

**TOWN OF RUTLAND  
SELECT BOARD**

MINUTES: February 9, 2016

Board members present: Joshua Terenzini, Don Chioffi, Joe Diction, Mary Ashcroft

Meeting opened at 6:35 P.M. with the Pledge of Allegiance.

The Board considered the minutes from the January 25, 2016 Select Board Meeting. Ms. Ashcroft made a motion to accept the January 25, 2016 minutes. Mr. Chioffi made a second to the motion. The motion passed unanimously.

Mr. Brad Wilson from Ecos Solar presented information regarding Otter Creek Solar Projects One and Two.

Mr. Wilson made the following points:

- The buffers between the Project and the road will be 75 feet on the northern section, 100 feet on Cold River Road, and 50 feet where the berms are located. The buffer will be maintained to continue the effectiveness of the screening during the life of the project.
- Footprint acreage is 33 to 34 acres.
- Mr. Wilson said he has met with the owners of adjoining properties
- Mr. Wilson said the two solar projects are separated because of State law. He said there is a 4.99 megawatt limit for the 248 process. He said the 2.2 megawatt project will be Speed Program eligible.
- He told the Board that the projects can potentially generate 7 megawatts of power.
- He said the value of a REC is approximately \$30.00-\$40.00 per megawatt hour.
- He said power purchase agreements have been submitted to GMP
- Mr. Wilson said the equipment is designed for approximately a 40-45 year life. He said ECOS Solar has 25 year agreement with GMP. Mr. Wilson said When the contract expires ECOS Solar will attempt to negotiate another contract with GMP for the remaining life of the equipment.
- Mr. Wilson cited the Public Service Board (PSB) requires a decommissioning plan and bond. The PSB determines a cost estimate and dollar amount into a letter of credit or escrow account until the end of the life of the Project.
- Mr. Wilson said ECOS Solar will bid the construction of the Project, landscaping, maintenance and electrical work.

- Mr. Wilson said The State of Vermont determines Taxable Value on solar equipment by using a spread sheet formula.
- Mr. Wilson said the 46<sup>th</sup> day for his 45 day notice will be February 23, 2016.

Mr. Joe Diction opened the floor for public comment.

Town resident Mr. Jim Hall asked why Ecos Solar chose Vermont for this project. Mr. Wilson said because the Vermont Legislature offers financial incentives.

Mr. Chioffi inquired about the federal law "Public Utility Regulatory Policy Act" (PURPA). Mr. Wilson said utilities are required to pay for power based on their "avoided cost". The avoided cost in Vermont is much greater than in other states. He said the avoided cost has to do with fuel sources, transmission and generation.

Mr. Joe Denardo asked who owned the land. Mr. Wilson said ECOS Solar owns the land.

The Select Board and Planning Commission will decide how to notify the neighbors and Town residents for the Public Hearing to be scheduled on March 8, 2016.

Town Planning Commission Chairperson Ms. Barbara Pulling reported:

- 1) Ms. Pulling reported there will be a Town Plan public hearing on Thursday March 3, 2016 at 7:00 P.M. Ms. Pulling cited the new Future Land Use, which includes the new Agricultural Forestry District, Working Lands, and Scenic View Sheds. She told the Board that all Town residents will be notified of the meeting.
- 2) Ms. Pulling told the Board that the Planning Commission recently received the Business Route 4 West Rutland/Rutland Town Smart Growth Study. She told the Board that the Rutland Regional Planning Commission will be discussing the study at their Thursday, February 25, 2016 meeting.
- 3) She said the Planning Commission will submit the information to the West Rutland and Rutland Town Select Boards in March.

Town SWAC & Transfer Station representative Mr. Richard Lloyd reported:

- 1) Mr. Lloyd reported the Transfer Station is accepting household batteries, drill batteries and cell phone batteries.
- 2) Mr. Lloyd said there will be a Household Hazardous Waste Collection on Saturday, April 9, 2016 from 8:00 A. M. to 11:30 A.M.

Town Emergency Management Director and Transportation Council Representative Mr. Martin Wasserman reported:

Mr. Jim Hall reported on behalf of Mr. Martin Wasserman:

- 1) Mr. Jim Hall told the Board that he attended the Transportation Council January 28, 2016 meeting regarding electric car charging stations.
- 2) Mr. Hall stated the Council took action on district paving projects. He said there are no projects planned for Rutland Town.
- 3) Mr. Hall reported the change in State policy regarding painting roadways at intersections where town road abuts State Highway.
- 4) Mr. Hall stated the Road Commissioners meeting in April will be discussing Clean Water Act issues.

