

# TOWN OF HIGHGATE

## Selectboard Mtg.

October 15, 2015 @ 7pm

@ Highgate Elementary School - Library

### Approved Minutes

*NOTE: All actions taken are unanimous unless otherwise stated.*

#### **A. Call to Order & Pledge of Allegiance**

The meeting was called to order by Jeff Towle, Chair @ 7:00pm, followed by the Pledge of Allegiance.

**Highgate Selectboard Members**- Jeff Towle, Chair; Chris Yates, Vice-Chair; Diana O'Hara; Randy Connelly; Paulette Tatro

**Highgate Office Staff** – Wendi Dusablon - Town Clerk; Heidi Britch-Valenta – Town Administrator; Shelley Laroche – Town Treasurer

**Public / Other** – Andy King – Public Works Director; Amanda Holland – NRPC; Shirley Fecteau; Dianne Laroche; Richard Laroche; Samantha Laroche; Gerald Laroche; Normand Parent; David Gagne; Barbara Chevalier; Tim Reynolds; Fernand Gagne; James Gagne; CJ Walsh – Ranger Solar; Aaron Svedlow – Ranger Solar; Mark Moulton; Bonnie Moulton; Holly Sherman; Jason Hakey; Sharon Bousquet; Ben Mitchell – The County Courier; Raymond Laroche; David Roddy; Georgette Roddy; Henry Rainville; Sylvia Gagne; Michael Gagne; Kris Smith; RJ Fournier; Dawn Fournier; Richard Gagne; Michelle Monroe – St. Albans Messenger; Fran Bessette; Arlene Gagne; Ed Daniels; Richard Noel; Doug Rollo; Marcel Begnoche; Theresa Begnoche; Adam Fortin; Karen Gagne-Fortin; Ed Adrian – Town Council

#### **B. Public Comment**

##### **1. Erica Benoit – coin drop request**

Erica Benoit was not present for this meeting.

There were no other items for public comment.

#### **C. Town Treasurer – Shelley Laroche**

##### **1. Pay bills**

Paulette had questions about the \$450.00 payment regarding the exhaust fan cleaning at the arena. Shelley will be creating a sub category to track expenses associated with the arena. There was also \$1,055.00 labeled as arena glass through Swanton Village, and this should be labeled as electrical work, this has been corrected.

##### **2. Misc.**

We have not had any updates yet from the auditors. Shelley will keep the board informed.

*\*Jeff reminded everyone prior to the two public hearings that we need everyone to sign in if they have not already, and that all questions / comments should be directed to the chair and please state your name for the record\**

#### **D. Capital Budget Hearing – Amanda Holland, NRPC**

Jeff introduced Amanda Holland from NRPC. Amanda realizes most people are here tonight to hear about the solar project, and she appreciates the audience and the opportunity to present this information. She has been working with the Planning Commission, Selectboard and Highgate office staff for about a year on this project. Copies of the draft plan and this presentation are available on the table next to the sign in sheet. Amanda explained what a capital plan is, why it is necessary and how the town can benefit by implementing it. Jeff reiterated that the Selectboard, Planning Commission, Treasurer and department heads have been working on this and planning for the town and how to pay for it. We will be able to plan for purchases of vehicles, equipment and projects. Feedback from residents is welcome. It is a change as far as how things are funded in town

presently. The Selectboard will be working on policy adoption associated with the plan. There were no further comments or questions. The draft plan is also available on the Town of Highgate's website [www.highgatevt.org](http://www.highgatevt.org).

