

1 **SELECTBOARD MEETING DRAFT**

2 August 18, 2021

3
4 Attending the meeting; Merrily Lovell, Maggie Gordon, Phil Pouech, Dennis Place, Mike Loner, Todd
5 Odit, Andrea Lavalette, Renee Mobbs, Gil Coates, Scooter MacMillan, Alex Weinhausen, James Jarvis,
6 Andrea Morgante, Pat Mainer, Lenore Budd.

7 Meeting called to order at 7:02 p.m.

8 Agenda Additions or Deletions

9 Todd said the owner of the dog in the dog bite complaint is still waiting for the assessment from the
10 trainer so will remove the update on the dog bite issue from the agenda.

11 Public Comment

12 There was no public comment.

13 Selectboard Forum

14 Phil mentioned the positive posts on FPF regarding the closing of Lantman's due to COVID. He added
15 this shows community commitment by Lantman's for Hinesburg and thanked them for that.

16 Also, on FPF the post regarding speed limits by the new condos in the South end of Town. Phil said the
17 sign for lowered speed limit was moved further South a few years ago. Since this is still the Village area
18 Phil feels we could have a 30mph limit. Todd said we would need to ask the State to do a speed study to
19 determine if we can lower the limit. Phil said he will discuss further with Todd on submitting a request.
20 Maggie mentioned taking another look at the traffic study done in 2014 by VTrans for that area.

21 Phil met with Tyler and Erik and they came up with a rough plan on sidewalk work to be done.

22 Merrily showed the framed resolution for Al Barber which was to be presented at this meeting before
23 the change to limit attendees. This will be presented to Al at some time in the future.

24 Approve Minutes of 8/4/21

25 Maggie moved to approve the minutes of 8/4/21 as amended. Second by Phil and approved with 4 yes
26 votes and Mike abstaining.

27 Consider Enforcement of Lavalette Zoning Violation – 126 Beaver Pond Rd.

28 Todd said the notice of violation has been filed and the question is if the Board wants to authorize
29 spending money for the Town Attorney to enforce it.

30 Dennis asked if the Town has worked with this individual on the issue as we have with the parties for
31 contractor yards.

32 Phil said the other case was a dialogue due to a change in regulations and this is not a change in
33 regulations. It appears from the documents the Town made efforts to work through the violation.
34 When it is a clear violation, the Board needs to support the regulations.

35 Maggie agrees and asked how the fine is determined. Alex set the amount is set in Statute as \$200 per
36 day and continues as long as the violation is in place. The judge decides what the fine amount awarded
37 will be in court.

38 Mike asked if the individual has sought to get a permit. Alex said they have not.

39 Andrea Lavalette said they did not try to get a permit as they were told it would be hard to get and likely
40 they will not be able to get one. They don't want to waste the money. They feel it is not a zoning issue
41 but a neighbor issue. They argued there are other people who sell firewood who do not have a permit.

42 Todd said there is a notice of violation which has not been appealed. The issue before the Board is if
43 they will approve spending funds for enforcement.

44 Lavalette's said they did not appeal as it cost money.

45 Phil moved to move forward with enforcement. Second by Mike and approved with 5 yes votes.

46 Merrily suggested the Lavalette's take their concerns about permitting the operation to Alex.

47 Consider Request to Relinquish Town Right-of-Way off Observatory Rd.

48 Todd said the request is for the Town to give back the portion of the road that runs along the boundary
49 line between their property and Town property.

50 Renee Mobbs explained they recently purchased the property. They are addressing the area past the
51 gate that runs along Observatory Rd. She believes this was deeded to the Town in the 90's but appears
52 to have never been used and it is totally grown over. Renee said she does not think it has ever been
53 officially classified as a Town road so can be a sale of Town land process as opposed to a discontinuance
54 of a road process.

55 Phil asked for clarification of the piece of land noting it would be just be a piece on the edge of the Town
56 property not a right of way the Town has on the property. Renee said her understanding it was an
57 actual deed of a portion of land to the Town. Phil asked if this would still give the Town access up the
58 existing Observatory Rd to the top of the landfill and the observatory. Renee said it would.

59 Phil suggests the Board get more information on this. His concerns are for the Town to maintain access
60 to where we might need to get to.

61 Maggie asked what the Town would gain with this request. She feels there a few negatives in doing this.
62 Renee said they see the Town loosing potential liability from people using the road, and it would remove
63 the argument that the Town has a duty to maintain the road.

64 Andrea Morgante said she feels it is important for the Town to keep ownership of Town land as it is an
65 asset to the Town. This was never approved as a class 3 road but allows Town access and does not see
66 why the Town would want to give it up.

