



Select Board

Town of Hinesburg

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Meeting Minutes – May 19, 2021

Approved – June 20, 2021

Attending the Meeting: Phil Pouech, Merrily Lovell, Mike Loner, Maggie Gordon, Dennis Place, Joy Dubin Grossman, Todd Odit, Liam Powers, Karen Charbonneau, Jason Booth, Kirsten Bird, Scooter MacMillan, Danielle Sertz, Rebecca, Alyssa Lasher, Christina Deeley, Ellen Benson, Becky Alford, Kristina Wright, Tom Giroux, Andrea Morgante, Erik Bailey, Bob Heiser, Alex Goss, Doug Taff, Saben Littlefield, Kate Littlefield, Mary Crane, Estee R, Chief Anthony Cambridge, Alex Weinhagen, Paul Wiczorek, Wayne Elliott, Jern McCuin, Branden Martin, Sarah Reeves, Kathy Giroux, Kelsey Pasteris, Joe Pasteris, Alix St. Hilaire, Jennifer Holliday, Linda Gage, Pat Mainer, Kate Kelly, Christo Hill, Lenore Budd. Liz, Barbara Forauer, Peter Modley, Jon Trefrey, Rolf Kielman,

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

Additions / Deletions and Public Comment

There were no agenda modifications.

There was no public comment.

Select Board Forum/Town Manager Report

Phil noted as a reminder that he will be resigning as chair in June. He also noted that he received emailed correspondence from constituents about the Carse Property and about trash removal on certain streets.

Todd noted that questions have been raised about the July 4th celebration and said that it will be held as in previous years but with potential adjustments. He added that information about the July 4th event will be in the Record and the Citizen. He additionally noted that the second and third floors of Town Hall will be open to the public by appointment beginning the first business day after Memorial Day and outdoor walk-up service will also be available. He added that Town Hall is still closed for public meetings due to restrictions on group gatherings and he anticipates it to be closed to public body meetings through June.

Approve Minutes of 5/5/21

Phil moved to approve the minutes from May 5, 2021 as amended, seconded by Merrily and approved with 5 yes votes.

The minutes were amended as follows:

- Correct the spelling of Todd's name in list of attendees
- Line 61 – replace “noting the” with “noting that”

Consider Appointment to the Recreation Committee – Liam Powers

Phil noted that this appointment is for a three-year term ending in 2024.

Liam spoke about his interest in serving on the Recreation Committee, noting that he has been a Hinesburg resident for 13 years and has two boys currently in the Town's recreational programs. He said that having the opportunity to serve will allow him to give back to the community and continue to engage in the community and ensure that facilities are maintained and meeting the demands for the future of Hinesburg.

Mike thanked Liam for his interest in serving on the committee.

Merrily asked if Liam has attended any Recreation Committee meetings to date. Liam replied that he has been attending them since January.

Phil moved to appoint Liam Powers to the Recreation Committee for a three-year term ending in 2024, seconded by Merrily and approved with 5 yes votes.

Consider Appointment to the DRB – Branden Martin

Phil noted that this change would be from an alternate position to a full position ending in 2023. Branden said that he joined the Development Review Board (DRB) as an alternate just prior to the Covid-19 pandemic and noted that it has been a good fit for him. He said he has been a Hinesburg resident for 5 years and that he joined as an alternate because he wanted the opportunity to be involved in the community and help inform some of its decisions. He said that his work and interest in water engineering and natural resource restoration are very relevant to Hinesburg's emphasis on stormwater management.

Dennis recused himself from the appointment decision.

Maggie asked about Branden's thoughts on Hinesburg's stormwater regulations. Branden replied that the relatively strict regulations are challenging in terms of development but are necessary as storm events become stronger and more frequent. He noted that at the State level, stormwater regulations will become more restrictive in future. He said that the direction in which Hinesburg has moved is consistent with where the State will go in the future in terms of stormwater policy.

Phil moved to appoint Branden Martin to the Development Review Board in a full-time position ending in 2023, seconded by Merrily and approved with 4 yes votes and 1 recusal (Dennis).

Hear Water and Sewer Charge Waiver Request – Kate & Saben Littlefield

Phil noted that the Selectboard has the ability to waive water and sewer charges if requested by residents and that this request has come from the Littlefields.

