



Annotated Agenda

June 3, 2015

2. Public Comment

Guests: (1) George Bedard, and others concerned with the recently adopted stormwater regulations revisions, are expected.

Enclosures: (1) None.

George Bedard is planning to attend to speak with the Selectboard about reconsideration of its decision to adopt the stormwater regulations as proposed by the Planning Commission. Any citizen or group thereof could file an appeal (with the requisite number of signatures on a petition) of the Board's decision, as long as the appeal is filed prior to June 8th. If a petition is filed, the Town would hold a special meeting, where voters would determine (by Australian ballot) whether or not to adopt the proposed stormwater regulations.

4. Initial Presentation of the FY16 Water/Wastewater Budget

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

Enclosures: (1) Initial FY16 Water/Wastewater Budget

This is an initial (*draft*) presentation of the FY16 water/wastewater budget. The current draft represents an estimated 1.86% increase from the FY15 water/wastewater budget – though this is before the capital budget has been fully developed and the “step up” in rates factored in (to increase rates gradually over three fiscal years – when the first bond payment is due for the new wells – rather than one large increase in a single fiscal year). There is additional work necessary to determine the appropriate budget amounts for certain insurances, namely vehicle and property and casualty. For now, those numbers are programmed at the FY15 levels.

In rough terms, the annual payments related to the water supply and treatment system bond are projected to be nearly \$74,000. This assumes that the \$400,000 in MTBE settlement funds have been applied to the \$1.5 million project, lowering the amount to be borrowed to \$1.1 million. Split into three equal pieces to “step up” into the full rate impact, the annual increase is an estimated \$25,000 per fiscal year. When the Board reviews the finalized budget, and recommendations related to setting water and wastewater rates, this piece will be included.

Rocky and Erik will be able to discuss the components in greater detail Wednesday evening.

Action is not anticipated.

5. Consider Accepting the FY16 Wastewater Uncommitted Reserve Capacity Report

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

Enclosures: (1) FY16 Wastewater Uncommitted Reserve Capacity Report and Cover Memo

The memo from Rocky contains more information on the Town's uncommitted reserve capacity.

Consider a motion to accept the FY16 Wastewater Uncommitted Reserve Capacity Report as presented.

6. Consider Wastewater Allocation Request for an Accessory Apartment

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

Enclosures: (1) A copy of the wastewater allocation request

A homeowner in Thistle Hill has an existing accessory apartment. The request is for an allocation of 140 gallons per day (gpd) for that apartment. The homeowner has been working with Planning and Zoning and Buildings and Facilities to ensure the apartment complies with all applicable Town regulations – requesting and receiving wastewater allocation is among the compliance measures. There is still a question related to the homeowners' association bylaws and whether or not an accessory apartment is allowed per those rules. That matter, should it arise Wednesday night, does not involve the Town.

The moratorium on wastewater connections allows the Selectboard to consider requests related to accessory apartments, provided the total allocation for such requests does not exceed 2.5% of the total uncommitted reserve capacity for the residential category. Using the residential reserve numbers from the most recent capacity report, the 140 gpd request fits within the 2.5% (2.5% of the residential reserve is an estimated 1,268 gpd).

Consider a motion to grant the wastewater allocation request of Andrea Van Hoven and Tekla Van Hoven, in an amount not to exceed 140 gallons per day, for an accessory apartment previously constructed at 35 Elderberry Lane.

7. Update on Water and Wastewater Allocation Ordinances

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

Enclosures: (1) TBD

A separate memo and revised timeline will be available for Wednesday night's discussion.

Action is not anticipated.

6. Consider Selection of a Firm for the Highway Garage Planning Project

Guests: (1) Michael Anthony, Highway Foreman

Enclosures: (1) None.

References are still being checked for the two finalists for this project as of this writing. The references, as expected, have all been glowing for the firms. Both can complete the requested scoping study work within the project budget (\$9,000, as approved in the FY15 budget – see, “*Highway Professional Services*”).

As has been mentioned previously, expanding the facility committee’s membership to include citizen representatives will be helpful as the planning portion of the project moves forward. The general suggestion is expanding committee membership by three (for a total of seven members. If possible, a short discussion should determine how to solicit and select those three additional members.

