



Annotated Agenda

September 16, 2013

******We will have a groundbreaking ceremony at the site of the new police station at 6:15pm prior to the 7:00pm Selectboard meeting******

2. Public Hearing – Firearm Discharge Ordinance

Guests: (1) Town Residents

Enclosures: (1) Proposed Ordinance

We started discussion on a proposed Firearms Discharge Ordinance last spring. The impetus of the conversation was a resident near the Hayden Hill West parking lot entrance of the Hinesburg Town Forest contacting me with on-going concerns with erratic, haphazard shooting near his home from people in cars ‘popping off rounds’ into the Town Forest and on-going drinking parties at the parking lot area. The behavior was prevalent enough that he no longer felt able to let his kids be out of the house without supervision. The day after the initial conversation with this resident, a meeting was set-up between the Chief of Police, this neighbor, and me which resulted in additional police patrols heading up to the area to stamp out the underage drinking. The very next day, our police department wrote two (2) tickets (for drinking).

We started working on drafting the Firearms Discharge Ordinance after consulting some neighboring towns to get an idea of similar ordinances they had on the books, discussions with the Town Forest Committee, the Conservation Commission, and the Village Steering Committee. Furthermore, drafts of the Firearm Discharge Ordinance appeared on a number of Selectboard agendas since last spring so the Selectboard would have the opportunity to review language. I also had an attorney at the Vermont League of Cities and Towns review the ordinance and he felt it was well crafted and enforceable.

It appears that there will be quite a bit of interest in this issue Monday night; of course, this is a good thing and we did our very best to ensure the Town was aware of the public hearing. For example, rather than only publicizing the hearing notice in The Citizen once – per State Statute – we placed it in The Citizen three (3) consecutive weeks and in a large enough format so to draw attention to it. The public hearing has also been posted separately in the Weekly Update for over a month now and posted on FPF a few times as well.

Most likely 20 minutes will not be enough time to hear from all who would like to speak on this ordinance. I recommend that the Selectboard not go beyond the prescribed amount of time allocated for this item because the remaining items of the agenda will then get less attention. Rather, you should take time to hear from as many as possible Monday night and then continue the Public Hearing at a later date.

1) The Chairman should open the Public Hearing

2) Consider a Motion to continue the Public Hearing on (September 30 or October 7) at 7pm in Town Hall.

4. Cemetery Commission

Guests: (1) Commissioners

Enclosures: (1) Cemetery Audit – FY2012
(2) Memo from Commission
(3) Cemetery Commission on Webpage: <http://hinesburg.org/cemetery-commission/>
(4) Rights and Responsibilities of Cemetery Commissioners: <http://hinesburg.org/cemetery-commission/cemetery-commissioner-roles-and-responsibilities.pdf>

Cemetery Commissioners will discuss their requests (see memo) with the Selectboard. Unless the Selectboard has significant issues with the direction they would like to go, it would be advisable to support their recommendations. My reading of State Statute is that the Commission could unilaterally implement all of the recommendations they are putting forward to the Selectboard; ideally, the Selectboard is amenable to their suggestions. If, for whatever reason, the Selectboard is not favorable to some or all parts of their recommendation, and has a differing opinion on the Cemetery Commission's statutory authority, we may have to put some financial resources into resolving the issue.

But, before we get into all of that, it may be nice to simply allow the Commissioners to explain their rationale for said changes and discuss how these proposed amendments will help keep the Town cemeteries in the best possible shape.

Cemetery Commissioners are elected to three (3) year terms via Town vote.

Consider a Motion to Support the Recommendations of the Cemetery Commission per their letter to the Selectboard on July 2, 2013 which is attached to these Minutes.

5. MaGee Hill Road: Engineering and Mitigation Needs

Guests: (1) Mike Weisel
(2) Mike Anthony

Enclosures: (1) None

As I am sure the Selectboard recalls, this summer the Highway Foreman replaced an undersized culvert on Magee Hill Road as a temporary fix during the rain deluge of June/July. The Foreman was pretty clear with everyone that our mitigation efforts at that time were but a temporary fix and a long-term solution needed to be engineered for the site.

We hired Mike Weisel, an engineer the Town has contracted with numerous times before, to look into a more permanent, long-term solution. His report is included in the Selectboard packet; his recommendations are presented clearly on page 3 of 3 in his report.

As Mike Anthony and I learned during our meeting with FEMA a few weeks ago, the temporary work completed, the permanent work suggested, and the consulting engineering work already contracted out by the Town will all be covered by FEMA and the State (75% Fema, 15% state, 10% town).

It may be worthwhile to discuss the timeline expectations between now and when the recommended fixes can occur and may want to have a conversation with the Foreman regarding his workload. Potentially, this would be a project to contract out in order to lighten our highway department's already heavy workload.

