



## Select Board

Town of Hinesburg  
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### Meeting Minutes - February 20, 2017

- Draft -

**Attending the Meeting:** Mike Bissonette, Phil Pouech, Aaron Kimball, Tom Ayer, Andrea Morgante, Trevor Lashua, Renae Marshall, and attached list.

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

#### Changes to the Agenda

None

#### Public Hearing – Proposed Highway Garage Project and Bond

Mike B opened the Public Hearing. Trevor explained the public hearing process and bond financing. Andrea provided information on the history of the proposed project.

David Estey asked if the sprinkler system previously discussed was still part of the project. Trevor said the cost would have been \$276,000 and currently is not included and has been replaced with the fire wall.

Mike B. closed the public hearing.

#### Board/Committee/Commission – Interviews and Possible Appointments

Aaron Townshend was present to apply for a position on the Town Forest Committee. Aaron has experience in forestry and natural resources management and environmental science.

Phil moved the Board consider a motion to appoint Aaron Townshend to the Town Forest Committee for a term expiring 1/01/20. Second by Tom and approved with 5 yes votes.

Paul Lesure was present to apply for a position on the Energy Committee. Paul works in the solar industry and is interested in sharing his knowledge and supporting the educational and awareness efforts of the Energy Committee.

Andrea moved the Board consider a motion to appoint Paul Lesure to the Energy Committee for a term expiring 01/01/20. Second by Phil and approved with 5 yes votes.

Michael Webb also is looking to serve on the Energy Committee. Michael has experience working with energy efficient programs.

Aaron moved the Board consider a motion to appoint Michael Webb to the Energy Committee for a term expiring or 1/01/19. Second by Phil and approved with 5 yes votes.

### **Public Comment**

David Estey read a statement of support for Chief Barber from the membership of the Fire Department signed by 30 people.

### **Initial Discussion on Emergency Medical Services**

The presentation originally planned – focusing on how the current emergency medical services system works, as well as why it is configured that way – has been pushed into March. St. Michael's Rescue, local first responders, and other State and regional EMS officials are expected to attend. However, given the discussion that began at the 2/06 meeting and has continued in various formats, it seems prudent to take some time to frame the discussion in a manner that focuses on facts and relevant data. Board members discussed the need to understand the relationship between the Fire Department and Town and how we work together. What role the Select Board plays given the fact that tax dollars support the Fire Department.

Board members said they would like to look into what would be the best option for ambulance service to the Town.

Phil said he sees three items; to understand the legal responsibilities between the two organizations / regarding the personnel issued raised to get an independent mediator to look into this and provide information on how to move forward / and a formal review of ambulance service.

Tom said there is a personnel policy within the Department and feels it is not proper for the Select Board to step in.

David Estey said the Department members would also like to clarify the relationship between the Town and Fire Department.

Trevor advised according to information from the VT League of Cities and Towns the Town has no involvement in personnel matters with the exception of appointing the Fire Chief.

Paul Lamberson said the process appears to be flawed. If you are the recipient of a W2 from the Town of Hinesburg the Town policy refers to you. Trevor said would need to clarify that with VLTC.

Dan \_\_\_\_, chief of department of Emergency Services of VT offered assistance from his office if desired.

### **Consider Authorizing the Town Attorney to Sign the 2<sup>nd</sup> Amendment to the Declaration For Haystack Community Crossing**

Mike B recused himself and Phil took over as chair of the Board.

Planning and Zoning Director Alex Weinhausen (on behalf of the Town) and local attorney Joe Fallon (who drafted the amendment) were present to answer any questions. Joe reviewed the changes and explained the reasoning is for issues the title company had. Joe offered additional wording to the amendment to address the concern around reserving the right to add up to 125 additional Units to the Common Interest Community by stating this in no way is approving or guaranteeing additional units. Andrea made clear the point that the Town has no ownership in the roads or sidewalks.

Tom moved the Board consider a motion to authorize the Town Attorney to sign the 2<sup>nd</sup> Amendment to the Declaration for Haystack Community Crossing as presented and to include the additional language regarding the 125 additional units. Second by Andrea and approved with 4 yes votes and Andrea abstaining.

### **Consider Designating Funds from the Addison Natural Gas Pipeline Agreement**

The Town received the check for \$250,000 in compensation owed as part of the stipulated agreement between Vermont Gas and the Town and the Public Service Board's order. The funds have not been designated for use – until the Supreme Court rules on the appeal of the Public Service Board's decision filed by the intervenors, the funds are not to be spent. A Supreme Court ruling in favor of the intervenors would require the Town to return the funds. Any decision to designate does not alter that course – funds would not be spent until a ruling has been issued, they would simply be designated for one or more uses.