**E. Ranger Solar – Presentation on solar projects on private property**

Aaron Svedlow and CJ Walsh were present from Ranger Solar for this update and presentation on a proposed 20mw solar project on St. Armand Road. Jeff again reminded everyone to direct comments / questions to the chair and asked everyone to sign in. Ranger has submitted their 45-day notice to the town and to NRPC, which is the first step in receiving approval from the PSB. They intend to submit a petition for a certificate of public good in mid-November, which will start the full PSB approval process. The plans submitted with the 45-day notice are preliminary. Based on feedback they have changed a few things. The proposed project is approximately 99 acres on two different land owner parcels on either side of St. Armand Road. Based on the current lay out, the project is estimated to generate a minimum of \$100,000.00 yearly in property taxes. Wetland surveys have been completed and some preliminary archaeology work has been done also. The site has been walked with the state to identify potential archeological sites and avoid them. They have a historical architectural firm working with them also. All of this will be part of their presentation to the PSB. Their offer still stands to abutting property owners with regard to landscaping plans. The setback will be 100' from St. Armand Road, some of which may change as they move forward. The project as presented is as large as it will be. Copies of the 45-day notice and maps were on the table that everyone picked up as they entered the meeting. There is very little tree removal anticipated for this proposal. This project will interconnect with the substation to the south and there would be a step up transformer which will be placed in a location that is considered to be the least impactful. They cannot build under any existing transmission lines. Paulette asked if this project would have panels covering the mowed portion of the field or the corn field. The corn field is a different land owner. The mowed field west of the walking path is currently part of the project area. The area nearest the arena is the area that they would like to consider donating portions of to the town of Highgate. Chris asked how taking this much land and securing it with fencing will affect the turkey and deer populations. Aaron answered that the fencing is intended to be a deterrent for wildlife, not to snare them. Aaron is a wildlife biologist so these issues are important to him, and to Ranger. Chris clarified that Ranger is a new company who will oversee the project, but it will be owned and operated by another entity, not Ranger – this is correct. Funds are required to be kept in escrow or bonded that would be used to restore the site(s) to their preexisting condition at the conclusion of the lease. They have a number of projects in the process of development in VT, NH, ME and CT but none that have been put on line yet. They specialize in utility scale solar projects in New England. Aaron went over their staff's years of experience as a whole and their years of cumulative experience in the solar industry. Richard Noel asked for clarification, this is a stationary project – yes, similar to the project in Sheldon. Richard also asked about maintenance. This project would create 3-5 full time jobs in operations and maintenance, and the intent is to hire locally. Approximately 60% of the construction staff would be local as well. Richard asked about other plans in Highgate. Aaron answered that they had potentially looked at a larger project, which is on pause while they concentrate on this one. Fran Bessette asked if the maintenance will include mowing the grass or spraying. Aaron answered that it would be all mechanical maintenance, no spraying. Arlene Gagne has concerns with this project, as it is going in right behind her home. How will that affect her taxes? Is it going to be an eye soar? What will happen to her property values? From her home, there is no way to hide the panels, even with landscaping and screening. She was also concerned about her roofing and siding with regard to any glare off the panels. Aaron clarified that the panels go east / west. The glare is very minimal and is directed to the south. The purpose of the panels is to absorb the sun, not reflect it. Andy King asked Aaron to speak to the process of transmitting power that will be generated and how that will affect people that buy power off those lines. The avoided cost rate is lower than any other solar project in the state. They have submitted an interconnection request to interconnect to the substation here as part of the process. Ranger has paid a fair amount of money and has also paid for an impact study to see how this will affect the utility grid. If there are any required upgrades to the network and substation, Ranger would be responsible for the entire cost of the upgrade. David Gagne's house is dead center in the middle of this proposal. He has concerns about wildlife crossing, hunting,

