



Annotated Agenda

March 16, 2015

2. Executive Session – 1 V.S.A. § 313 (a) (1) (C), (E) & (F)

Guests: (1) None.

Enclosures: (1) None.

Note the change in time (to begin at 6:45 p.m.)

The 2014 changes to the open meeting law require two motions prior to entering executive session. The first motion is the “finding” that executive session is necessary and fits within the framework allowed in statute. The second motion is the one to enter executive session, and includes the applicable citation(s) of 1 V.S.A § 313. Any action to be taken as a result of executive session discussions must be taken in public.

Consider a motion to find that premature general public disclosure would place the municipality at a substantial disadvantage with proposed or continued mediation, pending litigation to which the public body is a party, and to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the body.

Consider a motion to enter executive session, to include the Town Administrator, under the provisions of 1 V.S.A. § 313 (a) (1) (C), (E), and (F).

5. Selectboard Organizational Meeting

Guests: (1) None.

Enclosures: (1) None.

The Board must select a chair and vice-chair from among its members. The term is for one-year.

Consider a motion to elect _____ as chair of the Hinesburg Selectboard.

Consider a motion to elect _____ as vice-chair of the Hinesburg Selectboard.

6. Consider Bonding for Public Officials

Guests: (1) None.

Enclosures: (1) None.

Statute requires that certain public officials be bonded. The level of coverage and motion are similar to years past.

Consider a motion to recognize Crime and Fidelity coverage of \$500,000 per occurrence, as provided via the Vermont League of Cities and Towns' Property and Casualty Intermunicipal Fund, as the bonding instrument required by 24 V.S.A. § 832 (b).

7. Consider Appointments/Reappointments to Statutory Positions

Guests: (1) None.

Enclosures: (1) None.

The list below is the positions available and current occupants. An asterisk indicates the individuals who have not yet confirmed interest in reappointment.

Animal Control Officer: Ed Waite
Constable: Frank Koss
E-911 Coordinator: Renae Marshall
Fence Viewers: Suzanne Kneller*, Pam Durda, Susan Johnson
Fire Chief: Al Barber
Fire Warden: Ed Waite
Health Officer: Joe Gannon*
Inspector of Lumbers, Shingles, and Wood: Norman Smith
Road Commissioner: Trevor Lashua
Town Service Officer: Ginny Roberts*
Tree Warden: Paul Wiczorek*
Weigher of Coal: Lanny Dennison

Consider a motion to appoint the individuals listed above to the respective positions listed.

8. Consider Designation of Newspaper(s) of Record

Guests: (1) None.

Enclosures: (1) None.

Consider a motion to designate The Citizen and/or Hinesburg Record as the newspapers of record in which required warnings and/or notices are published.

9. Consider Approval of Liquor Licenses

Guests: (1) None.

Enclosures: (1) None.

The applications listed represent those received by Friday, March 13th. Liquor licenses generally expire on April 30th.

Consider a motion to approve first class liquor licenses for the period beginning May 1, 2015 and expiring April 30, 2016 for:

- *Ayer Golf Incorporated, doing business as (d/b/a) Cedar Knoll Country Club;*
- *Travia's Inc., d/b/a Travia's Restaurant;*
- *Two Z's, Inc., d/b/a Pappa Nick's.*

Consider a motion to approve second class liquor licenses for the period beginning May 1, 2015 and expiring April 30, 2016 for:

- *Coco Mart, Inc., d/b/a Jiffy Mart;*
- *Global Grapes and Spirits, LLC, d/b/a 116 Wine and Spirits;*
- *Jolley Associates, LLC, d/b/a Short Stop #143;*
- *K.B. Enterprises, Incorporated, d/b/a Lantman's Best Yet Market;*
- *KPH Drugs, Inc., d/b/a Kinney Drugs, #103.*

10. Discuss Proposed Stormwater Regulations

Guests: (1) Members of the Planning Commission
(2) Alex Weinhagen, Director of Planning and Zoning

Enclosures: (1) Memo from Alex re stormwater regulations
(2) The Planning Commission's proposed stormwater regulations revisions
(3) Stormwater Introduction from Alex

This is intended to be the introduction to the revisions to the stormwater regulations proposed by the Planning Commission. The "deadline" for Selectboard action is July 2015. The materials in the packet are those previously provided.

