

SELECTBOARD MEETING
February 18, 2013

Attending the meeting; Jon Trefry, Phil Pouech, Tom Ayer, Andrea Morgante, Mike Bissonette, Joe Colangelo and attached list.

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

Late Homestead Filing

Missy Ross, (Town Clerk, Treasurer and Delinquent Tax Collector) advised the Board that Hinesburg has collected an 'additional' \$2,846.93 as a result of rule changes in Montpelier last year related to late filings on homestead declarations. As Missy explains in her memo, the Town is under no obligation to assess these penalties. The proposed tax revenue for the Town did not include estimated revenue for these penalties so that a refund does not impact anticipated revenues for the Town.

Missy said 8 taxpayers were affected by this due to confusion on waiting for final current use figures.

Phil moved the board vote to refund the 8% late filing homestead declaration penalties for the 2012/2013 tax year. Second by Tom and approved.

Tom moved the Board vote to abolish the 8% late filing homestead declaration penalty in Hinesburg. Second by Andrea and approved.

Andrea noted the Selectboard has the authority to make this decision unlike the tax collection interest penalty which is voted on at Town Meeting.

Act 250 Questionnaire, Hannaford

White & Burke notified the Town of Hinesburg of their objective to receive approval for the following six (6) items on behalf of their clients, Hannaford.

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
6. Curb-Cut Permit

The Selectboard will consider items 1, 2, and 3. Items 4, 5, and 6 will not be ready for consideration.

Item #1 – Act 250 Municipal Impact Questionnaire: This item asks the Town to identify its capacity to provide services without unreasonable burdens for 1) fire protection; 2) police protection; 3) rescue services; 4) solid waste disposal; 5) road maintenance.

A few weeks ago, at the Selectboard meeting, it was noted that the Town has not been given Hannaford's full ACT 250 State application and therefore may not have all necessary pieces of information on hand to make a decision on the Municipal Impact Questionnaire. Some past applicants have submitted the entire State Act 250 application with the municipal questionnaire for staff and Selectboard review and some past applicants have not. There is not a stated Selectboard policy regarding this. One might be able to argue that the scope of this project is larger than other Act 250 projects Hinesburg has had to deal with thus far and therefore it requires more information. The other issue that has been raised is more specific to the stormwater planning; however, if you look at the Act 250 Municipal Impact Questionnaire, stormwater is not part of the checklist, unless you argue that it is tied in with road maintenance (maybe a bit of a stretch). It would be more appropriate to deal with the stormwater issue through the State Act 250 process. Same goes for the issues brought up in the Village Steering Committees letter to the Selectboard.

As his memo highlights, Fire Chief Al Barber indicated that the project would pose an undue burden on the capacity of the town to provide fire protection due to water flow and roof access. Chief Barber also questioned fire apparatus accessibility to the site. It appears in a follow-up email from Chief Barber (February 14, 2013) that he feels the accessibility is no longer an issue; however, Chief Barber still has concerns regarding fire flow (February 15, 2013) and recommends a fire flow test be completed to validate assumptions on the water system.

Al stated the Fire Department cannot provide enough pump flow to meet the sprinkler system and at the same time attack a fire.

The Board discussed wanting to have a letter that points out the Fire Department issues and a completed application prior to signing off on the questionnaire.

Andrea said she is reluctant to sign the questionnaire without seeing the application that will be submitted. She also would like to have written comments from department heads stating how it would affect their department.

Phil was in agreement and said he wants to see what may be different from what was presented to the DRB and what will be sent to ACT 250.

Tom also agreed on this issue.

David White, of White & Burke, said in the 30 years he has been working on projects he has never had a municipality ask to see a completed application before completing the questionnaire. The questionnaire consists of basic questions of impact to the Town. Every Town department has reviewed and had input to the DRB and the DRB gave the approval to the project.

Jon clarified that his directive to complete the questionnaire was to staff not Hannaford.

Andrea said the questionnaire can be sent in by the Town at any time during the application review process and does not need to go in with the application.

Jon asked Al for clarification of the water flows. Al said with the addition of the dry hydrant the flows should be adequate. Al said he would document that till mutual aid arrives they cannot access the roof.

