting Warning to be voted upon by Australian Ballot on March 5, 2013.

10. Set Town Meeting Warning

Guests: None

Enclosures: (1) Draft Town Meeting Warning I
(2) Draft Town Meeting Warning II

Well, it all comes down to this. Five months of budget work; nine months of public safety facility work, not including the months and years already put towards the project; a few signed petitions; and an annual item to collect property taxes by November 15th. It's time to sign the Warning for the business to be transacted on Monday night, March 4 and Tuesday, March 5.

I'll draft one with the Tar Sands Article included and one without.

I'll attempt to have these drafts up for Selectboard and citizen review on Saturday, January 26, prior to the January 28 meeting.

Consider a Motion to Sign the Warning for Town Meeting to Include the Following Articles:_____

11. Town Administrator's Report

- 1) **Rural Area Zoning** – Tom Ayer met with me and Alex today to discuss a process to move the Rural Area Zoning Ordinance as proposed to the Selectboard. The Selectboard will receive an initial presentation from the Town Planner on March 18 and then will schedule two follow-up meetings – April 1 & April 15 – for open discussion. At the end

of the discussion on April 15th the Selectboard will hopefully have a good sense of how to best advance. Potentially the Board will be ready to Warn the two (2) Public Hearings prior to adoption; another possibility could be that the Board sends it back to the Planning Commission for more review; or the Selectboard may want to continue the public process of open discussion and feedback. Like I said, we should know more after the April 15th meeting on where things stand.

- 2) ***Town Report*** – The main objective of the rest of this week will be finalizing the Town Report and getting it off to the printers. Our goal is Wednesday.
- 3) ***PACE Public Meetings*** – Ideally at least one public meeting will be scheduled regarding the PACE program.