Action is not anticipated.

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

Guests: (1) Alex Weinhagen, Director of Planning and Zoning

Enclosures: (1) Materials from Mike Buscher re proposed amenities/improvements
(2) Email from Alex Weinhagen, 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

This is a continuation of the Board's discussion at the 2/23 meeting. Alex will be on hand to provide additional insight into the conversations that led to the proposed public improvements. The Development Review Board will be reviewing the Hinesburg Center Phase II application again on March 17th, and is looking for some guidance on potential public improvements.

No formal action is required, however the DRB is looking for guidance as to what public improvements (if any) would be preferred.

12. Consider Approving Water Supply and Treatment Borrowing

Guests: (1) Rocky Martin, Director of Buildings and Facilities
(2) Joe Duncan, Aldrich and Elliott (project engineers)

Enclosures: (1) None.

Normally, the interest rate (3.0 percent) associated with the State of Vermont’s Drinking Water Revolving Loan Fund (RLF) is significantly lower than other options such as 20- and 30-year general obligation bonds from the Vermont Municipal Bond Bank and borrowing from commercial lenders. At the same time, the RLF is more restrictive (or prescriptive, depending on how it is viewed) in the process elements a municipality must navigate. One notable example is the requirement that all projects follow the traditional design-bid-build process, even though certain projects may be well suited to the more compact design-build process. Joe Duncan can explain in greater detail other areas in which borrowing from the RLF differs from other options.

Bound counsel (Paul Giuliani) confirmed that the full array of borrowing options are available based on the wording of the ballot questions, warnings, and resolution of necessity. The net interest cost (the average interest rate) for a 20-year bond from the Vermont Municipal Bond Bank is 3.25 percent – just 0.25 percent greater than the RLF. Commercial lenders have also been solicited, though none have responded to date. Given the general proximity in interest rates, and the potential to make up what difference there is through process-based efficiencies, considering another borrowing option is a worthwhile exercise. The overarching goals remain the same – to have the new wells on-line in 2015, and for the project to be completed on-time and on-budget.

The bond bank can put together a projected amortization schedule for the Town. To provide a rough comparison, \$1.1 million in borrowed funds (the \$1.5 million project total minus \$400,000 in MTBE settlement funds) put into a basic loan amortization schedule shows a difference in total interest payments of just less than \$34,000.

Monday night is an opportunity to discuss the options, and to gauge whether or not there is interest in further exploration and analysis. The project can continue on its projected timeline, though a decision would need to be made sooner rather than later (certainly in April).

Action is not anticipated.

13. Consider Plumbing Reimbursement Request (continued from 2/23 meeting)

Guests: (1) None anticipated.

Enclosures: (1) The materials provided by Brooke Denis for the 2/23 meeting

Brooke Denis, a resident of Lyman Meadows, requested reimbursement for \$955 in unanticipated plumbing expenses incurred following replacement of a well pump serving the Lyman Meadows water system. What has been highlighted throughout is the difficulty in creating a link between the Town’s actions and what happened in the unit that offers clear guidance in either direction. An earlier recommendation to deny the request was based on that uncertainty, the closest applicable language in the Town’s water use ordinance, and the potential to establish precedent. Another option may be partial reimbursement, as a nod to both the knowns and unknowns involved (the Town’s actions stirred up sediment, extreme cold altered actions normally taken during well pump replacements, etc.).

