



Annotated Agenda

February 23, 2015

4. Consider Resident's Request for Plumbing Cost Reimbursement

Guests: (1) Brooke Denis
(2) Rocky Martin, Director of Buildings and Facilities
(3) Erik Bailey, Water/Wastewater Superintendent

Enclosures: (1) A summary/timeline written by Ms. Dennis
(2) A copy of the bill from Falcon Plumbing

Ms. Denis will attend to discuss the request in greater detail. Rocky Martin and Erik Bailey are also planning to attend, and can speak in detail regarding the timeline of events. Working with Falcon Plumbing, the issue has been, "mostly fixed." She is seeking reimbursement for the \$955 bill received from Falcon for the work done under the premise that the Town's work on the Lyman Meadows pumps (and corresponding stirring up of sediment in the storage tank) created the issue.

The dips in pressure throughout Lyman Meadows were non-linear and inconsistent (in that one unit in a building may have experienced a drop, but others did not). The water's hardness and levels of iron and manganese can cause scaling and build up over time, if a cleaning protocol is not followed (which may or may not have occurred) – potentially narrowing a pipe or heating element enough that sediment introduced during the replacement of the pump could have created an issue. The abnormally cold temperatures caused freezing or partial freezing in units, also dropping the pressure in some spots. This is all a way of saying that there is no certainty that the Town's work is the sole cause for the needed repairs (nor can we say absolutely that it isn't). To reimburse one resident without clearly knowing if the Town is in fact the cause of the issues, establishes reimbursement as the precedent for other residents who may make that claim.

Section 24 of the Water Use Ordinance envisions this scenario, though it presumes a full shut-off scenario. To quote: "If, by reason of shortage of supply or for the purpose of making repairs, extensions, connections, placing or replacing meters, or for any reason beyond the control of the municipality, it becomes necessary to shut water off in a main or service line, the municipality will not be responsible for any damages caused by such shut-off, and no adjustment of rates will be allowed unless the interruption is in effect for a continuous period in excess of 10 days, in which case a prorated adjustment of the minimum base fee will be made on the next billing."

Consider a motion to deny the request for reimbursement.

5. Consider Approving the Stormwater Agreement and Easement with the Creekside Community Association.

Guests: (1) Members of the Creekside Community Association executive board (likely Ute Talley, Bill Moller, and/or Dan Jacobs).

- Enclosures:** (1) A copy of the agreement from August 2013 and the easement.
(2) The quitclaim deed transferring ownership of the stormwater pond.

The developer of Creekside recently transferred ownership of the stormwater detention pond to the association. The enclosed stormwater agreement, drafted in 2013, formalizes the Town's ability to discharge stormwater from its facilities to the pond (which is already occurring), and establishes the Town's obligation to pay a proportionate share of State stormwater permit fees based upon that discharge. The agreement has been reviewed by the Town Attorney, who also drafted the corresponding easement. The date on the agreement (2013) will need to be changed when the parties agree and sign.

Consider a motion to approve the stormwater agreement with the Creekside Community Association, with the necessary change of date to reflect when the agreement is signed.

6. Discuss Potential Public Infrastructure Density Bonuses for Hinesburg Center Phase II

- Guests:** (1) Brett Grabowski, Milot/Hinesburg Center LLC
(2) Mike Buscher, TJ Boyle and Associates

- Enclosures:** (1) Materials from Mike Buscher re proposed amenities/improvements
(2) Email from Alex Weinhalten, Director of Planning and Zoning.
(3) Minutes for the 1/20/15 DRB meeting, where the density bonuses were discussed
(4) Relevant excerpts from the Town's zoning regulations

Mr. Grabowski is seeking a pair of public infrastructure density bonuses for his proposed Hinesburg Center Phase II development. The application is currently in the sketch plan review portion of the process. Based upon the Town's zoning regulations, a developer may receive additional density bonuses ("incentives") in exchange for public infrastructure construction or improvements (or contributions to). The regulations call for an applicant's consultation with the Selectboard when public infrastructure density bonuses are sought. The email from Alex provides more detail on what's next and where this process is at. Mr. Grabowski and Mr. Buscher will be in attendance Monday night for the discussion.

The proposed improvements – construction of the playground, sidewalks, and associated landscaping – are for Lot 1, adjacent to the Phase II site and the developer's prior pair of projects.

The full suite of Hinesburg Center Phase II application materials is available on the Town's website: (<http://hinesburg.org/planning/hinesburg-center-phase-2/>).

No formal action is anticipated, though general guidance regarding the proposed improvements (or others) would assist the DRB (and applicant).

