TOWN OF HINESBURG SELECTBOARD MEETING
MAIN HALL, HINESBURG TOWN HALL
JULY 28, 2016
MINUTES

DRAFT

Members present: Michael Bissonette; Phil Pouech; Andrea Morgante; Tom Ayer; Aaron Kimball.
Others present: Town Administrator Trevor Lashua, Town Attorney Bud Allen, and the attached list.

Michael called the meeting to order at 6:31 p.m.

Executive Session – 1 V.S.A. § 313 (a) (1) (E) and (F)
The Selectboard briefly discussed whether or not executive session was necessary to discuss with the Town Attorney whether or not to appeal the recent Rule 59 decisions of the Environmental Court in the Hannaford supermarket matter.

Phil moved, and Tom seconded, a motion to find that premature general public disclosure would place the municipality at a substantial disadvantage with regards to potential or probable litigation to which the municipality is a party. The motion passed 5-0.

Phil moved, and Tom seconded, a motion to enter Executive Session pursuant to 1 V.S.A. § 313 (a) (1) (E) and (F), to include the Town Administrator and the Town Attorney, for the purpose of discussing the Environmental Court's Rule 59 decisions regarding Hannaford and possible appeals to the Vermont Supreme Court. The motion passed 5-0.

The Selectboard entered executive session at 6:34 p.m.

Tom moved, and Phil seconded, a motion to exit executive session at 6:59 p.m. The motion passed 5-0.

Phil moved, and Tom seconded, a motion to authorize the Town Attorney to file appeals with the Vermont Supreme Court in association with the Environmental Court's decisions on Hannaford. The motion passed 5-0.

Areas of specific concern are the traffic light at Mechanicsville Road and VT Route 116 and the removal of a requirement concerning a post-construction traffic study to be conducted by Hannaford.

Public Comment
There was no public comment on matters not on the agenda.

Additions/Deletions/Changes to the Agenda
There were no additions, deletions, or changes to the agenda.

Consider Action on the Proposed Deed of Easement and Stipulated Agreement
Michael opened the discussion by reading the rules of conduct to the Selectboard and crowd.

Tom moved, and Aaron seconded, a motion to approved v.06.04 of the Deed of Easement, Stipulated Agreement, and attachments with the following amendments:

- *Compensation to be $250,000*
- *Vermont Gas shall be required to employ horizontal directional drilling to cross Geprags Park*
- *Require a performance bond by Vermont Gas for the horizontal directional drilling.*

Andrea asked questions related to the placement of the amendments and jurisdiction and enforcement for any questions or disputes. Trevor gave examples and pointed out the places for amendments.

Andrea said she wanted to strike the $470,000 in construction cost from the Richmond Road distribution extension in the stipulated agreement.

Andrea moved, and Phil seconded, a motion to amend the original motion by including removal of the $470,000 reference ("at an estimate of $470,000") from the stipulated agreement. The motion passed 5-0.

Trevor read the amended motion:

Tom moved, and Aaron seconded, a motion to approved v.06.04 of the Deed of Easement, Stipulated Agreement, and attachments with the following amendments:

- *Compensation to be $250,000*
- *Vermont Gas shall be required to employ horizontal directional drilling to cross Geprags Park*
- *Require a performance bond by Vermont Gas for the horizontal directional drilling.*
- *Remove the reference to $470,000.*

Phil moved, and Andrea seconded, a motion to amend the amended motion to increase the compensation from $250,000 to $500,000.

The Selectboard discussed the motion, weighing the pros and cons. Tom Murray of Vermont Gas indicated the company was not likely to engage in with the $500,000 idea. *The motion failed 2-3 (Andrea and Phil in favor; Michael, Tom, and Aaron opposed).*

Andrea raised concerns about road conditions and crossings. The Board discussed the impacts on Baldwin Road, the offer from Vermont Gas to assist in repair and replacement, and the crossings of other roads.

Michael opened the floor to public comment. For the next hour and a half, various members of the public spoke against and for the agreement and deed of easement.[1]

Michael closed the public comment portion. The members each gave brief remarks on the proposed deed and agreement, the process, and natural gas pipelines generally. The Selectboard members expressed appreciation for the individuals in attendance, and for the contributions of those involved throughout the process.

Michael read the motion again:
Tom moved, and Aaron seconded, a motion to approved v.06.04 of the Deed of Easement, Stipulated Agreement, and attachments with the following amendments:

- *Compensation to be $250,000*
- *Vermont Gas shall be required to employ horizontal directional drilling to cross Geprags Park*
- *Require a performance bond by Vermont Gas for the horizontal directional drilling.*

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[1] ***The draft minutes, and indeed any final set, are not intended to be a transcription of all that was said. To hear or view the entire commentary, please visit VCAM's website and view the meeting. A subsequent draft may be made available that will add more of the dialogue; this draft is to ensure compliance with Vermont's open meeting law.***

- *Remove the reference to $470,000.*

The motion passed 3-2 (Michael, Tom, and Aaron in favor; Andrea and Phil opposed).

Phil moved, and Tom seconded, a motion to adjourn at 9:14 p.m. The motion passed 5-0

Selectboard Meeting
Sign-in Sheet
July 28th, 2016

1. John St. Hillaire
2. Tom Murray
3. Will Dodge
4. J. B. Wainer
5. Ashley Shaw
6. FRANK KOSS
7. Don Reudall
8. BOB DAVIS
9. John Lyman
10. George B LeClair Hinesburg
11. Dennise Casey, So. Burl.
12. Jennifer McCuin
13. Dennis Casey
14. Nelson W. Slingerland
15. Virginia Slingerland.
16. Bill Sayre
17. ED MATTHEWS
18. Miriam Granat
19. JONATHAN WAINER
20. Laura Wisniewski
21. Shannon Kelly
22. BOBBIE CARNWATH
23. Rachel Smolker
24. Shaina Kasper
25. KLOHCK
26. Ruth Ayer

27. Susie McCoy
28. Jan Carter
29. Trisha Novak
30. Karl Novak
31. Marie Ayer
32. D H Miller
33. Lee (Robert) Bast
34. Laurence Shelton
35. Chris Hendel
36. Cynthia Hendel
37. Barbara Forever
38. Theara Ward
39. Lynn Furno
40. Jerry DeGrant
41. Janice Nadworny
42. Deirdre Erb
43. Spencer Wallace
44. Bill Nash
45. Kevin Cheney
46. Renée Wunderlich WPTZ
47. Ann M Ross
48. Elissa Rose
49. Dave Dean
50. Josh Sky
51. Rick Palier
52. Peter Ezis
53. Bill Lippert
54. Ginny Roberts
55. NANCY BAKER
56. Jane Palmer
57. Natha Palmer
58. [illegible]

59. Bob Hyams

60. LINDA GAGE

61. Terence Cuneo

62. Kari Cuneo

63. [illegible]

64. Richard Waltz

65. Carrie Fenn

66. Dan Fenn

67. Lisa Barrett

68. Merrily Lovell

69. [illegible] Hinesburg Land owner Tony St Hilaire

70. M. Lynn Motschman
M. Lynn Motschman

71. Stephen Van Dusen Stephen Van Dusen

72. [illegible] Arthur Hynes

73. Bob Thiefels

74. Wayne MACEYKA

75. Bonnie Morrissey

76. Diane Derrick

77. DIANE DERRICE

78. TIMOTHY HOOPES

79. Chuck Ross

80. _____