

1 **SELECTBOARD MEETING**

2 May 17, 2023

3 Attending the meeting; Merrily Lovell, Maggie Gordon, Mike Loner, Dennis Place, Paul Lamberson, Todd  
4 Odit, Aaron Miller, George Dameron

5 Attending remotely; Andrea Morgante, Margaret McNurlan, Anne Sullivan, Anthony Cambridge

6 Meeting called to order at 6:00 p.m. via zoom

7 Agenda Additions and Deletions

8 none

9 Public Comment

10 Andrea asked if the wastewater bond is on the agenda. Merrily said it is not but will come up during the  
11 ARPA discussion.

12 Approve Minutes of 4/19 and 5/13

13 Paul moved to approve the 4/19 minutes as amended. Seconded by Maggie. Merrily, Mike and Paul  
14 voted yes. Maggie and Dennis abstained. Motion approved.

15 Merrily moved to approve the minutes of 5/13. Seconded by Dennis. Merrily, Maggie,

16 Selectboard Forum

17 Merrily noted the passing of two important members of the Hinesburg community; Eric Spivack and June  
18 Giroux.

19 Dennis said he was not aware that June co-founded the library at the Hinesburg School so the children  
20 did not have to make the trip to the public library. June also co-founded The Hinesburg Record.

21 Merrily reported that the committee for the Town Charter is moving forward. Members are Paul  
22 Lamberson, Phil Pouech and Dawn Francis.

23 Consider Applying to Vermont Bicycle and Pedestrian Grant Program for Richmond Road Path

24 Todd explained this time we are applying for two segments and have addressed the comments received  
25 from our last application which was denied. The cost for two segments could run from \$400,000 to  
26 \$600,000 for the local match. In the application we noted we would be willing to receive less funds and  
27 if we did would only do the first segment.

28 Discussed a few ideas on cost saving options if we are awarded the grant.

29 Mike asked when we would expect to hear a decision on the grant and what the vision is for the local  
30 match. Todd said sometime in August we could expect to hear, as far as the local match we would look  
31 at capital, ARPA funds or just borrow the funds.

32 Dennis said he is leery as the estimates seem low. Todd said the estimates are increased in the  
33 application and include a contingency.

34 Merrily moved to approve applying for the Bicycle and Pedestrian Program Grant for segments A and B  
35 of the Richmond Road pedestrian path. Seconded by Mike. Dennis asked what happens if we get the  
36 grant and can't come up with the money. Todd said if you agree to the project once awarded you would  
37 have to pay the money back. When awarded the grant there is still the opportunity to change your  
38 mind.

39 Andrea noted this is a very lengthy process part of which is getting right of way and easements. The  
40 Board should understand sometimes the process of eminent domain needs to be used.

41 Motion voted and approved with 5 yes votes.

42 Update on "Charger" Compliance with Selectboard Orders

43 Merrily noted the Selectboard requirements have been met.

44 Aaron Miller said he is pleased to see the fence is up and has not seen the dog outside the fence.

45 Paul said he is comfortable with where we are at with this situation. He would like to revisit the  
46 ordinance at some time in the future.

47 Todd said Taylor and Luke are asking to remove the requirement for additional training and he feels that  
48 would be appropriate but to keep the requirement to be muzzled and on leash when outside of the  
49 fence for the duration of the time they reside there.

50 Merrily moved to send a letter to Taylor and Luke stating we will drop the requirement for the training  
51 but will keep in place the requirement for the leash whenever Charge is out in addition to the muzzle  
52 whenever he is out of the house and in addition to the fence so long as Charger resided there.  
53 Seconded by Maggie and approved with 5 yes votes.

54 Consider Adoption of Town Financial Policies

55 Todd said part of the Kelley's Field grant requirements is for the Town to submit proof of financial  
56 policies.

57 Paul moved to approve the proposed Accounting, Auditing and Financial Reporting Policy as presented.  
58 Seconded by Mike and approved with 5 yes votes.

59 Paul moved to approve the Internal Controls as presented by Todd. Seconded by Mike and approved  
60 with 5 yes votes.

61 Consider Appointment to the Regional Planning Commission

62 Mike Bissonette is the representative on the Board of Directors. Todd is the representative on the  
63 Transportation Advisory Committee. Merrily is the representative on the Clean Water Advisory  
64 Committee. Currently there is no alternate to the Board.

65 Mike L moved to make the noted reappointments to current members. Seconded by Paul and approved  
66 with 5 yes votes.

67 Discuss List of ARPA Projects

Merrily noted the Board is not making any decisions on the money that has not already been assigned. The Board is waiting for more information regarding costs of the wastewater facility. She noted residents have sent letters to the Board both saying put all the ARPA money toward the ww as well as ones saying none of the ARPA money should be used.

Dennis asked for an estimate of a user's costs for sewer. Todd the original estimated increase was \$500 annually with the original bond vote. Dennis noted a private system will cost in the area of \$40,000 which is why people outside the service area are not in favor of paying toward the Town ww system.

Todd said while not a direct benefit people outside the service area do have some benefit with possible growth in the area. One way would be to have a flat rate per parcel.

Board members questioned discussing this before any decisions will be made regarding funding the ww facility.

Maggie asked about the rec fields request and what they plan to use the funds for. Todd said they are focusing on the building for a snack shack and storage. They are also looking at changing the layout of the parking lot

Paul expressed his views and said he will not vote to put all ARPA funding toward the ww facility. Also, on the list that he questions is the equity and inclusion work, he would want to see some specific objectives that are attainable and realistic. He is more inclined to support brick and mortar projects that benefit the whole community.