Jon said that by the Selectboard March 18 meeting they should have the completed questionnaire with all additional notations.

David White said now that the Selectboard has head the Fire Department's statement and they have all the information regarding the other questions, he believes the Selectboard has all the information they need to and is asking the questionnaire be approved at this meeting.

Jon said out of respect to the community interest he would like to see all the documents before signing off on it.

Item #2 – Wastewater Allocation Request:

Mike B moved the Board vote to approve the Wastewater Allocation Request of 1,960 gallons per day for Martin's Food of South Burlington for the proposed Hannaford at Lot 15, Commerce Park; with the associated Wastewater Allocation Fee of \$23,343.60 due when the building permit is issued. Second by Tom and approved.

Item #3 – Wastewater/Water System Extension Permit: It is important to note here that the plans that have been submitted for approval may not be the final routing plan Hannaford uses; in fact, as Rocky's memo states, their project engineer has mentioned that they will most likely modify their plans with an alternate wastewater main routing. Therefore, Rocky is recommending approving the extension permit for the plans that have been submitted only. If later they decide on an alternative routing, this extension permit would no longer be valid.

Tom moved the Board vote to approve the Wastewater/Water System Extension Permit with conditions for plans submitted by O'Leary Burke titled Hannaford Supermarket & Pharmacy dated 11-09-10 with revisions through 01-28-13 and if any modifications are proposed they shall be resubmitted for review and approval by the Selectboard and treated as a new application. Second by Mike B.

Andrea asked if the line they are re-routing is the Town line. Rocky said it is the main sewer line that runs through the lot. Andrea said she would want the Town engineers to review the plans especially given all the proposed turns.

Motion vote and approved with Andrea opposed.

Item #4 & #5 – Buried Utility Permit and Utility Agreement: In this case, the buried utility is the new stormwater pipe and associated materials proposed for Commerce Street. In the Selectboard packet is the latest Agreement. Town attorney HAS NOT had a chance to review this document. There are also some outstanding issues and questions from Rocky and Mike Anthony regarding the design of the infrastructure and the shim work Hannaford will do.

Item #6 – Curb Cut Permit: The Selectboard isn't approving curb-cuts anymore but it's at least worth nothing where things stand. See Alex's February 5th email.

Fletcher Allen Wastewater Allocation

The newly approved Fletcher Allen facility on Lot 1 in the Bissonette subdivision off Shelburne Falls Road is seeking their wastewater allocation.

Phil moved the Board vote to approve the Wastewater Allocation Request for Fletcher Allen Health Care, Inc. for their new approximately 5,500 s.f. family outpatient facility located on Lot #1 of the Bissonette Subdivision off Shelburne Falls Road with the Associated Allocation Fee of \$9,528.00 due when the Building Permit is issued. Second by Andrea and approved with Mike B abstaining.

Sunset Lake Consecutive Water Agreement

Bud Allen has reviewed and approved of the Agreement. By entering into this agreement, the Town will help keep costs down for the residents of Sunset Lake by doing the necessary sampling tests required by the State and by sending out the annual consumer confidence reports required by law.

Andrea moved the Board vote to approve the Consecutive Water System Agreement between the Hinesburg Water Department and Sunset Lake Villa Mobile Home Park. Second by Tom.

Phil asked Rocky how the Town can be sure the lines are flushed.

A representative from the park said they co-ordinate the flushing with the Town's flushing. Rocky said there is no absolute way to know if they flush but it would eventually cause a problem if they did not.

Phil said he would to have clear records showing when the flushing is done.

Motion voted and approved.

A few Selectboard members and roughly 50 or so others attended a public presentation on February 11, 2013 for the unveiling of the 3D Visualization Project. This project was budgeted for out of the FY2012 town budget with \$3,000 in local matching funds to go along with \$15,000 from the State to pay for the work done by TJ Boyle and Associates. The Selectboard approved the contract with TJ Boyle last spring and the work has been managed by the Village Steering Committee with consultation from Alex Weinhagen. Alex said the next steps will be making revisions to what was presented – he said to keep in mind this is just a visualization of what it might look like with a complete build out.

