Draft - subject to final approval

Select Board **May 27, 2015**

PRESENT: Grettie Howe, Preston Bristow, John Doten, Bruce Gould, Phil Swanson, Michelle Fields, Lynn Bohanon

I. CALL TO ORDER

Ms. Howe called the meeting to order at 6:02 P.M.

II. SOLAR INSTALLATION IN TAFTSVILLE

A. Discuss 45 Day Letter

Mr. Swanson presented the Select Board with a DRAFT 45 day letter The letter is addressed to the developer of the proposed solar farm in Taftsville.

The process for the developer to obtain a permit for the construction of the solar farm is as follows:

The developer submits preliminary plans to the abutters, the Town's Select Board, and the Town's Planning Commission.

Once the proposal is received, there is mandatory minimum 45 day waiting period before the developer can submit plans to the Public Service Board requesting a "Certificate of Public Good". Which is part/or all of the permit to construct the project.

Mr. Swanson explained that the "Certificate of Public Good" must be issued by the Public Service Board for this project as constructed.

Once the 45 day waiting period has expired, the developer can submit plans and request a Certificate of Public Good from the Public Service Board.

On a motion by Mr. Gould, seconded by Mr. Bristow, the Select Board voted to sign the 45 day letter regarding the proposed Taftsville solar farm. Motion approved.

B. OTHER DISCUSSION

When the application is submitted to the Public Service Board the Town, the Town's Planning Commission, and the abutters can file to request what is called "Intervenor Status" to be able to be present during Public Service Board proceedings and to present testimony.

This will definitely involve legal counsel.

Mr. Swanson found a attorney in Middlebury who is experienced in opposing solar farms, the firm has a municipal rate of $160.00 per hour.

There is a state statute that allows a town to have a policy statement that is not part of the Town Plan that is an opinion of the Legislative Body on a particular topic. Rutland Town used this statute to adopt a policy statement regarding the siting of a solar farm. The Public Service Board completely ignored this policy in rendering its "Cold harbor Decision".

Considering that the Public Service Board has not once taken account municipal sentiment when granting solar farm permits, and has never denied an application for a Certificate of Public Good; the Select Board concluded that there isn't enough time before the developer can submit his application to the Public Service Board to adopt a policy that has public support and will stand up to Court scrutiny for process and content.

Mr. Swanson explained that The Legislature did pass a law that will become effective on July 1, 2015, that will give municipalities the authority to adopt solar farm siting standards such as screening and setbacks.

These will be guidelines which will in no way establish standards that will mandate particular action by the public Service Board.

The law allows these standards to be part of the Town Plan or as a stand alone ordinance.

The Select Board believes that these standards belong in the Town Plan and will request that the Planning Commission work to develop such an amendment to the Town Plan.

III. Roof over Elevator Walkway at Town Hall

The low bid is from Wright Construction. They are a very reputable company and do excellent work.

The low bid is $104,250.00 plus the cost of installing a sprinkler pipe under the new roof.

Phase 1 $77,128.00 (2015)
Essentially build the roof and all associated trim and painting. New lights. Plus the cost of a sprinkler pipe.

Phase 2 $27,122.00 (2016)
New door frame, door, electric door opener, concrete pad under door swing area, repave walkway.

The zoning permit stipulates a standing seam roof.

Copper is the only choice because the elevator lobby has a copper roof on it now.

Phase 2 is eligible for a 50% state grant, but not until next year.

Funding the project

Capital Reserve will have a balance available on July 1, 2015 of approximately $83,000.00 (after paying for the new carpeting in June).
This should be sufficient to cover phase 1 with a possible slight over run.
Phase 2 can be financed with the 2016 appropriation and grant.

On a motion of Mr. Bristow, seconded by Mr. Gould, the Select Board voted to authorize Mr. Swanson to sign a contract with Wright Construction for the work as discussed. Motion approved.

V. ADJOURNMENT

On a motion of Mr. Doten, second Mr. Gould, the Select Board voted to adjourn their meeting at 6:15 P.M.