I think it would be most effective to have the general conversation Monday night and then place this item back on the agenda at a subsequent meeting with clear Motion language.

No Official Action Anticipated.

6. Discuss Charlotte Road Catch Basin and Consider Solution

Guests: (1) Mike Anthony
(2) George Dameron

Enclosures: (1) Photos of Catch Basin

The culvert in front of the Dameron House on Charlotte Road is not just a pesky issue to resolve but, clearly, poses a significant safety issue for motorists, motorcycles, and bicyclists. In my opinion, this situation needs immediate attention before something unfortunate takes place. The preliminary FY2015 capital budget has money dedicated to repaving Charlotte Road. It's up in the air at this point if Charlotte Road really needs paving more than other places in Town, but this catch-basin needs some attention.

There are some long-standing disagreements on who owns (Town or State) this catch basin, who owns (Town or State) the stormwater infrastructure, etc. While those may be interesting issues to unravel, arguing about those issues at this point does not keep anyone safe and safety, at the end of the day, really needs to be our priority.

I recommend we find a temporary solution. I think we could have Giroux's manufacture some sort of equipment that could fit on top of the catch-basin, with minimal impact to the abutting tree, and, if nothing else, keep people safe until a more permanent solution can be engineered.

I will attempt to meet with Giroux's before the meeting; however, we may not have time to do so. If the Selectboard wants this fixed, you should give authority to the Town Administrator to have it fixed. Of course, we do not have money budgeted for this item so you would need to authorize the Town Administrator to find and pay for a temporary fix.

Consider a Motion authorizing the Town Administrator, with consultation from the Highway Foreman, to find and pay for temporary mitigation of the unsafe catch-basin condition on Charlotte Road and report back to the Selectboard after the fix has been made.

7. Discuss Town Water Supply

Guests: (1) Rocky Martin
(2) Jon Trefry

Enclosures: (1) Feasibility Study: <http://hinesburg.org/waterworks/water-source-feasibility-study-final-report-june2013.pdf>

(2) Selectboard Presentation from March:
<http://hinesburg.org/waterworks/water-feasibility-study-selectboard-presentation-031813.pdf>

The Selectboard could refer to the Feasibility Study (linked above) and the initial presentation from back in March (also linked above).

Rocky's memorandum to the Selectboard succinctly states his recommendation(s) for the Selectboard to confirm at the meeting Monday evening.

This item is clearly a priority issue for the Selectboard.

Consider a Motion authorizing the use of Water Department Reserve Funds, at an amount not to exceed _____ to be used to contract Sprague Geosciene and Vermont Well & Pump for further evaluation of the Geprags Park wells.

8. Discuss Fluoride in Town Water Supply

Guests: (1) Rocky Martin
(2) Linda Greaves, Vt Department of Health
(3) Town Residents

Enclosures: (1) Some items courtesy of Vermont Department of Health

30min have been set aside at the meeting Monday to have some public input on the fluoridation issue. 30 minutes is probably not enough time given the volume of Front Porch Forum posts we have seen on the issue lately. But it's a start.

It may be nice to start having Rocky give some general background information on what the current practices are of the Water Department in regards to fluoridation. Also, Linda Greaves from the Vermont Department of Health will be in attendance and will be able to give the State's perspective.

Most of the time, however, should be set aside for public input.

No Official Action Anticipated.

8. MPG Application and Authorization

Guests: (1) None

Enclosures: None

This will be a brief continuation of the discussion from last week with the Town Planner. The Selectboard gave initial authorization for the Town Planner to go forward with a Municipal Planning Grant application – due by September 30 – to help follow through on stormwater planning efforts.

Motion Language will be Provided at the Meeting. The expectation is that the Selectboard will grant authorization to submit a Munnicipal Planning Grant application.

9. Town Administrator Report

- a. Public Safety Facility – Contract signed, groundbreaking was just a few hours ago, still waiting for permit from VTRANS allowing the Town to work in the AOT right-of-way. We need to have a pre-construction meeting with AOT; hopefully by Wednesday.
- b. Selectboard Retreat Recap – Review documents in the Selectboard packet.
- c. Hinesburg Village North Sidewalk – Will update Selectboard Monday night on status of choosing an engineering firm. I will be talking with our state project manager Friday or Monday regarding our selection criteria. The project manager from the State, Rocky, and I ranked and scored the eight (8) submitted RFQ's.
- d. Vermont Gas – I may have an update to share at the meeting. The Selectboard may want to think about its position moving forward.
- e. Fletcher Allen Health Care – Opening and open house tomorrow starting at 5pm.
- f. Zoning Violation Notice – See packet.
- g. Leveansworth Road Culverts – Paul List contacted me regarding potentially installing some cross culverts on Leveansworth Road for flood mitigation.