



# Annotated Agenda

April 15, 2013

## 3. Rural Area Zoning

**Guests:** (1) Alex Weinhagen, Town Planner  
(2) Joe Iadanza, Planning Commission Chair  
(3) Tom Ayer, Selectboard

**Enclosures:** (1) Alex Memo 03292013  
(2) Alex Memo 01042013  
(3) Wildlife Map  
(4) Objective 1  
(5) Objective 2  
(6) Objective 3  
(7) PUD  
(8) Proposed Town Plan Revisions  
(9) Mailer to Town residents from Alex

Continued dialogue with the Town Planner, public, and amongst the members of the Selectboard on the proposed Rural Area Zoning Ordinance should continue at the meeting. At the last meeting – April 1, 2013 – the Selectboard reviewed approximately one (1) quarter of the document, including questions and responses to items under Objective 1. Given the pace the information is being reviewed, it seems unlikely that the Selectboard will finish deliberations at the meeting on April 15<sup>th</sup> and be in a position to warn for the two (2) public hearings required prior to adoption. It's definitely more desirable to thoroughly review the document and try to suggest edits prior to the warning of the public hearings. Minor edits could be made during the public hearing but if major revisions are recommended during the public hearings then the Selectboard would not be in a position to adopt. If the Ordinance is not adopted by September 2013 then the ordinance is considered void and would need to be passed back to the Planning Commission to start the process anew. On Saturday (4/13) the Post Office will send out a Town-wide mailer, put together by Alex, so there may be an increase in interest level at the meeting Monday night and in the future.

*Consider a Motion to Continue Discussion of the Rural Area Zoning Ordinance on May 6 and possibly May 20 with a Goal of Warning Public Hearings during the Months of June and July Prior to Adoption before September 2013.*

## 4. 116 Paving Discussion

**Guests:** (1) Mike Anthony, Road Foreman  
(2) Rocky Martin, Buildings & Facilities  
(3) Alex Weinhagen, Town Planner  
(4) Mike Fowler, State of Vermont, VTRANS  
(5) Kevin Locke, State of Vermont, VTRANS  
(6) Dale Norton, State of Vermont, VTRANS

**Enclosures:** (1) Culvert Replacement  
(2) Complete Streets Memo from CCRPC  
(3) 116 Plans, Hinesburg  
(4) Intersection Changes  
(5) Finance & Maintenance Agreement – Commerce Street  
(6) Lantmans Intersection Plan/Presentation

Rte 116 paving will impact Hinesburg most of the summer. Rocky and I attended the pre-construction meeting in Berlin Friday afternoon. Dale Norton and Mike Fowler will be in attendance Monday night as representatives of VTRANS and will be able to give an overview and answer questions regarding the paving of 116. Some of the items discussed at Friday's PCC were: nighttime paving is not a consideration; VTRANS does not see improvements to the Lantman's exit as part of the scope of this project; they are willing to look at paving the sidewalk on the east side of 116 which is currently below grade and make it flush to 116 so water can run off that section of the sidewalk which will make it walkable; they will improve the catch-basin at the 116/Charlotte Rd intersection; no improvements to the stormwater piping or the catch basin in front of the Dameron house on Charlotte Road.

***Consider a Motion Approving the Finance & Maintenance Agreement for the STARKSBORO-HINESBURG STP 2930(1) – Contract No. FM0082 and to Have the Town Administrator Sign on Behalf of the Town of Hinesburg.***

## **5. Health Officer**

**Guests:** (1) Joe Gannon, Hinesburg Health Officer  
(2) Rocky Martin, Former Hinesburg Health Officer

**Enclosures:** (1) <http://healthvermont.gov/local/tho/tho.aspx>  
(2) Town Health Officer Oath  
(3) Town Health Officer Recommendation Form

Joe Gannon is Hinesburg's newly appointed Health Officer. Joe's background as an EMT should provide him with perspective on how to perform the task effectively. State Statute outlines the tasks of the Health Officer. I've talked with Joe a few times and I know he is working to get caught up to speed on the various aspects of the position. The purpose of this agenda item is simply to allow the Board and the new Health Officer the opportunity to interact and discuss expectations.