Saben said that his property contains a main house and an apartment, and that he received a call from the Town water department about losing a significant amount of water per day (1,500 gallons) and that on further investigation they discovered that a toilet had been continuously running in the apartment

unit.

Phil asked Erik how often this type of situation occurs and how the Town became aware of the significant water usage prior to billing the customer. Erik replied that waiver requests have occurred on rare occasions in the past and that they are sometimes approved and sometimes not. He said that the water department conducts regular readings and one staff member who processes billing noticed that there was a significant water usage increase on the property. They then conducted a second reading a week later and estimated that the property was using about a gallon of water per minute. Phil asked how often Erik catches a loss of this size. Erik replied that the department will discover leaks at least 3 out of 4 quarters and that 8 times out of 10 the issue is related to a toilet running.

Phil expressed reluctance to make the rest of the water users pay this portion, noting concern about setting a precedent for this type of situation. He suggested and recommended that the water billing could be spread out over the next year to ease the payment burden on the resident. He also suggested conducting more education of the public to alert residents that water loss from toilets is common and fixable.

Mike asked the Littlefields if they had the ability to ask their tenant to cover the extra cost. Saben replied that they are in that process with the renter, who is young and inexperienced, but that they are unsure of how successful they'll be.

Merrily agreed with Phil's suggestions about spreading the payment out and having a newsletter or communication about common water loss issues.

Maggie asked how the issue was fixed. Saben replied that it was a simple \$10 fix and took 30 minutes.

Mike suggested revisiting the waiver policy, saying that it does not make sense to have an exemption ability if the Board is not likely to allow it. Phil agreed and asked Erik to review the ordinance and share any recommendations.

Phil moved to allow the Littlefields to pay the overage on their water bill over the next 6 quarters and to waive the interest and penalty charges, seconded by Maggie and approved with 5 yes votes.

Consider Approval of Clean Water Construction Loan Application - Designate Town Manager as Authorized Representative for Loan and Engineering Amendment

Phil noted that this is an expected step in the wastewater plan process and is a Step III Clean Water Construction Loan in the amount of \$2,375,000. He said that this would authorize the Town Manager to sign for the loan for this amendment.

Wayne said that this construction loan would be for work related to sub-grade improvements and sludge removal from lagoon #1 and that they are on schedule to receive bids early next month. He noted that this work qualifies for a number of subsidies and grants. He further noted that the first loan payment will occur in the first year after the end of construction.

Dennis asked if this project could utilize funding coming from the state or federal level. Todd replied that he has requested funding through Vermont's Congressional delegation.

Mike noted that the project cost is approximately \$11 million and that the Town is eligible for around \$5 million in grants. He asked if the funding for this phase is part of that \$5 million. Wayne replied that no, any additional funding coming from the federal government would be beyond what the Town anticipates for a bond vote and that they are trying to tap into as much available subsidy funding as possible to minimize the loan amount for the Town.

Mike moved that the Selectboard approve applying for a Step III Clean Water Construction Loan in the amount of \$2,375,000 and authorize the Town Manager to sign the engineering services agreement for the bid and construction phase of Contract No. 1 following approval of the same by the State, seconded by Merrily and approved with 5 yes votes.

Phil moved that the Selectboard designate Todd Odit as an authorized representative for the loan amendment and Joy Dubin Grossman as an alternate authorized representative, seconded by Merrily and approved with 5 yes votes.

CSWD Budget Presentation

Sarah Reeves, Executive Director of the Chittenden Solid Waste District (CSWD), began her presentation by noting that CSWD is a municipal district created in 1987 to oversee and manage the solid waste generated in Chittenden County, that it is governed by volunteer commissioners of 18 towns and that the mission is to reduce and manage the waste generated within Chittenden County in an environmentally sound and efficient manner. She outlined how CSWD is funded, which include user fees (customers pay directly to CSWD), revenue from solid waste management fee (per ton, charged to haulers brought to Coventry landfill), and from material and compost sales. She emphasized that CSWD is not funded directly by cities and towns or through assessed per capita fees or through property tax dollars, though she did note that CSWD does receive grants from the state.

