



# Annotated Agenda

11/16/15

## **2. Executive Session – 1 V.S.A. § 313 (a) (1) (E), Litigation**

**Guests:** (1) None.

**Enclosures:** (1) None.

Executive session is required to discuss pending litigation, specifically Milot Real Estate/Brett Grabowski's appeal of the Town's wastewater allocation denial for the project known as Hinesburg Center Phase II. The open meeting law requires two motions to enter executive session: the first to "find" that executive session is necessary and authorized by statute; the second to enter executive session itself. Any action shall be taken in public, after the Board exits executive session.

*Consider a motion to find that premature general public disclosure would place the municipality at a substantial disadvantage with pending litigation in which the Town of Hinesburg 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) (1) (E).*

## **5. Presentation of Advisory Petition Requesting Paving/Maintenance of Baldwin Road**

**Guests:** (1) Jean Miner

**Enclosures:** (1) A copy of the petition

Jean Miner is listed as the guest and has been the primary contact. Jean has indicated that others will wish to speak to the petition as well. The petition is advisory. A more exact paving cost would need to be determined, but a preliminary estimate puts the cost in the \$350,000 range.

*Action is neither required nor anticipated.*

## **6. Consider Approving Funds Related to Expert Testimony for the Hannaford Appeal**

**Guests:** (1) None.

**Enclosures:** (1) Proposed agreement with Stantec

The trial in the Hannaford appeal is slated to begin later this month. The Town is a participant, in that the decision of the Development Review Board (approval and conditions) has been appealed. The Town will need to produce its own "experts" for testimony, in this case the engineers from Stantec who originally consulted with the DRB and

staff. The estimated cost is \$3,600. The funds will come from the legal services line in the budget, which will likely be overspent again in FY16 given the amount of challenges in play (Hannaford, Milot/Grabowski, Haystack, etc.).

Generally the Town Administrator is the agent authorized to sign on behalf of the Town; the contract has already been drawn up with Planning and Zoning Director Alex Weinhagen as the listed signatory, hence the recommendation below.

*Consider a motion to authorize the expenditure of \$3,600 for professional services provided by Stantec related to the Hannaford appeal, and authorize the Planning and Zoning Director to sign on behalf of the Town of Hinesburg.*

### **7. Consider Approving the Amendment for the Village North Sidewalk Project Engineering Services Agreement**

**Guests:** (1) None anticipated

**Enclosures:** (1) Proposed amendment to the agreement with Lamoureux and Dickinson

The amendment lays out the rationale for the requested increase in the maximum contract amount. In the description included with the proposed agreement, at least six different alignment changes have been requested by entities ranging from VTrans to the Town to the Army Corps of Engineers.

The request is for \$5,534. The source of funds is the capital reserve for sidewalk projects, which currently holds \$5,853.24 for “future” projects. The current maximum contract amount is \$32,679; if the request is approved the new maximum contract amount will be \$38,213. The remaining funds in the sidewalk reserve would total \$319.24.

*Consider a motion to approve the amendment with Lamoureux and Dickenson Consulting Engineers for the Village North/Hineburg Bike (54) project for \$5,534, creating a new maximum amount of \$38,213, and authorizing the Town Administrator to sign the revised agreement.*

### **8. Discuss Goldsmith/Grillo Request to “Fix” the “Horseshoe” at 10710 VT Route 116**

**Guests:** (1) The Goldsmiths and Mr. Grillo have been invited.

**Enclosures:** (1) Materials presented during the 10/19 meeting.

There is a point in the driveway that appears to have been constructed narrower than what was shown on the plans. An initial estimate to pave an additional 18” on the Route 116 side of the southern egress curve and “shave” a section of the bank back (on the inside of that same curve) is between \$3,000 and \$4,000. There are no capital reserves to apply, no fund balance to apply, the fiscal year is four and half months old, and this was not budgeted for FY16 – all a long way of saying there are no funds readily available. If the Board chooses to fund some or all of the proposed work, consideration should be given to expanding the scope to include fixing the wall along the sidewalk that was oddly constructed.

### **9. Discuss FY17 Budget and FY17-FY21 Capital Improvement Program**

**Guests:** (1) None anticipated

- Enclosures:**
- (1) FY17 Proposed Expenditure Detail
  - (2) FY17 Proposed Expenditure Summary
  - (3) FY17 Proposed Revenue Detail
  - (4) FY17 Proposed Budget – major increases/decreases table
  - (5) FY17-FY21 Capital Improvement Program Detail
  - (6) FY17-FY21 Capital Improvement Program Summary
  - (7) FY17 Proposed Budget memo, summarizing revenue, grand list growth, fund balance, expenditures, and preliminary property tax (residential) impact

The cornucopia of enclosures provides all of the FY17 proposed budget detail. The agenda lays out a proposed structure and timing. The Police and Fire Chiefs will be the first guests of the FY17 budget season.

*Action is neither required nor anticipated.*

### **10. Consider Approving Special Event Permits for Frost Beer Works**

**Guests:** (1) None anticipated

**Enclosures:** (1) The special event permit requests

The Selectboard will be acting as the local Board of Liquor Control Commissioners for this item. The folks at Frost Beer Works are submitting multiple requests at the same time in the hopes it will ease the process of approval with the Vermont Department of Liquor Control. The requested pint night dates are: 11/27 through 11/29; 12/3 through 12/6; 12/10 through 12/13; and 12/17 through 12/20. The requested times for the dates are 2 to 11 p.m.

*Consider a motion approving the special event permits for Frost Beer Works as submitted.*

### **11. Town Administrator's Report**

- a. *Water supply (new wells) and treatment system project update* – There will be a more complete update on Monday night, once the bids have been analyzed a little more. The basic story is that the bid opening did not go as hoped, with the three bids received substantially greater than the project budget (at least 20% so, in the case of the “low” bidder). The project team is exploring value engineering options, but the project may need to be re-designed and re-bid. If so, that work would need to happen quickly to maintain a projected construction start date in spring 2016.
- b. *Fire Station heating system and impact fees* – The Fire Department is requesting authorization to use fire impact fee revenue to replace the existing heating system (installed in 1972) with a more efficient system sized to handle the station’s current and projected (based on the plans for an expanded footprint) heating needs. The authorization is proposed for the consent agenda, and a memo is included. To remove the item from the consent agenda, simply indicate the desire to do so during item #4 (additions/deletions/changes).
- c. *Line painting* – There will be an update Monday evening... just kidding. The lines on Charlotte and Richmond Roads, Shelburne Falls Road, and Silver Street have been painted with lane widths at 9’.
- d. *FAQs* – This is another reminder to send ideas for a, “frequently asked questions,” section in this year’s Town Report.
- e. *Meeting with legislators* – Another reminder to send questions for or topics to discuss with the local delegation. The goal is to schedule that conversation for one of the Board’s two December meetings.