It's important to note that the Health Officer along with the Selectboard comprises the Local Board of Health and the Town Health Officer acts as the Executive Officer of the local health board. The fact that the local health officer often must work in conjunction with the local police department to quash health violations there is an added benefit to the fact that Joe is a member of Hinesburg's Volunteer Fire & First Response Department and therefore is accustomed to working with HCPD on a regular basis in that role.

The Town's former Health Officer – Rocky Martin – will most likely be in attendance at the meeting and may be able to provide additional insight on what Joe might expect to encounter with his new position.

There are two (2) business items we still need to take care of for the State. Joe needs to take his Oath with our Town Clerk and we (I) need to fill-out the State's recommendation form. Technically Joe will be our Health Officer starting May 1.

***No Official Action Anticipated.***

## **6. Town Forest: Parking, Fire Arms Use**

**Guests:** (1) Frank Koss, Chief of Police  
(2) Town Forest Committee Members

**Enclosures:** (1) Town Administrator Correspondence  
(2) Draft Town Forest Committee Minutes – April 3, 2013

As the result of some resident complaints around the Hayden Hill West Town Forest parking area, the Town Administrator and Police Chief approached the Town Forest Committee regarding two (2) items.

First, there have been complaints of carless recreational shooting in the Town Forest. While recreational shooting is not against the law in Vermont, shooting is prohibited, except for the purpose of hunting, in Hinesburg's Town Forest, per the recently adopted Town Forest Management Plan. The problem, of course, is

that without an ordinance, duly adopted by the Selectboard, the HCPD (or other law enforcement agencies) do not have the tool to enforce this section of the management plan. To me, and this is more on a personal note, if the goal is to keep the Town Forest open for many public uses, then discharging firearms, except for hunting during hunting season, should be prohibited by law. It seems unreasonable to have the Town Forest open for a family outing in the woods and, at the same time, allow bullets to fly haphazardly. If it's hunting season, then there is a reasonable expectation that if you are in the woods (be it the Town Forest or other wooded areas) that you either wear bright orange or you stay away.

Secondly, residents of Hayden Hill West have complained that the parking area at that entrance to the Town Forest is often used as hang-out for business other than Town Forest uses. One reason this happens is because it is more difficult for the HCPD to provide routine surveillance of this area due to the fact that it is not a through street and a bit off the beaten path. By setting certain time constraints on the parking area our PD will be in a better position to work with the neighbors to dissuade would be loiterers from loitering. While the forest can and should be used at all hours of the night (who doesn't love a walk in the woods on a moonlit summer night?) keeping the parking areas safe and desirable will only increase everyone's ability to use the forest for its intended purpose(s).

Chief Koss and I attended the Town Forest Committee's April 3<sup>rd</sup> meeting to discuss these items. My sense from the committee was that they basically felt an ordinance outlawing the discharging of firearms for reasons other than hunting during hunting season was in line with the aspiration of the Town Forest Management Plan. On the second item, they thought that a parking ban from 10pm – 5am seemed reasonable and were willing to give it a 'trail run'.

I'm not anticipating or asking the Selectboard to take action at the meeting on Monday night. I think it would be best just to get the issue out on the table for discussion before moving forward with a specific action.

It's worth a special note here that gun control is currently a divisive national issue. The fact that this issue is coming forward now has absolutely nothing to do with the timing of this national debate and it's important to frame this discussion as a local issue only.

### *No Official Action Anticipated*

## 8. Contracts & Agreements

**Guests:** (1) Mike Anthony, Highway Foreman  
(2) Rocky Martin, Buildings & Facilities

**Enclosures:** (1) Wastewater Allocation Ordinance – 2010  
(2) Rocky Memo – Wastewater Allocation  
(3) Audit Bid from FS&V  
(4) Trail Easement  
(5) Bond Anticipation Note Quote(s): Merchants, NBM, People's United.  
(6) Plow Blade Photos Current  
(7) Plow Blade Quote\_Vikins

- a. Wastewater Allocation – If you recall the conversation back when the Selectboard approved the Public Houses Wastewater Allocation Ordinance, Hinesburg's Wastewater Allocation Ordinance does not handle restaurants properly. If a restaurant was charged per the rate structure in the Ordinance, their charge would be very high. Eventually we need to re-write/modify the ordinance for this purpose; however, since Hinesburg typically doesn't hook-up a lot of new restaurants (the past few months are the exception) this is not a priority. Anyways, Town staff recommends charging the new Bristol Bakery at the same rate as was charged the Hinesburgh Pubic House.

