

TOWN OF HIGHGATE

Selectboard Mtg.

January 19, 2017

6:00pm Ranger Solar Presentation

7:00pm Regular Selectboard Meeting

Approved Minutes

NOTE: All actions taken are unanimous unless otherwise stated.

A. Call To Order

The meeting was called to order by Chair, Chris Yates @ 6:04pm.

Highgate Selectboard Members – Chris Yates, Chair; Sharon Bousquet, Vice-Chair; Randy Connelly; Josh LaRocque (arrived @ 6:15pm); Bruce Butler (arrived @ 6:40pm)

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

Public / Other – Rick Trombley; Jeff Towle; Aaron Svedlow – Ranger Solar; Rich Wilkens; Eric Chevalier; Arlene Gagne; RJ Fournier; Ernie Gagne; Karen Gagne Fortin; Barbara Chevalier; Claude Chevalier; Michael Gagne; Luc Dupuis; Taylor Newton – NRPC; Evangeline LaRocque; David Roddy; Karen Fortin; Richard Gagne; Steve LaFar; Jean Chevalier; John Patnode; Alice (Sue) Cota; Connie Beyor; Sarah Chevalier; David Rouse; Faith Brashear; Patrick Boucher; Chris Shepard; Ty Choiniere

B. Ranger Solar Presentation – Aaron Svedlow

Aaron is here with an update on the project proposed for St. Armand Road. The project is moving forward and it has been over a year since he was here with an update for us. They will be submitting their permit application to the PSB in 6-8 weeks. In the interim they are re-engaging with the community. A few things have changed after speaking with the town and receiving feedback. Aaron had large maps to share with everyone regarding the proposed changes. There will be no panels or infrastructure in the field nearest the sports arena. Panels are also being proposed as being set further back from the road, based on feedback. An \$80,000.00 landscaping plan has been developed to screen the project. Ranger is also voluntarily offering an additional economic development package to the town which consists of \$350,000.00 up front and \$25,000.00 per year in addition to taxes for the first five years and escalating after that. Arlene and Ernie Gagne had questions about the field behind the arena and asked for clarity on that field remaining vacant as part of this project. Mike Gagne had questions about what type of plantings will be used as screening. They are \$80.00 plantings that will continue to grow to soften the view and change it. Rich Wilkens asked to confirm the size of the project – it will be a 20 megawatt project. Ranger will assume all costs associated for any and all issues associated with this project. There were questions about funds set aside for decommissioning. A handful of jobs will be created with this project, and during construction there will be many jobs available. Job fairs will be held in Highgate. Mike Gagne asked about communication with the abutting land owners, because he had not been contacted by Ranger at all. Ranger has a power purchase agreement with the State of Connecticut with regard to this project. The electrons will be consumed here. Vermont is part of a regional grid. There were questions about emissions from the project. Aaron is grateful and excited about the project. They have already applied for their 45-day notice. A project in Ludlow Vermont is very similar to this one and was basically uncontested. Mike Gagne asked how it could still be a 20mw project if they are no longer using the field behind the arena. The number of panels is the same, they are now much closer together than before. This project could be approved in 2018. Rich Wilkens asked about the economic incentives to the town and if the project stalls what would the town still receive. Aaron will forward information regarding the total economic impact to the town over the life of the project. Claude Chevalier asked if the panels lose capacity over time – yes, but not dramatically. As panels become even more efficient they could do some resurfacing. The infrastructure as far as racking, wires and transformers won't