trapping and the wetlands. Aaron understands these concerns. The lands being proposed for use are private lands and the fence is intended to protect the project. David also asked about the heat that the panels produce, to which Aaron noted the arrays are spaced 16' apart and the intent is to absorb heat not release it. Aaron will get some literature to David regarding his concerns. Sharon Bousquet asked for clarification on the number of panels involved in this proposal – 95,000 panels is the maximum it would be. Tim Reynolds asked about the efficiency of the panels. For this project they will be the most efficient panels available, and it behooves Ranger to build a project that is efficient. Samantha Laroche asked why Ranger is not using trackers on this project. At this scale, the cost of tracking panels breaks the economics. It is a worthwhile project using fixed panels. The cost of installation and maintenance for trackers is too high on a project of this scale. Dianne Laroche commented on who considers this project “worth it”. Aaron noted that Vermont ranks 50<sup>th</sup> with regard to instate power production. We gain the benefit of local energy, as well as tax benefits and some jobs. Dianne feels that this project is too close to the village, homes and the school, and that it will hurt more than benefit. She does not think this project should proceed. Samantha asked about power costs. Aaron replied it isn't the cheapest power, but not the most expensive either. David asked if this was the largest solar project in the country – no, but it would be the largest project in the state of VT. There are much larger projects in the south west region of our country, and MD and CT also have very large solar projects. Aaron noted that Addison County has solar projects popping up all over the place. They chose Highgate because of the substations and the electrical transmission lines that already run through these parcels. They feel it's a good site and are willing to screen the project to reduce the impact. Dianne asked if the town will be responsible for any costs if the current lines are not enough to handle the load. Ranger will pay for any upgrades associated with the project. Sharon added that in Highgate we do have local power, we have a hydro dam which provides power to the center of town. Holly Sherman asked about use of a pile driver and if it is noisy, to which Aaron answered that all noise impacts are considered in developing the project. David Roddy has concerns about health hazards and EMFs. The EMFs from this project would be barely measurable. Reference was made to the cell tower at the arena location, to which Mr. Roddy stated he was not in favor of that either. Mr. Roddy invited Aaron to attend a school board meeting. Richard Noel asked if touching the panels would hurt anyone – no, you can touch them. All the large power lines and dc collector lines will be buried for the most part. Ray Laroche asked for a timeline on this project and any other projects. For now they are working on just this project and plan to submit their petition to the PSB in November sometime. Andy King asked about the entity that will be taking over the project afterwards. It may not be a specific company, it could be a variety of different companies or investors. All will be required to comply with provisions associated with the project. David Gagne asked to clarify, an article he read recently stated that Ranger would only be paying for 30% of the upgrades. This information is incorrect, Ranger will be responsible for any and all upgrades associated with this project. Fran Besstte asked about the lifespan of panels and who disposes of them in the end. The project owner would be responsible and in the rare extreme case that something happens, money is set aside (bonded) to take care of it. Karen Fortin asked if Aaron was familiar with the term “dirty electricity” and what it means. Aaron had not heard that term before, and noted that anything he reads or researches comes from a university or government entity. Henry Rainville asked if the project is on leased land, what happens if the owners want to sell – the lease follows the land. Henry is concerned because the town is now (recently) in possession of a brownfield obtained through a bankruptcy proceeding. He is concerned about this happening again. Aaron reiterated the bonding and money being set aside for this purpose, and noted that all of the infrastructure will meet the highest environmental standards. Richard Noel asked about the plan as panels wear out. The lease is for so many years, and the permit is for so many years. At the end of the lease or permit there would either be another lease or a restoration. Dianne Laroche would like to see more studies done on health issues associated with these projects before we move forward. These issues will all be addressed as part of the submittal to the PSB, as these are requirements of section 248. The concern for public health issues will be looked at heavily, just as it was with the cell tower application. Dianne feels if they overlooked things for the cell tower application, the same thing will happen with this solar project. Aaron wanted to stress that they were required to provide the town of Highgate with a copy of the 45-day notice and are required to provide notice to abutting property owners. He is not required to come