Affordable Housing Grant

The purpose of this agenda item is for the Selectboard to consider preliminary support for sponsoring a Vermont Community Development Program grant for an affordable housing project in back of Kinney and to grant the Champlain Housing Trust permission to proceed with a grant application.

Matt More, statewide affordable housing developer with Housing Vermont, said they are looking a buying a lot from Brett Grabowski. They propose building 20 -22 units in 4 two story buildings.

Mike B asked if the buildings would be on the grand list. Matt said they would but at lower than market rate. Tom asked about the effect on the cost to the Town with lower taxes coming in and the increased enrollment to the school.

The Board was advised that the elementary school enrollment is currently low and can handle more students.

Phil moved the Board vote to approve Granting Preliminary Commitment to the Champlain Housing Trust to Support an Application to the Vermont Community Development Program for a \$300,000 pass-through Grant from the Town of Hinesburg in Support of the Hinesburg Village Housing Affordable Housing Project. Second by Mike B.

Joe noted there will be a substantial time commitment from Town staff associated with the grant.

Motion voted and approved.

Mike B moved the Board vote to approve Setting a Public Hearing for the April 1, 2013 Selectboard meeting and Consider Final Approval of the Grant Application at that Time. Second by Andrea and approved.

In the Selectboard packet is a letter from VHFA providing information on the tax credit allocation this project is applying for. Capturing these credits is a competitive process and a letter from the Town could benefit the application. VHFA's public hearing for distribution of these credits is scheduled for March 18th.

Phil moved the Board vote to approve having the Town Administrator Draft and Send a Letter to the Vermont Housing Finance Agency in Support of the Hinesburg Village Housing Affordable Housing Project to Support this Projects Application to the Low Income Tax Credit Program. Second by Mike B and approved.

The Board noted that the approval is for the application for funding and not to be considered approval for the project.

Bissonette Recreation Field Project Update

Joe reported that he and Alex Weinhagen met with Doug Henson (L&D) to review the survey work for Trudell to complete to sub-divide the (roughly) 11 acre parcel from the larger 90 acre parcel. The most significant change from the original/preliminary lot lines is that the strip of land between the northern property edge and the start of the new parcel will be increased from 75' to 100'. This will in turn reduce the 'buffer' zone between the 2 fields. The parking area will also have to shift slightly to the south. Furthermore, the temporary roadway will require a 50' right-of-way and the water/sewer easements will need to be shown. Once the survey work is complete, the project can go back to the DRB for final approval and the Town and the Bissonette can work on finalizing the legal language for the transfer of land.

Tom moved the Board vote to approve the Contract between the Town of Hinesburg and Trudell Consultants for the Necessary Survey Work for the Bissonette Recreation Field Project and have the Town Administrator sign the contract. Second by Andrea and approved with Mike B abstaining.

Joe said he was informed by CCRPC that some additional monies are still available through the Regional Economic Development Grant program. It seems that this project fits the criteria nicely.

Tom moved the Board vote to approve the Town of Hinesburg to Submitting an Application to the 2012 Regional Economic Development Grant Program for \$25,000 in Support of the Bissonette Recreation Field Project and to have the Town Administrator Submit a Completed and Signed Application on Behalf of the Town of Hinesburg.

Second by Phil and approved with Mike B abstaining.

Inter-Municipal Police Services

The Town of Huntington contacted Joe a few months ago about the possibility of having the Hinesburg Police Department provide police services to the Town of Huntington. They showed specific interest in receiving some traffic control work on a weekly basis. Chief Koss and Joe met with their Town Administrator and Selectboard Chair to get a better understanding of their needs. As a result of that meeting, they drafted a 'concept' contract and sent it to Huntington. This concept contract is not a 'first offer' in anyway nor is it binding. It was put together as a document to further the discussion. The Town of Huntington is looking at a number of options and we have not had a follow-up meeting with them.

The Board reviewed the drafted concept contract.

Phil asked how the figure of \$51.00 per hour was arrived at. Frank said Doug Olufson has compiled the figures on what it costs to run the department and came up with the \$51.00 cost.

Frank said no officer on call would be included.

Andrea said while she has encouraged regional Public Safety, she stated that if the PD has time available to cover Huntington perhaps the Hinesburg PD budget could be cut accordingly.

