



Select Board

Town Of Hinesburg
10632 Route 116 Hinesburg VT 05461
802.482.2281 | hinesburg.org

Meeting Minutes – June 23, 2016

- Draft -

Attending the Meeting: Mike Bissonette, Phil Pouech, Andrea Morgante, Aaron Kimball, Trevor Lashua, and attached list

Meeting called to order at 7:00 p.m.

There was no public comment.

Additions/Deletions/Changes to the Agenda

Aaron moved the Board Consider a motion to amend the agenda to include potential action on a grant resolution and agreement related to the Green Street VCDP grant. Second by Phil and approved with 5 yes votes.

This will be taken up as item 11.5

Aaron moved the Board consider a motion to amend the agenda to add executive session immediately following agenda item #3, for the purposes of discussing pending or probable civil litigation or prosecution in which the municipality is or may be a party as allowed by 1 V.S.A. 313 (a) (1) (E). Second by Phil and approved with 5 yes votes.

Aaron moved the Board consider a motion to find that premature general public disclosure would place the municipality at a substantial disadvantage with pending or probable civil litigation or prosecution in which the municipality is a party to discuss the excessive force law suit. Second by Tom and approved with 5 votes.

Aaron moved the Board consider a motion to enter executive session, to include the Town Administrator and Chief of Police, under provisions of 1 V.S.A. 313 (a) (1) (E). Second by Phil and approved with 5 yes votes.

Aaron moved the Board consider a motion to come out of executive session, second by Tom and approved with 5 yes votes.

Consider Appointments for Board/Committee/Commission Openings

- **Trails Committee** – Andrea moved the Board consider a motion to appoint Charles McArthur to a 3-year term to the Trails Committee expiring 01/01/19. Second by Tom and approved with 5 yes votes.
- **Energy Committee** – Andrea moved the Board consider a motion to appoint Richard Watts to the Energy for a three-year term to expire 1/01/19. Second by Phil and approved with 5 yes votes.
- **Revolving Loan Fund Committee** – Trevor explained this new committee and their objective. Aaron moved the Board vote to consider appointments for Melissa Levy, Steve Gladstone, Andrew Frost, or three year term to expire on 1/01/19 and Walter Hausermann for a three year term to expire 1/01/18 (2 yrs. initially). Second by Tom and approved with 5 yes votes.

Discuss Sidewalk Grant Application (Alan Norris/Meadow Mist)

Alan reviewed the cost estimate he will be submitting with the application. He noted July 15 is the deadline for submitting the application.

Andrea addressed the commitment the Town is making – the Town is just submitting the application not covering the match that is the responsibility of the developer.

She expressed if the Town gets the grant who will pay for project management and Town staff time.

Aaron moved the Board consider a motion to work in collaboration with Alan Norris and submit the application by July 15. Second by Tom and approved with 5 yes votes.

Phil noted the developer takes responsibility that a sidewalk goes in not the Town.

Consider Accepting FY17 Paving Bid

Mike Anthony was present to answer any questions on the bids.

Andrea wanted to acknowledge and thank Mike for the work done on Buck Hill

Tom moved the Board consider a motion to accept the FY17 paving bid from Whitcomb to pave the remaining section of Silver Street for a per ton price of \$57.57 for a total cost of \$101,035.35. Second by Andrea and approved with 5 yes votes.

Richmond Road Bike/Pedestrian Improvement Scoping Study

Peter Keating, of the Chittenden County Regional Planning Commission, reviewed the scoping study with the Board. Discussed options explored; North or South side sidewalk or multiuse path.

Lenore Budd noted Frank Koss mentioned at a meeting on this that there are alternate measures that can be done to slow traffic on the road while waiting for this project.

Planning Commission Presentation of Proposed Solar Screening Regulations

Phil recused himself as he is employed by a solar energy company.

Andrea asked about landscaping standards in regards to interior not perimeter screening. Alex replied that in some circumstances such as storage areas the configuration does not allow for plantings.

The Board agreed they would like time to carefully read the document before scheduling a public hearing.

Consider Approving FY17 Water/Wastewater Budget

The proposed budget has been updated, and the revenue component included (showing the impact of the newly enacted allocation fees – the conservative estimate of five new units at 180 gallons per day per unit). Work continues on the rate recommendations; this may need to be completed at the July 7th meeting.

Tom reminded everyone that though there is an increase in water fees users no longer have the individual cost of treating their water.

Aaron moved the Board consider a motion adopting the FY17 Water/Wastewater Budget, second by Phil and approved with 5 yes votes.

Consider Approving FY17 Water/Wastewater Capacity

This is the annual adoption of wastewater capacity, paired with the newly required annual adoption of water capacity. Through the adoption of capacity, the Board effectively establishes the amount of water and wastewater available for allocation.

Phil pointed out that even though we are allowed 250,000 gpd in flow we can't attain that as we will not meet the phosphorous levels with that much flow.

Andrea said we are using allocations as a planning tool and she feels it was an error not to approve the Interim Zoning to deal with growth planning not infrastructure capacity.

Phil asked approximately how many new units can the system handle. Trevor said about 93.

Phil moved the Board consider a motion adopting water capacity with the change in Appendix E / category 2 to a 50/50 split for FY17. Second by Tom and approved with 4 yes votes and Andrea abstaining.

Phil moved the Board consider a motion adopting the wastewater capacity with a change in Appendix E / category 2 to a 50/50 split for FY 17. Second by Tom and approved with 4 yes votes and Andrea abstaining.

Consider Authorizing Selection of Attorney for 2016 Tax Sales

Aaron moved the Board consider a motion selecting Kohn Rath Danon and Lynch LLP as the Town's legal representation for 2016 tax sales. Second by Andrea and approved with 5 yes votes.