67 Dennis asked if there is anything buried under this property. Renee said it was not part of the landfill.

68 Mike agrees with Phil to get more information and visit the location. This is well over an acre and just
69 turning it over because the Town chose not to do anything with it is not a good enough reason.

Phil asked Renee what the advantage is for them. Renee explained the road was substantially completed after the property was deeded to the Town, there then was a dispute if it qualified as a class 3 road. It is a solid, decent road and their plan is to have their driveway come off that when they construct their home. If the Town chooses not to sell it or turn it over, they will request the Town complete it as a class 3 road and designate as such.

Approve Well #6 Preliminary Engineering Agreement

Todd reviewed the progress to date.

Phil moved to approve the preliminary engineering agreement at a cost of \$15,900 with Aldrich and Elliott. Second by Maggie. Merrily asked about the testing for contamination and what happens if it fails. Phil said he is not sure if it can be filtered and he would be surprised if over the minimum allowed amount. Motion voted and approved with 5 yes votes.

Consider Applying for VOREC Grant (HTF or Lot 1)

Maggie said in reading the purpose of the grant she does not feel it is appropriate for lot 1 but is ideal for the purchase of the Carse property for the Hinesburg Town Forest.

Mike agrees with Maggie and feels that would be the stronger grant application.

Phil said he was leaning toward the Town Green. He feels the purchase of the property for the HTF is well underway and could happen without the grant. He does not think the Town Green is likely to happen without funds.

Lenore Budd said she brought up the idea of applying for the grant for the lot 1 park. She said that was before she realized the Town Forrest addition was in play and she agrees that the Town Forest is much more appropriate for VOREC.

Andrea said on behalf of the Hinesburg Land Trust they are happy to be the applicant but the Town could also be the applicant. The Hinesburg Land Trust stepped in as they are committed to a closing on the property with the Vermont Land Trust in February. The VOREC grant is a re-imbursement grant and they may not find out if awarded till after the closing but they are still able to move forward.

Phil moved for the Board to move forward with applying for the VOREC grant for the Hinesburg Town Forest project and authorize Todd to co-ordinate how the Town makes the application with the other associated parties. Second by Mike.

Lenore noted the need for a letter of intent by next week.

Pat Mainer added the Town Forrest Committee is fully prepared to be a team member working with HLT and the Economic Development Committee.

Phil said we also need to see how we can move forward with the Town Green.

Motion voted and approved with 5 yes votes.

Andrea said she would like to see the Town take a risk by putting a little money on the line to use ARPA funds for the Town Green.

105 Discuss VMERS D for Police/Fire/EMS Full-Time Employees

106 Todd reviewed the information for the Board to consider offering the VMERS group D retirement plan.

107 Phil thanked Todd for the information. He leans toward providing a better retirement package and
108 would like to look at the budget impact associated with this.

109 Todd said looking at FY 23 the increase to the Town would be \$23,000.

110 Dennis asked if that amount is for Police only and Todd said it is, there will be two more positions with
111 full time EMS/Fire that would add to the cost.

112 Mike said he would like to take a better look at the numbers and the budget. If the PD may be
113 unionizing it does not make sense to give away a possible bargaining position.

114 Maggie said she is inclined to hold off on this too.

115 FY 21 End of Year Transfers

116 All budgeted transfers have been made; the Board is looking at the assigned fund balances as of the
117 close of FY 21.

118 Phil moved to approve the ending assigned fund balances as presented at tonight's meeting. Second by
119 Mike and approved with 5 yes votes.

120 Town Manager Update

- 121 • Dana Hanley has started her position as the Planning and Town Manager Assistant.
122 • Budget work has begun for FY 23, first meeting in Sept is planned to have general discussion
123 about the budget.
124 • Sludge removal continues. There was considerably more sludge than anticipated.
125 • Todd met with the owner of Annette's Daycare and discussed some ideas how to improve the
126 road crossing situation. In order to put in a marked crosswalk a traffic study would need to be
127 done. Todd said they can look into improving signage and possibly doing a speed study to
128 extend the 25 mph zone.

129 Consider Approving Warrants

130 Phil moved to approve the warrants signed by Merrily and himself, including payroll, as submitted by the
131 Town Treasurer. Second by Maggie and approved with 5 yes votes.

132 Adjourn

133 Mike moved to adjourn at 8:41 p.m., second by Maggie and approved with 5 yes votes.

134

135 Respectfully submitted,

136 Valerie Spadaccini, clerk of the Board

137