Tom provided a history of the donation by Paul Eddy in memory of his wife and the donated land by the Bissonette family to provide much needed recreation fields in Hinesburg. He has worked hard to have this project be a community effort and has done so with fundraising to date. Tom said as an extension of the recreation committee proposal he is asking approval of a portion of the VT Gas funds to finish this project.

Tom moved the Board consider a motion to assign \$190,000 from the \$250,000 stipulated agreement with VGS regarding drilling under Geprags Park to the Bissonette Field project. Second by Aaron.

Phil said he would like more time to get input and be sure there are no restrictions on use of the funds. He added he would like the process to be for committees to review, allow time for input and have public meetings for discussion.

Andrea said she is not ready to make a decision when the agenda was only published last Friday only giving people a few days to know it would be discussed. She said we need to look at the origin of the money.

Aaron said this has been a long time conversation, 22 years as noted by Tom since the donation of funds, the Town has been having about the need for rec fields. The Board received a letter from the Recreation Commission last September on this and the Select Board has been committed to completion of the fields for years. He would like to see the field finished.

Peter Erb said there is an obligation to finish the landscaping.

Mary Beth Bowman said recreation is not only about sports, lot 15 could become a Town park.

Peter Modley said he is stunned that money coming to the Town that s taxpayer money would be converted to a private fundraising project.

Pat Mainer we need a process and time for public input.

A resident asked what we keep in reserve for future possible costs associated with the pipeline.

Lenore Budd said the Trails Committee has not had a chance to put this on their agenda.

Chuck Reiss agrees we need more time to the decision process.

Gil Coates feels most of the money should go in a trust to care for Geprags Property.

Kyle Bostwick, member of the Recreation Commission, would like to advocate on behalf of the Commission to use the funds requested for the fields.

Bob Hyams, member of the Conservation Commission, said they were not asked for input on how the money should be spent.

Steve Fisher, of Fellowship of the Wheel, said they would be happy to help with any trail construction that may be decided to be constructed in the park.

Stevie Spencer said we need to think this through.

Dave Eddy said he would love to see the fields get completed but it sounds like everyone needs more time. He said his father donated funds toward seeing this completed but he wants to know the majority of residents feel good about it.

Corinne Johansson of the Town Forest Committee said to plan for money that the Town may not have is premature.

Mike B said he will vote in favor as he feels this has been a long time project with years of discussion. Andrea and Mary Beth Bowman challenged Mike's vote noting they feel there is a conflict of interest. Mike replied he has nothing to gain from this action.

Renae Marshall said Friday's agenda notices were no different from any other agenda.

Maggie Gordon said if the process is not open and inclusive it will be divisive.

Tom said he would table his motion till Monday, March 6 and discuss at Town Meeting.

Trevor said the vote cannot take place at Town Meeting.

Tom with agreement from Aaron withdrew his motion.

### **Discuss Town Plan Review Process and Timeline**

The Board discussed with Alex how the process will go if they make any changes. All agreed to work on review of several sections at a time.

### **Initial Discussion on Wastewater Capacity Study**

The Board discussed the Aldrich and Elliot (A&E) wastewater capacity study and discussed allocation and capacity relating to an upgrade. How many users now and how any additional users added relative to the cost.

### **Consider Approving Liquor Licenses**

Andrea moved the Board convene as the Liquor Control Commissioners, second by Phil and approved with 5 yes votes.

Aaron moved the Board consider a motion to approve second class liquor licenses for the period beginning May 1, 2017 and expiring April 30, 2018 for:

- Frost Beer Works, LLC, d/b/a Frost Beer Works;
- Global Grapes and Spirits, LLC, d/b/a 116 Wine and Spirits;
- Jolley Associates, LLC, d/b/a Short Stop #143;
- KPH Drugs, Inc., d/b/a Kinney Drugs, #103.

Second by Tom and approved with 5 yes votes.

### **Consider Approving a Special Event Permit Application**

Caledonia Spirits and Red Wagon Plants are seeking approval for a special event permit for a tasting on 4/14/17 from 5 p.m. to 9 p.m.

Andrea moved the Board consider a motion to approve the special event permit for Caledonia Spirits, Inc., doing business as Caledonia Spirits, for Friday 04/14/17 for the hours of 5 p.m. to 9 p.m. Second by Phil and approved with 5 yes votes.

Phil moved the Board adjourn as the Liquor Control Board, second by Aaron and approved with 5 yes votes.

### **Town Administrator's Report**

- a. *Vermont Gas update* – The pilot drill hole is approximately 1,300 feet in distance. There was a small inadvertent return this week (where the drilling fluid – a mix of bentonite clay and water – surfaces) that was addressed quickly and by all accounts correctly. The return did not occur within the park. Vermont Gas coordinated work related to the crossing of Shelburne Falls with the appropriate Town departments. No word as of this writing on the Supreme Court appeal.
- b. *Utilities Department Down an Employee* – Art Garrison, one of the members of the Utilities (water/wastewater) crew, is returning to his prior employer (the Town of Milton). The opening has already been posted. Art's last day is 02/24.