to these meetings, but he does because it is important. They are also not required to knock on doors of neighboring property owners to talk with people, but they do. Jeff reminded everyone that we are here tonight to inform the public of what is being proposed to the PSB. Mike Gagne asked the Selectboard what can be done to stop this project, Mike asked if we need a town vote. Heidi Britch-Valenta added that our town attorney, Ed Adrian, is here tonight. Ed spoke, stating that the town of Highgate is a party to the proceedings. The Selectboard will weigh in at some point. We could agree, we could negotiate, or we could oppose. His job is to advise the Selectboard based on how they want to proceed. The job of everyone else is to let the Selectboard know how they feel. Aaron noted that they did look at the town plan as well as the NRPC plan, both which encourage renewable energy and locally produced energy sources. Ranger feels this project is compatible with both plans. Chris Yates noted from the town plan that it references small scale projects, and asked Aaron if this is considered a small scale project – no. Questions were asked about fire and emergency vehicle access, Aaron noted that training would be provided. Chris asked if green energy credits would be generated, yes, and they will be made available to VT utilities. Fran feels that Ranger starting with this 99 acre project is just a foot in the door for them, and wanted to know how many more acres they plan to take. For now, this project is their priority, he can't speak to what will happen in the future, but anything is possible. Mike Gagne wants Ranger to look at another town and feels the PSB is just rubber stamping all projects. He does not feel supported by the PSB at all. Aaron is happy to continue talking to abutters and is happy to talk to the Selectboard about a possible donation of land as part of this project, but he is not going to go away. Tim Reynolds noted that not all of Highgate has cheap power, VELCO is not cheap power. Henry asked if in ten years a better panel product comes out, if a renovation would take place. Jeff compared it to what a cell phone looked like just ten years ago. They are seeking a power purchase agreement with utilities in VT for an avoided cost rate under the laws of PURPA. This allows for a long time levelized rate. Adam Fortin asked about benefits to the town, he is 23 years old and plans to live here a long time. Having to drive by this every day, he wanted to know what the benefits are to the people that live here. Aaron listed the benefits as 1) minimum \$100,000.00 in taxes per year to the tax base 2) gifting of land to the town and 3) creates local jobs. If there are other things or ideas, Ranger is open to discuss them. Shelley Laroche asked what happens after the 45-day notice period is complete. At the end of the 45 days, they will submit a petition to the PSB for a certificate of public good. That process takes six months or so, and if all goes well construction could begin in the summer of 2016, although that is an aggressive timeline. Andy understands that Ranger is a development company, they are developing this project to market it and sell it. The other entity will be making the decisions for the next 30 years. That entity will be the one that follows the lease. Chris asked how local contractors can get involved in the process. Aaron stated that if approved, there will be a local job fair that coordinates engineering and helps select local contractors. Local people are the ones that know the land. Sharon would like to see information regarding the petition to the PSB put on the towns website so people can view it and have an opportunity to comment. Abutters will be formally notified by the PSB. Anyone can comment, not just abutters. Amanda Holland from NRPC noted that the Public Service Board and the Public Service Department are different. You can contact Jenny Oliver at the Public Service Department at any time and comment. Henry asked if the board would entertain a bus tour to nearby solar arrays to give people an opportunity to see them up close. Diana O'Hara asked about previous projects with Ranger, to which Aaron reiterated his experience with wind and solar projects throughout the United States. David Gagne asked if the town is issuing any permits regarding the work on this project – no. The town has arranged for this public hearing, so they are hearing the information at the same time as everyone else. The board has not yet formed a formal opinion. The town does have some say, but the decision is up to the PSB. In Aaron's home state of Maine, you need a town permit and a state permit. Vermont is different, that is why they engage with the towns through the process in Vermont. Chris asked about ACT248 and if those meetings are local or in Montpelier. Ed Adrian thinks there might be one meeting in town, but most will be held in Montpelier. Ed compared the PSB to the court and the town is a party to the proceedings. Beyond that, to be a formal party to the proceedings, you need to petition the PSB and give reasons why you should be recognized. David Gagne asked if a group of people from Highgate could be a party to the proceedings – it is possible, but they should confer with an attorney, it has happened. Heidi pointed out that the PSB and PSD are both experiencing

some growing pains, as the tax credits expire in 2016. The PSB is represented by three appointed positions, which are appointed by the Governor and go through the same process as judges do. The term to serve on the PSB is six years. Heidi thanked Ranger Solar, Aaron & CJ, for being here this evening. They are not required to be here, but they do want to spend time answering questions. Aaron's contact information is listed on the 45-day notice paperwork that was provided tonight. CJ is also easy to contact, he is located in Burlington. Jeff thanked everyone for coming out tonight, we had a great turn out and noted that we have these hearings because misinformation does not do anyone any good.

