

1 **SELECTBOARD MEETING APPROVED**

2 April 12, 2023

3 Attending remotely; Merrily Lovell, Maggie Gordon, Dennis Place, Mike Loner, Paul Lamberson, Todd  
4 Odit, Joy Dubin Grossman, Carl Bohlen, Dale Wernhoff, Jennifer Decker, Aaron Miller, Bill Lippert, Andrea  
5 Morgante, Margaret McNurlan, Diane Barber, Pamela Robichaud.

6 Meeting called to order at 6:30 p.m. via zoom

7 Agenda Additions or Deletions

8 None

9 Public Comment

10 None

11 Approve minutes of 3/29

12 Merrily moved to approve the minutes of 3/29 as amended. Seconded by Mike and approved with 5  
13 votes.

14 Selectboard Forum

15 Merrily addressed the need to create a Town Charter. We can approve a local options tax if we have a  
16 charter. Paul added this is an important tool for the Town to have.

17 Consider Approval of Liquor and License Applications

18 Maggie moved to convene as the Local Board of Liquor Control. Seconded by Paul and approved with 5  
19 yes votes.

20 Maggie moved to approve liquor and license applications for all first, second, third class and outside  
21 consumption for all businesses listed on the agenda. Second by Mike and approved with 5 yes votes.

22 Maggie moved to adjourn as the Local Liquor Control Board. Seconded by Mike and approved with 5  
23 votes.

24 Consider Approval of Local Emergency Management Plan

25 Paul moved to approve the Local Emergency Management Plan. Seconded by Mike and approved with 5  
26 yes votes.

27 Consider Adoption of Fair Housing Proclamation

28 Carl noted that April is National Fair Housing month. Last year Hinesburg joined other communities in  
29 Vermont issuing a proclamation. Carl read the Proclamation Declaring April 2023 to be Fair Housing Month  
30 in Hinesburg.

31 Merrily moved to accept the proclamation as read by Carl. Seconded by Maggie and approved with 5  
32 votes.

33 Discussion of ARPA Funds

34 Maggie addressed the request of at least \$150,000 of ARPA funds for the Town Common. She said 50  
35 years from now others items on the list such as department radios, culverts, highway truck will all have  
36 been replaced. The Town Common is a lasting benefit where people will find community and belonging.  
37 There is \$12,500 in the capital budget and she plans to ask for funds to be put in the capital budget each  
38 year for the Town Common.

39 Maggie referred to the project list in the meeting packet saying the ARPA funds will be a jump start to get  
40 us to the point of fundraising and grant requests.

41 Maggie moved to add \$150,000 from the ARPA funds to the Town Common. Seconded by Merrily.

42 Paul asked for clarification that they are just addressing the Town Common not other requests listed for  
43 ARPA funding. Paul said he thinks this is a great project; it is tangible, enduring and shovel ready and has  
44 strong leadership.

45 Mike said he is not sure he wants to have a conversation about just this one project only without discussing  
46 all the projects together. Maggie said she does think we should be discussing all requests so there is a  
47 sense of where funds are going.

48 Todd said everything listed under committed projects the Board agreed to commit money to. The Town  
49 Common has been considered but not approved for allocated money. Todd added that Maggie is looking  
50 for the Board to put some money toward this project so they can at least get started, ideally the amount  
51 would be \$150,000. The current suggested amount is \$100,000. One way to do this would be to commit  
52 the \$100,000 that has been on the list and leave the additional \$50,000 for future discussion. Maggie said  
53 the ask for \$150,000 is to get work done so they can start fundraising.

54 Mike said he is in favor of the Town Common. He wants to know money given to specifically allocated  
55 projects will be completed with that money.

56 Todd said we could get bids to see the costs of each piece of the improvements.

57 Maggie asked if further funds would still be available after the sitework is done?

58 Jennifer said she is glad to hear the Town Manager say they are not discussing the rest of the ARPA funds.  
59 There has not been enough time to get comments from community members. As nice as the park would  
60 be she is not sure it is a priority for marginalized people in our community. She mentioned the fact that  
61 we do not have the results of the safety plan yet and questioned giving more funding to police without  
62 that information. She has asked about putting ARPA funds toward the new wastewater treatment facility.  
63 She has heard no to that idea but with no explanation of why.