Town Clerk & Treasurer Ms. Donna Zeller reported:

- 1) Ms. Zeller told the Board that the Town Office will be closed on Monday, February 15, 2016 for President's Day.
- 2) Ms. Zeller said the Town vote informational meeting will be on Monday, February 29, 2016 at Rutland Town School. She said the polls will be open from 7:00 A.M-7:00 P.M. on March 1, 2016
- 3) She said the last day to register to vote is Wednesday, February 24, 2016 and that the Town Clerk/Treasurer office will be open until 5:00 P.M.
- 4) She said absentee ballots are available on request. Ms. Zeller explained the process for requesting a ballot.
- 5) The Board selected Friday, April 22, 2016 as the due date for scholarship applications.
- 6) She requested a Board member sign the Northstar Fireworks agreement. Mr. Chioffi made a motion for the Chair to sign the contract. Ms. Ashcroft made a second to the motion. Motioned passed unanimously.
- 7) Ms. Zeller requested permission to sign the Grand list Closure Certificate. Ms. Ashcroft made a motion for Ms. Zeller to sign the document. Mr. Terenzini made a second to the motion. Motion passed unanimously.

Rutland Town Road Commissioner Byron Hathaway reported:

- 1) Mr. Hathaway presented the 2015-2016 Annual Highway Mileage Certificate for signatures. Ms. Ashcroft moved to adopt the Certificate. Mr. Terenzini made a second to the motion. Motion passed unanimously.

- 2) Mr. Hathaway told the Board that he recently attended a 2 day workshop by Green Mountain Power regarding debris management. He said the Town's debris management plan is in compliance
- 3) Mr. Chioffi made a motion for the Chair to sign the Stantec agreement. Ms. Ashcroft made a second to the motion. The motion passed unanimously.
- 4) Mr. Hathaway gave the Board an update of the construction of the Town Highway Garage. He said a problem with the paint will be corrected at the supplier's expense.
- 5) Mr. Hathaway told the Board that there will be a scoping study meeting for a Bicycle / Pedestrian Study on Friday February 26, 2016 at 10:00 A.M. at the RRPC.

Rutland Town Fire Chief Frank Cioffi reported:

- 1) The Board discussed a bill from Reynolds and Sons for sensors and exhaust systems to be changed and calibrated at the Rutland Fire Station. Mr. Chioffi made a motion to take the funds out of the Bond to pay the bill and forward information to the Town's legal counsel. Ms. Ashcroft made a second to the motion. Motion passes unanimously.
- 2) The Board discussed the bid document for replacement of fire engine 1. Mr. Chioffi made a motion for the Fire Chief to proceed with the advertising/bid process to replace engine 1. Ms. Ashcroft made a second to the motion. Motion passed unanimously.

Town Representative to the Rutland Regional Planning Commission Mr. Fred Nicholson reported:

No meeting, no report.

Town Police Chief Ed Dumas reported:

- 1) He told the Board that Mr. John Sly will be giving a presentation on Wednesday, February 10, 2016 at 6:30 P.M. at the Rutland Town School regarding lock-down and evacuation tactics.
- 2) Chief Dumas briefed the Board regarding active cases and those that have been resolved.
- 3) Chief Dumas presented a letter from the ACLU which seeks all information regarding the Town's Aggressive Panhandling ordinance.
- 4) Mr. Diction read a letter from owners of the Sensible Shoe thanking the Town Police department for the manner in which they handled a recent matter.

- 5) Chief Dumas requested certifying and classifying all Rutland Town Police Officers as full time. Full time officers are able to investigate crimes and can bring charges. He said a Part time officer works under a limited scope.

Rutland Town Recreation Director reported:

Not present.

Town Administrator Mr. Joseph Zingale Jr. reported:

- 1) Mr. Zingale, briefed the Board regarding his meeting with Town Storm Water Consultant Mr. Andres Torizzo. Mr. Zingale questioned if the Board wants to adopt a storm water ordinance that applies to the entire Town or just to properties in the Moon Brook water shed. The Board instructed Mr. Zingale to invite Mr. Torizzo to the Board's March 8, 2016 meeting.
- 2) He informed the Board that the Annual Town Report has been sent to the printer. Mr. Diction thanked Ms. Ashcroft, Mr. Chioffi, Mr. Zingale, Ms. Zeller and Ms. Carbine for their work on creating the annual report. Mr. Chioffi made a motion to approve the added emergency expenditures to complete the Town Report. Ms. Ashcroft made a second to the motion. Motion passed unanimously.
3. Mr. Zingale requested an executive session to discuss negotiations with Randbury Road property owners

Mr. Diction presented the Memorandum of Understanding (MOU) between the Rutland Town Police Department and Rutland Town Elementary School. Ms. Ashcroft moved for the Chair to sign the MOU. Mr. Chioffi made a second to the motion. Motion passed unanimously.

Mr. Terenzini moved go into Executive Session to discuss; Tax Collector- Litigation, Fire Chief-Department Personnel and Administrator- Negotiations with Randbury Road land owners. Mr. Chioffi made a second to the motion. The motion passed unanimously

Mr. Terenzini moved to close the executive session and the meeting at 9:45 P.M. Ms. Ashcroft made a second to the motion. The motion passed unanimously.