Margaret asked if it is possible to have more detail and justification to items on the list, what are the needs.

Mike referred to Maggie's comment about not including outside agency requests. They will take that into consideration when they look at the list next time. For now, they are not under consideration.

Andrea agrees with Paul and Margaret requesting more financial background about how much Town funds have been spent on the rec fields. There was money that came to the Town that was not tax payer dollars that has gone to the rec fields. It would be good to have some historical data on how much has been spent on some of this and other important infrastructure as it might be useful in making the decision. When the Board discusses the ww project at the June meeting she asked that there be a financial spreadsheet that shows what the cost to users will be and to understand the Town is on the hook for that money. We need to look at how long it will be before the new development will be contributing to the costs.

Merrily said it seems Board members are not in favor of spending all the ARPA funds on the ww treatment facility. The Board agreed stating it would hard to justify that.

George Dameron said there is zoning and community commitment to concentrate development into the Village. His concern is the high cost of sewer will make it hard for people to afford to live in the Village.

Review Revisions to the Personnel Policy

104 Todd explained the changes made to the policy and reasoning for those changes. Maggie asked if he has  
105 talked with staff about the changes. This will be voted on at a later date.

106 Consider Approval of Lease Agreement with Acorn Energy Solar 4

107 Todd noted the first annual payment for the lease has been made.

108 Mike moved to approve the lease agreement with Acorn Energy Solar 4. Seconded by Maggie and  
109 approved with 5 yes votes.

110 Consider Approval of HCH Act 250 Support Letter

111 Todd explained Hinesburg Center II is looking for a letter of support for their ACT 250 application. The  
112 letter was reviewed by the Planning staff and they suggested some edits.

113 Andrea said she finds it interesting that Brett has asked for this letter. She feels it is important for the  
114 Board to understand the flood plain manager from the State and several other members of the public  
115 continue to point out that they did not adequately review that there was no undue adverse impact. The  
116 engineers and the developer were able to suitably demonstrate they had permits but it is going to raise  
117 the base flood elevation and there will likely be impacts upstream. The way our regulations are written  
118 to address development in the flood plain is only going to repeat the mistakes that have historically been  
119 made about putting housing in the flood plain that all taxpayers end up paying for when the houses  
120 flood or our infrastructure is impacted. She feels the DRB did not understand the differences between  
121 getting a stream alteration permit and doing a study and understanding the undue adverse impact.  
122 Relying on things being in a village and weakening of ACT 250 for projects in downtown designations and  
123 village districts will be a disaster.

124 Merrily noted it is documented in the letter that the DRB found no flood hazard area impacts and  
125 concluded it will not increase the risk of surrounding properties. Andrea replied she does not think they  
126 relied on adequate engineering information but were relying on a previous study.

127 Anne Sullivan said she is very impressed with Andrea's knowledge of the land and study of that area.  
128 She is concerned with approval of this. She understands we want the Village to grow and we need  
129 housing.

130 Paul noted he listened to all that was said and asked what is on us now if he does not vote for this and it  
131 does not pass what would happen. Todd said we have zoning regulations and the DRB approved the  
132 project according to those regulations. If there were concerns about the project it could have been  
133 appealed. He feels it is appropriate to approve the letter as it is a project that the Town reviewed and  
134 approved.

135 Mike said to question the DRB and all the work they have done now in this meeting and say let's not  
136 approve this project is questionable. He is not comfortable or willing to do that. Merrily agrees and said  
137 she also has questions but feels she should have been at the DRB meetings and raised her questions  
138 then.

139 Maggie pointed out everything noted in letter is correct.

140 Andrea said the letter is not necessary for ACT 250. Brett is asking for the letter, the ACT 250 application  
141 for the municipal impact questionnaire will be completed by Todd. There is no requirement for a letter.

142 Merrily moved to approve the letter of support for Hinesburg Center II. Mike seconded noting the letter  
143 to be signed by Todd. Motion voted and approved with 4 yes votes and Paul abstaining.

144 Town Manager Report

- 145 • A fire department employee took a position with Colchester. The position will be advertised.
- 146 • Village South sidewalk construction to start on Monday and should be done in July
- 147 • The draft permit for the ww treatment plant has been issued. There are a lot of changes from
- 148 the previous permit. Todd was directed to Randy Bean who is qualified to review the permit and
- 149 provide comments. If the Board does not feel the conditions of the permit are justified, they
- 150 have the option to appeal.
- 151 • Received the results of the PFAS and it showed some chemicals detected in the effluent which is
- 152 all coming from users. No action is required at this time.
- 153 • Budget status – we have two months left. Todd reminded the Board the budget was planned to
- 154 have a deficit.
- 155

156 Anne asked that the Board take seriously the issue of PFAS as rates of cancer in children and adults can  
157 be linked to how their bodies handle PFAS chemicals.

158 Approve Warrants and Payroll

159 Paul moved to approve the warrants signed by Merrily and Maggie, including payroll, as submitted by  
160 the Town Treasurer. Seconded by Maggie and approved with 5 yes votes.

161 Adjourn

162 Maggie moved to adjourn at 8:00 p.m., seconded by Mike and approved with 5 yes votes.

163 Respectfully submitted,

164 Valerie Spadaccini, clerk of the Board