No action taken at this time, will wait to hear back from Huntington.

Animal Control Ordinance: Kitty-Cats

Chief Koss stated there has been only one incidence over the past 5 years involving a cat.

The Board agreed to include control of cats in the animal control policy.

Consider Name for New Road

This agenda item is to name the new road in the Haystack Crossing subdivision which will be created with the curb-cut for the new Fletcher Allen. This is a private road not a Town road.

Tom moved the Board vote to approve the name of Haystack Rd for the new road in Haystack Crossing subdivision. Second by Phil and approved with Mike B abstaining.

Water/Wastewater Department Organizational Structure

The Water/Wastewater department is now in need of a Wastewater Operator with a Grade 2 license and are looking to 'contract' with the Town of Richmond for a few hours per week of work from their Grade 2 operator. At one time in the past, Rocky had his Grade 2 but he has since let it lapse. Rocky is indenting on renewing his Grade 2; however, the test for that license is not until May. Over the long-term we are going to look at a few different options on how to (re) organize the Water/Wastewater Department in the future. We should have a recommendation for the Selectboard to consider in March or April.

Mike B moved the Board vote to approve the request to contract with the Town of Richmond for their Wastewater Operator Grade 2 license until further notice. Second by Andrea and approved.

Town Administrator's Report

1. Town Meeting Preparations – The Board and Administrator discussed expectations for Town Meeting night. It was agreed that the Administrator ‘presents’ the budget, but the Selectboard members should be the ones ‘advocating’ for the budget. Joe is also planning on meeting with Joe Fallon (Town Moderator) the week before to review the Warning.
2. Vt Gas Pipeline – The Town of Hinesburg filed its Motion to Intervene. We anticipate an updated filing from Vermont Gas on February 28th. The first public hearing is set for March 21. Phil and/or Joe, along with Town legal counsel will attend. John Roos read a statement concerning his views on VT Gas. See attachment.
3. Town Administrator Mini Vacation – Following Town Meeting Joe will be taking a 5-day or so weekend. Looking like Thursday, March 7 – Tuesday, March 12. He will be available on phone and email; Renae will be the point-person in his place while away.
4. Budget Report –Reviewed with Selectboard. .
5. Next Selectboard Meeting – March 18th. This will be the organizational meeting for the ‘new’ Selectboard.
6. Selectboard Institute – Phil attended last year; might be worth attending to interact with elected officials from around the State and with VLCT staff.
7. Roads & Bridges Standards – See documents in meeting packet. More discussion forthcoming.
8. Water Feasibility Study – Anticipating draft study for review before end of February.
9. 116 Paving – Set-up a follow-up meeting for the April 1, 2013 Selectboard meeting with representatives of the State.
10. Rec Basketball Feedback – The Recreation Commission received a letter acknowledging the positive experience at the girls basketball game in Hinesburg. Thanks to Michael Bissonette, Kate Myhre, and Terry Francis for making Hinesburg recreation a positive experience for our 5/6 grade girls!

Selectboard items:

Tom said he and John Roos discussed recruitment for the fire department and suggested members of the department make a presentation to students at CVU for recruitment.

Andrea said regarding the ACT 250 Hannaford Application she feels it is important that the Town participate in the hearings and have good ability to look at their data regarding traffic and stormwater. And if the Town needs it to have an engineer review the documents to support the DRB conditions.

Warrants;

Jon moved the Board vote to approve the warrants, including payroll, as submitted by the Town Treasurer. Second by Mike B and approved.

Minutes;

Andrea moved the Board to approve the minutes of Dec 10 as submitted, second by Jon and approved.

Andrea moved the Board vote to approve the minutes of Dec 17 as amended, second by Mike B and approved.

Andrea moved the Board vote to approve the minutes of Feb 11 as submitted, second by Mike B and approved.

Jon moved the Board vote to approve the minutes of Feb 14 as submitted, second by Tom and approved with Mike B abstaining.

Mike B moved the Board vote to approve the minutes of Jan 21 as amended, second by Phil and approved.

Mike moved the Board adjourn at 10:25 p.m., second by Andrea and approved.

Respectfully submitted,
Valerie Spadaccini, secretary.