7. Discussion and Possible Decision on Nanofiltration for Water Treatment

- Guests:** (1) Rocky Martin, Director of Buildings and Facilities
(2) Erik Bailey, Water/Wastewater Superintendent
(3) Joe Duncan, project engineer, Aldrich and Elliot

Enclosures: (1) Email from the Damerons re support for treatment

An article was published in the 2/19/15 edition of *The Citizen*. The week prior, the *Burlington Free Press* published a story regarding the conversation at the meeting. A call for feedback has been in the past two Weekly Reports. A Front Porch Forum post soliciting feedback prior to the meeting will also be posted (Friday). To date, the correspondence or feedback received has been minimal and generally supportive.

The system proposed would be purchased directly from Industrial Services Incorporated (ISI) in St. George with funds from the class action MTBE settlement. The cost of the system is estimated at \$185,000. The Board, at a prior meeting, voted to apply the total settlement award (nearly \$404,000) to the project. The remaining \$219,000 would be applied to other aspects.

Consider a motion to select nanofiltration as the water treatment method, with the system to be purchased from Industrial Services Incorporated (ISI) of St. George, VT, with MTBE legal settlement funds.

8. Consider Authorizing the Execution of State Drinking Water Revolving Loan Fund (SRF) Documents

Guests: (1) Rocky Martin, Director of Buildings and Facilities.
(2) Erik Bailey, Water/Wastewater Superintendent

Enclosures: (1) A memo from Rocky, with the planning loan materials attached.

The memo from Rocky explains the request in greater detail. Essentially the Town is being asked to “close” the planning loan in order to roll that loan (\$136,915) into the larger SRF construction loan for the water supply and treatment project.

Consider a motion to authorize the execution of the following documents related to the Town of Hinesburg’s \$136,915 SRF Planning Loan from the Vermont Agency of Natural Resources:

- *Resolution and certificate*
- *Tax Certificate*
- *Loan Agreement*
- *2015 Water Planning Note.*

9. Consider Approving Water Main Extension Permit for Snyder Construction (Green Street)

Guests: (1) Rocky Martin, Director of Buildings and Facilities
(2) Erik Bailey, Water/Wastewater Superintendent

Enclosures: (1) Memo from Rocky re the water main extension permit
(2) Map of the Green Street Project site

The affordable housing project proposed by Snyder Construction for Green Street requires an extension of the water main to serve the 20+ units to be built. The Selectboard is the entity with the authority to grant or deny permits to extend the water and wastewater mains, per the respective adopted ordinances.

Consider a motion to approve the water main extension permit for Snyder Construction for the Green Street project, with the conditions attached.

10. Highway Garage Project Update

Guests: (1) None.

Enclosures: (1) None.

A draft project scope and possibly a draft site plan will be available by Monday evening.

No action is anticipated.

11. Consider Appointing a CCRPC TAC representative

Guests: (1) None.

Enclosures: (1) None.

The Town is currently without a representative on the regional planning commission's Transportation Advisory Committee (TAC). The TAC, among its many tasks, assists with compilation and evaluation of the transportation improvement program for the county (which ties in to State and Federal funding for projects).

Membership of the TAC is currently comprised of local government managers and administrators, public works directors, and planners, along with representatives of other interested entities (CCTA, VTrans, the business community, the bike and pedestrian community, etc.). Meetings are the first Tuesday of each month, at 9 a.m. generally. The motion proposes appointing the administrator, who is the Town's CCRPC alternate, as the Town's TAC representative.

Consider a motion to appoint the Town Administrator as Hinesburg's representative to the CCRPC TAC.

12. Town Administrator's Report

- a. Water/Wastewater Infrastructure and Land Use** – Amanda Lafferty of Stitzel Page and Fletcher is looking into the various actual and potential legal questions. The Board may want to consider a special meeting in March (perhaps between Town Meeting and the 3/16 meeting?) to discuss this further, and apart from other agenda items.
- b. FEMA/December storm update** – A meeting with the FEMA folks has been scheduled for Thursday, March 12th. Teachers Tree Service should conclude its work within the next week or so.
- c. Animal Control Ordinance** – The ordinance was amended in October of 2012, but still needs to be signed. The ordinance, as adopted, is attached, along with minutes of the 10/01/12 meeting.
- d. Blackrock/Haystack** – The DRB closed the sketch plan review hearing process on 2/17. It has 45 days to deliberate and render a decision. The folks from Blackrock have requested time on the next Selectboard agenda, and have been scheduled for the 3/16 meeting.