*Consider a Motion Approving the Request of 3,024 Gallons per Day of Wastewater Capacity to Hinesburg Center, LLC for the Bristol Bakery & Café and Charge the Associated Wastewater Allocation Fee of \$12,398.40 due on or before May 15, 2013 and*

*Levy a Late Penalty of five percent (5%) of the Total Amount Due if Payment is Received after May 15, 2013, per Section 10.06 of Hinesburg's Wastewater System User Ordinance.*

- b. Wing/Plow Blade – At the last meeting the Selectboard approved the purchase of the cab & chassis and body of the new dump truck but not the plow blade.

*Consider a Motion to Approve the Purchase of a New Plow Blade from Viking Cives, to be Included in the Total Purchase and Financing Package, with the FY2014 dump/plow truck for the Highway Department.*

- c. Audit/CPA Services – Preferably I would have been able to get an RFP out this past winter to solicit multiple bids for the annual audit, as promised last year at this time. Unfortunately, too many other items took priority. We will plan to solicit quotes in the fall for a three (3) year contract.

*Consider a Motion Approving the Contract for the FY2013 Audit to the firm of Fothergill Segale & Valley for the Amount of \$16,750 for the Town Audit and \$2,900 for the Single Audit.*

- d. Trail Easement – Will update on Monday night.
- e. Bond Anticipation Note – We received five (5) quotes for interim financing for the public safety facility project. We need the interim financing to bridge the time between now and when permanent financing is acquired. I anticipate somewhere between \$100,000 and \$150,000 will be required before permanent financing is secured for the project. Our ability to acquire the interim financing is tied to

*Consider a Motion to Award the Bond Anticipation Note for the Public Safety Facility to People's United Bank at 1.20% and have the proceeds placed in a separate Money Market Checking Account at a reinvestment rate of 1.31%.*

- f. Geotechnical Services Contract – See Rocky's Memo. Geotechnical services fall under the 'Owners Cost' portion of the total anticipated project scope and budget. This work needs to be done immediately.

*Consider a Motion awarding the Geotechnical services for the Public Safety Facility to Knight Consulting Engineers at their low-bid proposal of \$8,490.*

## 11. Selectboard Retreat Recap

**Guests:** None

**Enclosures:** (1) Notes from Meeting

It would be appropriate to briefly review the Selectboard retreat notes from the April 5<sup>th</sup> retreat for the benefit of Board members and the public. The Selectboard should spend a few minutes discussing.

*No Official Action Anticipated.*

## 12. Town Administrator's Report

1. Recreation Facility Project – We are anticipating Preliminary Plat Approval at the April 16<sup>th</sup> DRB meeting and will then prepare for final DRB approval once all conditions can be reviewed. Tom can give an update on the fundraising effort(s).

2. Public Safety Facility Project – The Public Safety Facility Committee met Friday morning. Notes from that meeting will be uploaded for the Selectboard and public over the weekend; Michael Bissonette and I will review with the Selectboard.
3. UVM – I spent sometime last Thursday with the staff and faculty in the Continuing Education Department at the University of Vermont. We spent time talking about how local governments – Hinesburg in particular – could partner with UVM in a mutually beneficial manner.
4. End of March Budget – Review and contact me with questions please.
5. CBC Interviews – Review in your packet how other communities handle this; the Board can consider extending the CBC policy to cover the interview process.
6. Health Insurance – See Renae’s memo.
7. Hannaford Act 250 Review – Site visit and pre hearing for ACT 250 review is scheduled for May 15 at 6 & 7 pm respectfully. See copy of Municipal Act 250 Questionnaire and attached letter sent after the last Selectboard meeting in your packet.