- *There was a five minute recess beginning @ 8:46pm.*
- *Jeff called the meeting back to order @ 8:53pm.*

**F. Town Administrator – Heidi Britch- Valenta**

**1. Updates**

- The state geologists will be coming to town to look at the FEMA sites at the transfer station tomorrow, Oct. 16<sup>th</sup> @ 10am. Andy will join Heidi there.
- Reminder, there is a meeting at the Franklin County Airport on Monday, Oct. 19<sup>th</sup> @ 3pm.
- FNLC is moving forward and Chris Brunnelle will be in Highgate Springs at 3pm tomorrow, Oct. 16<sup>th</sup> (Shipyards).
- Nov. 3<sup>rd</sup> is the Fair Housing Conference. We need a representative from Highgate to attend as an obligation for our ADA grant. This meeting is in Rutland.

**G. Town Clerk – Wendi Dusablon**

**1. Minutes**

Motion by Chris Yates to approve the minutes from October 1, 2015, with one correction. The motion was seconded by Diana O'Hara – **APPROVED**.

**H. Selectboard Items**

- Chris spoke to Dale LaVallee at VT Gas about converting the library. This would be at no cost to the town. Motion by Jeff Towle to accept the agreement with VT Gas to convert the public library facility to natural gas. The motion was seconded by Paulette Tatro – **APPROVED**.
- Update on the Highgate Arena Renovation Project – Paulette provided an update on the project which is approximately 95% complete. The refrigeration system is up and running, the ice is in, logos are painted and the water fountain is operational. There was a glitch with the dehumidification system. A coil malfunctioned and it is now repaired. The new boards and glass all look great, as well as the new paint job and new benches and score booth. The 3<sup>rd</sup> annual Cops vs. Coaches game will be held on Oct. 24<sup>th</sup> @ 6pm at the arena. The youth programs are set to start this Sunday, Oct. 18<sup>th</sup>. The entire project went very well thanks to all involved. The rubber flooring that surrounds the ice surface throughout the arena is due to arrive on Monday, Oct. 19<sup>th</sup>. Installation will start on Tuesday, Oct. 20<sup>th</sup>. There will be lots of cutting around the perimeter of the boards. The committee is very pleased. We don't have any final numbers, but are quite comfortable that the project came in at budget or slightly under budget. Chris asked about an open house or ribbon cutting ceremony. Nothing official has been scheduled yet. MAHA is waiting to see when everything will be done. Chris asked if the well line is still on the radar of the highway crew – Andy said yes. Jeff commended the committee and everyone involved from start to finish. It was a tremendous community effort with amazing support, and not just from Highgate.

**I. Upcoming Events**

Oct 14	6pm	DRB meeting was <b>cancelled</b>
Oct. 20	6pm	Planning Commission Mtg.
<b>Oct. 27</b>	<b>by 5pm</b>	<b>Property tax payments are due!</b>
Nov. 5	7pm	Selectboard Mtg.
Nov. 11		Town Offices are closed – Veterans Day
Nov. 12	6pm	DRB Mtg.
Nov. 17	6pm	Planning Commission Mtg.

**J. Executive session**

Motion by Jeff Towle to enter into executive session @ 9:05pm to discuss a legal contract. Executive session is necessary, as premature disclosure could put the town at a disadvantage. The motion was seconded by Paulette Tatro – **APPROVED.**

Motion Jeff Towle to exit executive session @ 9:55pm. The motion was seconded by Chris Yates – **APPROVED.**

Motion by Jeff Towle to re-enter executive session @ 10:00pm to discuss a legal matter. Executive session is necessary, as premature disclosure could put the town at a disadvantage. The motion was seconded by Paulette Tatro – **APPROVED.**

Motion by Paulette Tatro to exit executive session @ 10:20pm. The motion was seconded by Diana O'Hara – **APPROVED.**

**K. Adjournment**

Motion by Jeff Towle to adjourn the meeting @ 10:25pm. The motion was seconded by Chris Yates – **APPROVED.**

Respectfully submitted by,

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Wendi Dusablon, Highgate Town Clerk

Minutes approved by,

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Jeff Towle, Chair – Highgate Selectboard