Grant for Green Street

The resolution is required as part of the Green Street pass-through grant. The State would like the resolution acted upon prior to July 6th. The letter was received after the June 23rd meeting was warned.

Phil moved the Board consider a motion to adopt the grant agreement resolution for grant agreement 07110-IG-2013-Hinesburg-00004, and appoint the Town Administrator as the authorizing official to execute the grant agreement. Second by Aaron and approved with 5 yes votes.

Discuss Public Feedback on Proposed Easement Deed and Agreement (Gepregs/Vermont Gas)

Andrea pointed out the easement is not in the VELCO lines or field but west of that.

Phil asked about the delineation of wetlands – was it done well enough to determine where the easement should be.

Andrea said we have the ability to say we will not sign an agreement till the route is changed to where we want it.

Andrea referred to comments received by Lenore Budd – she would suggest those comments be included in what the lawyers review.

Andrea said in the deed language part D contains erroneous information regarding municipal water system. Mike B said that was noted and will be removed.

Language starting on line 65 of the deed – include opportunity for the Town to be party to discuss changes made.

Line 242 – if need to cross the property- need language they will repair it.

Section 12 – restrictions – the Town is giving up our rights, need to maintain ability to not be restricted.

Assignment and Abandonment – need to be sure there is no way the Town becomes liable.

Mike B referred to size of structures and was told sample is the VT Gas test markers.

Nancy Baker, intervenor, said she finds it hard to follow the deed. She feels it does not take care of the concern of liability of VT Gas vs. the liability of the Town. Who is responsible if anything happens?

Stephanie M. is concerned with the Assignment and Abatement section verbiage if the sole use can be as gas pipeline and not transport anything else.

Merrily L said a concern of the cc members on the subcommittee is that remediation and restoration needs improving.

Tom, of VHB, noted the Geprag Park rehab plan and is open to further suggestions on that.

Bill M said we need to talk about where the easement will be before discussing the deed of easement. He says the VHB acknowledged there was no on site visit done regarding the wetlands and was not done properly.

Tom, of VHB, said he did not hear comments as Bill reports and they are prepared to use their standard wetland procedures in the park.

Stipulation Agreement:

Andrea said in section 16 tax revenue should not be included as compensation – Mike B said they have that noted to be removed.

Phil noted in section 13 – easement compensation – he feels it should be significantly higher from comparisons he has seen elsewhere. Mike B said compensation discussions should be in executive session

Bob T said he knows families offered \$100,000 just to go through the yard. To get a good agreement money needs to be a priority.

Merrily said the Conservation Commission would like funds separate from the \$75,000 set aside for future restoration needs.

Andrea asked that in section 12 the Conservation Commission should be involved as a contact.

She said ANR has not done their job properly and we need to hold them accountable. In lines 92/93 add ANR as well as the Public Service Board.

Section 20 – Environmental Inspector – do we have a list of people who can do this and is the dollar amount adequate.

Section 23 has been removed.

Nancy Baker asked what is the procedure for going forward regarding the route plan.

The subcommittee met at Geprags Park on Friday, June 17th, with representatives of Vermont Gas, VHB (the firm that has performed most of the wetlands delineation and analysis), and a representative of the intervenor group. The purpose of the site visit was to review both the proposed pipeline route as approved by the Public Service Board and the “third” or alternate route (in the mowed portion of the park, west of the VELCO easement and east of the brook and permitted path) discussed throughout the subcommittee process. Continued discussions about the most appropriate route are expected, with the potential to discuss alteration of the route as it crosses Geprags.

Town Administrator’s Report

- a. **Lake Champlain TMDL** – The TMDL for Lake Champlain was set Friday. A copy is included (#13(1)).
- b. **Road Salt Prices** – The price per ton of road salt is expected to be the same as last year. Notice from VLCT is included (#13(2)).

- c. **Town Forest and the National Register of Historic Places** – The Town Forest is now listed on the National Register of Historic Places, the first municipal forest to receive the honor. A copy of the notice is included (#13(3)).
- d. **2015 Stormwater Regulations and Continued Planning Commission Consideration** – A memo from the Planning Commission is included (#13(4)).
- e. **“Two and Two Table”** – This will need to be completed later.

Select Board Items

Andrea asked the statue of the NRG sidewalk. Phil said it is now up to NRG to set aside permanent wetland area.

Andrea would like to have Mike Anthony in to discuss winter salt.

Minutes

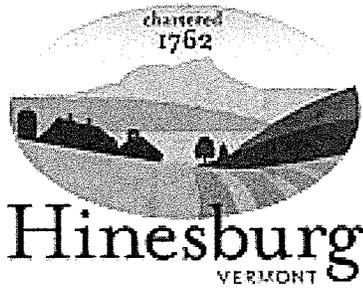
Phil moved the Board consider a motion to approve the minutes of May 16 and June 9. Second by Aaron and approved with 5 yes votes.

Warrants

Phil moved the Board consider a motion to approve the warrants, including payroll warrants, as submitted by the Town Treasurer. Second by Tom and approved with 5 yes votes.

Tom moved to adjourn at 11:20 pm., second by Aaron and approved with 5 yes votes.

Respectfully submitted,
Valerie Spadaccini, secretary



Selectboard Meeting Sign-in Sheet June 23rd, 2016

1. FERRY RAO

2. ALAN NOBBS

3. Andrew FOST

4. Stephen Gladstone

5. Chic McArthur

6. Lenore Budel

7. Peter Keating

8. Mike Anthony

9. Mindy Lord

10. LINDA GAGE

11. Rui Marks

12. BOB Thierfels

13. Nancy J. Barker

14. Mary Beth Bowen

15. Joseph Mumay

16. _____

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