64 Paul asked, given Jennifer's comments, how much marginalized communities needs are connected to ARPA  
65 funds. Todd said being it is federal funding it is not a simple answer and he will follow up with the Board  
66 on this. Paul asked if the proposed items on the list meet the federal requirements. Todd said they do.

67 There was no vote on the motion.

68 Update on Compliance with Orders for "Charger"

69 Merrily said the Board heard back from Luke Rines and Taylor Melcher that they have an appointment on  
70 4/21 to take Charger to Waggles Dog Training to be evaluated.

71 A letter was drafted to Luke and Taylor stating the requirements made by the Selectboard and steps that  
72 will be taken if requirements are not met.

73 Joy explained the Town received advice from the Town attorney on the way to proceed with this situation.

74 Dennis asked about the mention of civil fines if requirements are not met. Does the Board want to change  
75 that to require the dog be put down. Joy said it is recommended the process not go that way. If the court  
76 rules the dog be put down that is different. The Town needs to follow the procedure in place.

77 Mike said he appreciates the clarification from the attorney and thanked Joy for getting that.

78 Maggie said the fines are not very high and the cost to file with the court could be more than the fines.  
79 She suggested a future agenda item be to look at the ordinance and procedures for dog bites. Todd said  
80 the fines are set by State Statute. The fine would be for failure to comply with the order.

81 Pamela said regarding to speaking with lawyers, at the Board meeting on the 29<sup>th</sup> it was indicated if there  
82 is a fourth incident it would be taken very seriously. What did the lawyer say about if there is a fourth  
83 incident. Joy said she did not ask that but could. Pamela said she appreciates there is a process to follow  
84 but the road is no safer now than it was before. She would like the Board to address the issue of the dog  
85 bolting out the front door possibly with a lock installed high so the children cannot open it. She would like  
86 to know they have permission to install a fence from the landlord. Mike noted a locked door that a child  
87 could not open could be a safety hazard.

88 Aaron had a question around assessment and enforcement language in the letter. It states the fence needs  
89 to be adequate to confine the dog, who would determine that and check on the more physical aspects of  
90 the order. Joy said they could have the Animal Control Officer visit. Joy said we could rely on the  
91 information from the evaluator/trainer on what they feel is necessary regarding confinement of the dog.  
92 Merrily asked for language to be added to the letter about the Animal Control Officer checking the fence.

93 Paul asked if we can get information on how to deal with vicious dog issues without having to wait to  
94 impose fines and go to court but to take immediate steps.

95 Margaret requested the Town look into strengthening the ordinance, she feels it is absurd that a dog that  
96 has bitten three people is still in a position to bite someone else.

97 Andrea said that previously there was a dog ordinance that allowed the Board to ask for the dog to be  
98 removed from Town or euthanized and asked what happened to that ordinance.

99 Bill said it was his understanding, as Andrea said, the Board had the authority to take other actions other  
100 than a fine. Neighbors in that neighborhood do not feel safe and have had to change their behavior.  
101 People who do not live on the road but bike, walk or run on it do not know about this dangerous situation.  
102 He wants to keep this on the agenda so the public knows what is happening.

103 Maggie said she thought at the last meeting she had explicitly stated if there were to be another incident  
104 the dog would be destroyed. In watching the video of the meeting, she realized she did not explicitly state  
105 that. She believes that Taylor understood that was her intention. She feels the discussion the Board needs  
106 to have is whether with any dog biting incident they impound the dog first and then have a discussion and  
107 make a decision.

108 Paul asked if they could modify the letter to change the consequences that if any of the measures are not  
109 followed it would result in impounding the dog. Paul stated his intention is substitute court consequences  
110 with impoundment consequences. Board members were in favor of the language change.

111 Jennifer said as someone who has been bitten by a dog she appreciates the discussion

112 Merrily moved the Board approve the letter as edited to go out Mr. Rines and Ms. Melcher concerning  
113 Charger. Seconded by Mike and approved with 5 yes votes.