14. Town Administrator’s Report

- a. *Water source exploration* – Test drilling for a potential well site west of the new wells off of Shelburne Falls Road will have hopefully occurred before the Board’s meeting. The weather forecast offers a narrow window of opportunity for drilling Friday or Saturday. Thanks are owed to the Lymans for their willingness to work with the Town to allow access to and across their property. The test well is the first step in exploring the viability of the area as an additional water source. A five-day pump test would follow later in the year to determine potential yield and whether or not there would be any impacts on the capacity/production of the wells on the Wainer property.
- b. *Town Hall Rental Policy and Moratorium* – When the moratorium was put in place, the idea was to prohibit all new requests until needed rental policy updates could be addressed in February or March. Completion of the policy update inside that original timeframe is not likely. Given that the update will take longer than estimated, the Administrator’s office is proposing to initiate a “thaw” in the rental moratorium. While private events would still be prohibited, civic and service organizations based in or serving Hinesburg would be allowed to rent the Main Hall or downstairs conference room under the terms and conditions of the existing policy for “one off” or single events. The Administrator’s office would be responsible for rentals during the thaw, as well as for determining whether or not an organization or event qualifies. If the Board does not object, the “thawing” of the moratorium will be implemented.
- c. *FEMA pre-meeting/December storm* – The initial assessment of damage for Hinesburg is in the range of \$100,000. This includes work completed by the Highway crew during the storm and its immediate aftermath, the debris disposal work remaining when weather allows, and the services provided by Teacher’s Tree Service. The variable frequency drives and generator issues encountered at the Piette Meadow pump station may also be a part of the damage award, though it’s likely FEMA would be covering what the Town’s insurance does not (deductibles, excess costs beyond coverage, etc.). Potentially, removal of trees damaged in the Town Forest may be incorporated, but only for trees seen as safety risks to users of Town-owned and maintained trails only.
- d. *Highway Garage update* – A full update had been scheduled for the 2/23 meeting, and the goal is to place the item on the agenda for 4/6 as well. The link that follows will bring folks to the videos, including the time lapse video to be shared on the website. The project committee has been working on revisions to draft site plans and reframing the scope of services to fit the project’s “new” timeframe.
Open in Dropbox.com:
<https://www.dropbox.com/sh/s060u6ps0klaev9/AABV7rX6zbz00k7rhdMAf14ca?dl=0>
Download:
<https://www.dropbox.com/sh/s060u6ps0klaev9/AABV7rX6zbz00k7rhdMAf14ca?dl=1>
- e. *Green Street VCDP Grant* – The Town received a certificate for the Vermont Community Development Program grant for the Green Street project at a ceremony at the Statehouse on Wednesday. The \$675,000 award will enable Champlain Housing Trust (CHT), working with Snyder Homes, to build 24-units of affordable housing. Amy Demetrowitz of CHT and Chris Snyder of Snyder Homes were also able to attend the ceremony.
- f. *Project list and prioritization* – A list of projects is being compiled. The list, ostensibly for the next 12 months, is 21 items long as of this writing. The Board’s prioritization process from the fall 2014 retreat is incorporated. The goal is to discuss the project list in April, and try to ensure that everything fits within a reasonable and achievable framework.
- g. *Old Police Station sale* – The Administrator’s office has connected with a commercial realtor to tour the building, assess where the Town may be at, and discuss options for moving forward. That meeting is scheduled for 3/18.

- h.** *Economic development reading materials* – Following the Planning Commission’s forum on economic development, the Town purchased a copy of Bruce Seifer’s book, Sustainable Communities: Creating a Durable Local Economy. Bruce worked for Burlington’s Community Economic Development Office for decades, and was one of the speakers at the 3/11 economic development forum. The chair of the Economic Development Commission currently has custody, but the book will generally be available in the Administrator’s office.
- i.** *Smoke and Cure grant closeout and revolving loan fund* – The grant is closed out. For now, management of the revolving loan funds is vested with the Town, though the guidelines in place represent standard language presented by the State to enable the grant close-out. The intent is to buy time for the Economic Development Commission to work on a program and lending design. While that work is underway, money would likely not be loaned from the RLF unless there was an opportunity deemed too good to pass on (the quintessential “godfather offer”).