She outlined the Fiscal Year 2022 budget, noting that CSWD is anticipating revenue of \$12,954,793, which they believe is a conservative amount, and expenditures of \$12,323,072. She noted that the gap between revenue and expenditures will be divided among reserve funds and that they are proposing only minor fee increases. She said that they are anticipating robust sales for compost and recycling, due to high demand for cardboard and residents' increased interest in home gardening. She noted that Hinesburg has \$3,000 available in funding to spend on community clean-up activities and events and will be receiving another \$1,000 in July for any project in town that is solid waste related (like tire cleanup and waste reduction).

Mike moved that the Selectboard approve the Chittenden Solid Waste District budget for Fiscal Year 2022 as presented, seconded by Merrily and approved with 5 yes votes.

Consider Approving DRB Conditional Use Approval Application

Todd noted that this would be for work on the wastewater treatment plant that would commence this fall.

Phil moved that the Selectboard approve submitting a conditional use approval application to the Development Review Board for Phase I of the Wastewater Improvement Project, seconded by Mike and

approved with 5 yes votes.

Request for Selectboard Support of Carse Property Acquisition and Conservation of HTF

Todd provided an overview about the incorporation of the Carse property into the Town of Hinesburg. He noted that the Town will acquire the property and it will become part of the Town Forest. He also noted that there has been significant conversation on how to fund this purchase. He said that some of the funding (around \$20,000) could come from the Conservation Fund as well as a proposal that it could come from the Hinesburg Forest Committee. He further noted that the Town has received feedback from the Hinesburg Land Trust, Forest Committee, Conservation Committee, and Trails Committee, and that they are all in favor of moving forward with the purchase.

Merrily moved that the Selectboard support the acquisition of the Carse Property, seconded by Mike and approved with 5 yes votes.

Phil asked about the oversight of the property to ensure proper conservation. Bob Heiser of the Vermont Land Trust replied that conservation easement would conserve the town forest and the new land as a town forest, and protect key resources (such as areas around streams and uncommon natural communities) and public access. He said that it would require a management with community input.

Merrily asked if logging is allowed. Bob replied yes, at the discretion of the community through an approved forest management plan. Merrily asked about recreation. Bob said that for pedestrian uses, the land will be open, but for activities such as mountain biking and snowmobiling, access could be at the community's discretion.

Peter voiced strong support for this acquisition, as it would widen the trail network around town and it would support good conservation of wild lands and areas.

Merrily moved that the Selectboard supports conserving the Carse Property in Hinesburg Town Forest through a conservation easement held by the Vermont Land Trust and the Vermont Housing and Conservation Board, seconded by Mike and approved with 5 yes votes.

Merrily moved that the Selectboard utilize the section of law that allows it to make the decision to acquire the Carse Property but allows the voters an opportunity to petition for a vote on that decision, seconded by Phil and the motion was withdrawn.

Todd clarified that the Selectboard would not be signing an easement tonight, but provide direction once it is signed as to who ultimately approves it—the Selectboard itself or the voters, through a notice that they have a certain amount of time to submit a petition regarding that easement.

Phil moved that the Selectboard would make the decision to grant the easements for this property with the understanding that the Town has the opportunity to petition that decision, seconded by Merrily and approved with 5 yes votes.

Merrily moved that the Selectboard contribute \$20,000 of Town Forest funds toward this project, seconded by Phil and approved with 5 yes votes.

Consider Approving Extension of Transport Contract w/ St. Michael's Fire and Rescue

Phil said that the St. Michael's College Fire and Rescue is contracting its service area, which put Hinesburg in need of finding alternative ambulance transport services. He said that the Town will move forward with its own ambulance transportation service, but that it is not ready yet and does not want there to be a gap in services. He noted that the agreement with St. Michael's is an extension of an existing contract to provide those services, and will continue at the cost of \$3,000 per quarter.

Phil moved that the Selectboard approve a contract extension with St. Michael's College Fire and Rescue, Inc., for EMS transport services for the period beginning July 1, 2021 and ending September 30, 2021, and authorize Todd Odit to execute the extension on behalf of the Selectboard, seconded by Mike and approved with 5 yes votes.

Review Employee Personal Use of Social Media Draft Policy

Phil noted that this policy needed to be strengthened and has been worked on by staff. He asked Board members for feedback or questions on the process or the policy itself.

Mike provided recommendations for language modification, including the removal of gendered language and replacing "sex" with "gender" and adding "sexual orientation" on Line 60.