114 Intermunicipal Agreement with Richmond

115 Todd explained that Richmond Police reached out to us and asked if Hinesburg would be able to provide  
116 coverage to them when they do not have an officer on. The agreement states we would do that as long  
117 we have the staffing needed. Todd reviewed the proposal.

118 Paul said he would like to have a time period stated at which time we would review how it is working.

119 Dennis asked about the all night on call that Anthony does and how would this apply to Richmond. Todd  
120 said we would only agree to cover shifts where we have staffing and would not be taking on overnight  
121 hours for Richmond. Dennis said he thought there was concern about the staffing we currently have. Todd  
122 noted the 5<sup>th</sup> officer has started for Hinesburg and we would only agree to cover a shift they requested if  
123 we had two officers scheduled for the shift. Dennis said he thought we needed the five officers just to  
124 cover all the shifts in Hinesburg. Todd said to cover all shifts with two officers we would need six and we  
125 have five. We would only be covering Richmond when it works for us.

126 Mike said he wants to be sure before we do our strategic planning that this does not turn into a request  
127 for a sixth officer. Todd said it would not.

128 Paul said his preference is to be able to get out of the overnight coverage that falls on Anthony. He is most  
129 comfortable with the response not patrol options. He feels patrolling needs to be done with someone  
130 who has a connection with the community.

131 Maggie supports this but also wants to be sure this does not turn out to be a money-making thing.

132 Paul asked if we are deciding to support one level or the other of coverage.

133 Todd suggests to leave the contract as written and allow discretion to apply the contract appropriately  
134 based on input from the Board.

135 Dennis is in favor and just wants to be sure our officers do not get burned out.

136 Jennifer asked how this affects the Town budget and COPS grant. Merrily replied there is no COPS grant.  
137 Todd said there could actually be a little revenue to the Town but this is not about making revenue.  
138 Jennifer said she would like the whole Town to have more time to discuss. Jennifer had more comments  
139 but was losing her connection to the zoom meeting and said she would send those to the Board in an  
140 email.

141 Andrea said it is good that we can offer this and wants to continue talks about regional services. She is  
142 interested to hear what the consultants come up with on this issue.

143 Aaron asked about the conversation of having two officers on a shift was for officer safety in responding  
144 together. Would two officers respond to Richmond or one go and one stay in Hinesburg. Todd said one  
145 would go and if the officer needed backup there would be the second one to respond too.

146 Merrily moved to support the Intermunicipal Police Agreement between the Town of Hinesburg and the  
147 Town of Richmond. Seconded by Mike and approved with 5 yes votes.

148 Town Manager Report

- 149 • Village South sidewalk was awarded the Downtown Funding Grant and are working on formal  
150 documents with the contractor
- 151 • Lantman's crosswalk relocation received two grants which should cover that project
- 152 • There were two interviews for highway maintainer and one offer made
- 153 • Contracts are in place for crosswalk and fog line painting
- 154 • Structures grant again submitted for the Lincoln Hill Rd culverts
- 155 • 5<sup>th</sup> Police Officer has started and a shift on Sunday will be added to the schedule
- 156 • WWT bid due 4/18
- 157 • Working on revisions to Personnel Policy
- 158 • Public Safety Strategic Plan consultants are planning a second site visit in May
- 159 • Department of Public Works position interview scheduled for Friday
- 160 • Applications for Bike/Ped Grant due 6/9

161 Approve Warrants and Payroll

162 Merrily moved to approve the warrants signed by herself and Maggie, including payroll, as submitted by  
163 the Town Treasurer. Seconded by Mike and approved with 5 yes votes.

164 Possible Executive Session pursuant to 1 V.S.A. § 313(a)(1)(B) to discuss labor relations agreement with  
165 employees

166 Merrily moved to go into executive session pursuant to 1 V.S.A. § 313(a)(1)(B) to discuss labor relations  
167 agreement with employees including the Town Manager. Seconded by Mike and approved with 5 yes votes.

168

169

170

171

172

173

174