- c. *Shared Zoning Administrator with Richmond* – Candidates are beginning to emerge from a second round of advertisements. Nothing has been formalized yet, but the hope is to hold initial interviews during the week beginning 3/13.
- d. *Select Board Retreat* – This is just a quick reminder that we will be looking to schedule a retreat following Town Meeting.
- e. *Highway Garage open house and public hearing* – Saturday, 2/25, is the next highway garage open house.

<i>"Two-and-Two"</i>	
<u>03/06/17</u>	<u>03/20/17</u>
<ul style="list-style-type: none"> <li>▪ <u><b>Town Meeting 2017</b></u></li> </ul>	<ul style="list-style-type: none"> <li>▪ Discussion on Emergency Medical Services (with 1<sup>st</sup> responders, St. Michael's rescue)</li> <li>▪ Selectboard Organizational Meeting</li> <li>▪ Town Meeting "Re-cap"</li> <li>▪ Water/wastewater allocation discussion, continued</li> <li>▪ Appointments/Reappointments to Various Statutory Positions</li> <li>▪ Bonding for Public Officials</li> <li>▪ Designation of Newspaper(s) of Record</li> <li>▪ 1<sup>st</sup> Class Liquor Licenses</li> </ul>

### Select Board Items

Phil requested Trevor provide the Board with information on the Town's long-term debt level. He also noted he is happy to see the fencing around the canal.

Phil asked about proposal for dug wells by developers and what the process would be.

Andrea reminded the Board of the well on the Quinn property and if there might be any interest in re-opening a conversation on that. Also that Lyman Meadows is still on their own well, what is the status of that water. And do they want to look at the old water line up Route 116.

### Minutes and Warrants

Phil moved the Board consider a motion to approve the minutes of 2/6/17 and the warrants, including payroll warrants, as submitted by the Town Treasurer. Second by Aaron and approved with 5 yes votes.

### Executive Session – 1 V.S.A. § 313 (a) (1) (E) and (a) (3)

Executive session is required to discuss the excessive force allegation and the status of one of the employees involved. Two motions are needed – one finding that executive session is lawful and necessary and one to enter executive session. Action is required, and will be taken in public once the Select Board has adjourned its executive session.

Phil 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 or criminal litigation and to discuss an employee. Second by Aaron and approved with 5 yes votes.

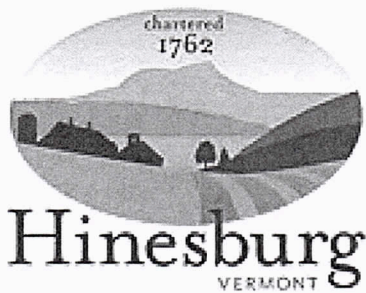
Phil moved the Board consider a motion to enter executive session, to include the Town Administrator, Special Projects Coordinator, and Police Chief, under the provisions of 1 V.S.A. § 313 (a) (1) (B) and (E), and (a) (3). Second by Aaron and approved with 5 yes votes.

Andrea moved the Board exit executive session at 10:48 p.m. Second by Tom and approved with 5 yes votes.

Andrea moved that the Board extend paid administrative leave for a police department employee for one month. Second by Mike and approved with 5 yes votes.

Phil moved that the Board ratify the settlement agreement as presented. Second by Mike and approved with 5 yes votes.

Tom moved that the Board adjourn at 10:49 p.m. Second by Andrea and approved with 5 yes votes.



# Selectboard Meeting

## Sign-in Sheet

### February 20<sup>th</sup>, 2017

1. FRANK KOSS

2. Mike Anthony

3. Tammy Anthony

4. Vivley Ross

5. Dan Mc Murdock

6. David Estey

7. [Signature]

8. Lucas Charbonneau

9. Paul Lamberson

10. Veronica Estey

11. Paul Eddy

12. David Eddy

13. Pat Mainer

Alex Weinlagen

Bob Hyman

14. Corinne Johnson

15. Gill Coates

16. Maggie Gordon

17. Mary Beth Boring

18. Harri Townsend

19. Joe Fallon

20. Janice Nadworney

21. Steven Fischer

22. PETER MODLEY

23. Kyle Bestwick

24. Michael Webb

25. Jessie Buntles

26. Paul Lesore

27. Chuck Reiss

28. PETER EZB

29. Barbara Forester

32 Bill Schumbert

31 Kate Schumbert

30 Helen Spence

Lemar Budd  
James Donegan  
Tom @man