Maggie asked if the sexual harassment policy is incorporated into this review. Todd replied that this is a component of the broader personnel policy, and that these revisions will be inserted as a section of the personnel policy and then be subject to review and approval along with other changes to the policy.

Phil asked if the Selectboard needs to disclose their role in Hinesburg on their personal Facebook pages (in reference to Lines 36-37). Mike said that Selectboard members should abide by this, but asked whether they are held to employee personnel policies. Todd replied that this policy does not apply to the Selectboard specifically, but will ask for guidance from the Town Attorney. Merrily said that whether the Selectboard is legally bound by this policy or not, it is a good idea to adhere to it, since Selectboard members are in a position of leadership and visibility for the Town.

Dennis asked about adding the word "necessarily" to Line 39, so that it reads "the views do not necessarily represent the views of the Town." Todd replied that the current language seems sufficient but will follow up with the Town Attorney.

Mike asked how public will have access to this. Todd said it is on the Town's website. He suggested that public comments be directed to the Selectboard. Merrily recommended that it be easily accessible on the Town website.

Phil noted that next steps will be counsel review, incorporation of comments, and potential approval at next meeting.

Discussion of Town Plan Energy Chapter Revisions & Warn Public Hearings

Maggie noted that the Energy Committee spent a good deal of time working on these revisions with the Chittenden County Regional Planning Commission (CCRPC) and that the Planning Commission has also

spent several meetings and a public hearing discussing them and that the revisions are well-vetted. She said that they agree with the priority action items that have been pulled out by the Energy Committee.

Phil suggested additions to encourage more use of school buses and electric bussing, as well as encourage the use of school buses for general public transportation. Alex said that the transportation chapter may have had similar language in it already. Phil will work with Alex to ensure the incorporation of that language.

The Selectboard discussed which priority goals to recommend and decided on goals 8.1.1, 8.4.1, and 8.4.2.

Phil made a motion to warn two public hearings for this Town Plan change for June 16, 2021 and July 7, 2021, seconded by Merrily and approved with 5 yes votes.

Continued Discussion of Diversity and Inclusion Activities

Joy provided an update, saying that the Town has been working to create a culture of inclusion and belonging and that she is participating on the Vermont League of Cities and Towns (VLTC) Equity Commission. She suggested a possible action of initiating a Townwide community conversation on inclusion and belonging through public meetings.

Christina asked what actions the Selectboard members will take to deepen their understanding of diversity, equity, and inclusion and how they connect with Town issues. Mike said that the recommendations that were brought up at the last meeting were that the Selectboard should commit to participating in the Town's development of a plan on cultural competency, antiracism, and understanding biases. Merrily said she would find it valuable to take any training opportunities that the Town has to offer. Maggie said that working on policies seems like a good first step.

Delta Dental Policy Renewal

Todd said that the Delta Dental policy is up for renewal on July 1 and asked the Board if they would consider adding an orthodontic rider to the policy. He noted that the Town emphasizes the generosity of its benefits package when recruiting but noted that other towns offer a more generous orthodontic benefit. He said that there are four benefits levels and only one of them covers adults and that any of the riders would come within what is budgeted for the next fiscal year.

Phil moved that the Selectboard approve the addition of the orthodontic rider benefit of \$1,250 that includes adult coverage to the Delta Dental policy, seconded by Mike and approved with 5 yes votes.

First Class Liquor License Application – Frost Beer Works LLC

Joy noted that the Applicant would like the ability to do a larger beverage pour, which requires a change in their liquor license.

Phil moved that the Selectboard become the Liquor Control Board, seconded by Merrily and approved

324 with 5 yes votes.

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326 Phil moved that the Liquor Control Board approve the First Class Liquor License Application for Frost
327 Beer Works, LLC, seconded by Merrily and approved with 5 yes votes.

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329 Phil moved that the Liquor Control Board become the Selectboard, seconded by Merrily and approved
330 with 5 yes votes.

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332 **Consider Approving the Warrants**

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334 Phil moved to approve the warrants of 5/13/2021 signed by himself and Merrily, including payroll, as
335 submitted by the Town Treasurer, seconded by Merrily and approved with 5 yes votes.

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337 Mike moved to adjourn at 9:43 p.m., seconded by Merrily and approved with 5 yes votes.

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339 Respectfully submitted,
340 Amy Coonradt, Recording Secretary