Consider a motion to select _____ for the planning/scoping phase of the Hinesburg Highway Garage project, with the cost of the phase not to exceed \$9,000.

9. Consider Adopting the Proposed Open Burning Ordinance

Guests: (1) None expected, though Joe Gannon and Al Barber may attend after the Fire Department’s training concludes.

Enclosures: (1) Open Burning Ordinance (as amended per 05/18/15 discussion)

The attached version includes the changes identified by the Selectboard at its May 18th meeting. If the ordinance is adopted Wednesday night, staff will begin the necessary next steps (such as publishing/posting a summary of the ordinance, how to appeal, and so on).

Consider a motion to adopt the proposed, “Ordinance Regulating Open Burning and Incineration.”

14. Executive Session – 1 V.S.A. § 313 (a) (2) [Real Estate]

**This is out of numerical sequence – but would otherwise be buried below the Town Administrator’s report.*

Guests: (1) None.

Enclosures: (1) None.

This discussion is related to the potential sale of the old police station.

Two motions are necessary to enter executive session. The first motion is the “finding” that executive session is necessary and is allowed in statute. The second motion enters executive session, and includes the applicable citation 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 the proposed sale or purchase of real estate in which the municipality is a party.

Consider a motion to enter executive session, to include the Town Administrator, under the provisions of 1 V.S.A. § 313 (a) (2).

10. Town Administrator’s Report

- a. *Town Hall Forum to discuss the fatal accident on VT 116 involving a motorist and a bicyclist* – Chief Koss, following the publication of his editorial in the *Hinesburg Record* and subsequent follow up articles in the *Burlington Free Press*, is hosting a forum at Town Hall at 7:00 PM on Thursday, June 4th. The forum is intended to be a chance for anyone with questions or concerns related to the April 26th tragedy or the Chief’s editorial to voice those.
- b. *Planning Commission and Interim Bylaws* – The Planning Commission has been discussing whether or not to recommend interim bylaws to the Selectboard. This discussion was covered in a recent article in the *Burlington Free Press* (included in the packets). The letter could arrive for the June 18th meeting, but more likely would arrive for the first meeting July.
- c. *Development Review Board Resignation* – DRB Chair Zoe Wainer has tendered her letter of resignation. The letter is included in the Board’s packet.
- d. *Northern Sun Music Festival* – Staff from the administrator’s office, along with Chief Koss, met with the principals involved in the Northern Sun Music Festival and the outfit handling various components. During that discussion the group covered the plans for security, parking, noise, scheduling of bands (particularly how late they may play), outreach to neighbors and the community, liquor licensing and related safety protocols, and so on. The festival is governed by State rules related to events of certain sizes; the Town’s regulatory documents are generally silent on events such as this. All in all, it sounds like due diligence is being done by those involved.
- e. *Memorial Benches* – Separate inquiries have been made about the placement of memorial benches within town. The first proposal is placement of a bench along the canal path adjacent to Mechanicsville Road; the second for a bench somewhere in/near the Town Forest. Generally, this seems like something that could be handled administratively, working with the committees of jurisdiction (Town Forest Committee and Village Steering Committee, with consultation with the Trails Committee). The Lions Club has also been involved with the benches along the canal. If there are no objections, staff will work with the various parties to sort through the requests. Appeals, if any, could then be heard by the Board.
- f. *VCAM* – The meeting on Wednesday will be live on the web only; the television channel will show a recorded version of the meeting on a later date.
- g. *Memorial Park Street Trees* – These have been planted, and they look marvelous. Thanks to all involved.
- h. *Line striping on VT116* – The Town Administrator has inquired about the lines with VTrans. Stay tuned.
- i. *Water loss/leak* – The intrepid water/wastewater crew is still looking. When Rocky and Erik are before the Board for other items they can talk more about the loss, the efforts to find it, and what may be next. After focusing on Mechanicsville Road as the likeliest location, subsequent pressure tests have essentially removed the area from further exploration – meaning that the source of the water loss lies somewhere else.
- j. *Allan Norris NDA Application* – Alan applied for the State’s neighborhood designation program for his project south of the village along VT116. The application notice and a map of the proposed designation area are included.
- k. *Town Plan* – The current version is attached, for perusal and review prior to receipt of the Planning Commission’s updated version due later this summer.