lose efficiency over the 20 year life span of the project, but the panels will. At the end of 20 years we will still have useful infrastructure. This is a private investment and Ranger is not taking any subsidies. There are minor tax credits from the federal government, the ITC is a one-time thing. They are not taking anything from the State of Vermont or the people of Vermont. Ty Choiniere asked what happens to panels when they are no longer efficient – they are recycled. The panels are made of silicone (sand) with aluminum or steel frames and glass. Josh asked about any toxic chemicals in the panels. Ranger can also offer educational programs in our community, like they did in Ludlow, which are free. Aaron will get more details for Josh about decommissioning and how that is handled. The entire area is required to have a black mesh wildlife fence, which is what ANR likes to see. They are high enough to discourage a deer from jumping in, but won't prevent them from being able to get out. Ranger needs to be sure the roads within the project are plowed and maintained for accessibility. Jeff Towle would like the new plans to be put on the town's website. Randy asked about any expansion or modifications to the project in the future. This project won't be any bigger than 20 megawatts of power. Aaron reiterated that he is not required to be here, but it is important to communicate with Highgate residents and to answer questions and address concerns. Mike Gagne added that Josh's concern about toxic chemicals in the panels should not be downplayed and that chemicals must be present to conduct electricity. Aaron does not engineer the panels. They are common and found on or around people's homes. These panels are not computer chips, and they will not harm people. Josh reiterated his concern about the decommissioning plan. The panels are recycled because they are worth something even if they are not working. There would be no economic reason to put them in the landfill, and the State of Vermont would not allow that anyway. The total number of panels will be roughly 90,000. Aaron compared solar energy and the toxic concerns of them to wind, coal and other renewables. Solar is not perfect, but much better than some alternatives. Aaron is happy to talk with people and come back to Highgate. This is a change and with change there is uncertainty. The town will receive a copy of their submittal to the PSB. He will forward info on the economic impact and funds for decommissioning. He will also continue to work with the neighbors regarding the landscaping, noting that some small tweaks can probably be accommodated. Mike Gagne would rather not see this project happen at all. Chris asked if the town were to just say "no" to this project if we would have any grounds to stand on. This is privately owned property. Arlene commented on the rural environment we have and how some people never want to see that change, referring to the cell tower also. She also had questions about where the funds from this project would go to better our town. Somethings are earmarked, and the tax revenue would go in to the general fund to lower the tax rate. We could also vote to use the money for something else. Ranger would like to support projects in our town vs. dictating what we do with it. Aaron commented that Ranger has received feedback on what some of our needs are. They would rather see the funds go towards infrastructure and capital improvements. Sharon noted that the regional grid considers the greater good and not necessarily what the Town of Highgate wants, so we may not have a choice. Mike feels the State of Vermont is going to become a dumping ground for solar panels. Other states in the north east do not have the open space that we do, which is why Vermont is being looked at for these types of projects. Taylor Newton from NRPC added that the Selectboard, Planning Commission as well as our town plan are given due consideration before the PSB. We, as well as many other towns, are lacking strong language regarding renewables in our town plan. ACT174 is allowing towns to enhance their energy planning. This act says that the department of public service (not the PSB) needs to create standards that a town and region can meet. By meeting the standards, the town can receive substantial difference. NRPC hopes to approve the regional energy plan by this spring. From there, towns in the region can seek assistance from NRPC with regard to setting targets for energy use, strategies to meet those targets and mapping work to help guide developers to site renewables in our town. Highgate has expressed interest in doing some advanced energy planning through the Highgate Planning Commission, which would mean amending our municipal plan. The PC would like NRPC to be present at their next meeting on February 21st. Taylor noted that their calendar is filling up fast. Ty Choiniere had some questions for Taylor regarding hydro power and if it is or is not considered a renewable source. It was again noted that this is NOT a town project. This is a private project on privately owned land located just outside the village district on

St. Armand Road. Chris stated that it still is not clear how much the public has to say about a private project. He has contacted the PSB and they said it was whatever is in the "best interest of the public". Rich Wilkens asked if any solar projects have been contested successfully. Taylor noted a case with Chelsea Solar out of Bennington, which was a 5 megawatt project. Sharon asked, if this project goes through in Highgate, would we be given due consideration for already doing our part with regard to green energy in the State of Vermont. Our regional target by the year 2050 is 210 megawatts. Highgate is very attractive to solar development because of the substation we have and access to existing transmission lines. Eric Chevalier asked about current solar projects on the horizon for Highgate that will likely go through. One other project on Frontage Road has already been approved. The presentation with Ranger Solar ended @ 7:08pm.

** ten minute break before the regular Selectboard meeting **

C. Call To Order & Pledge of Allegiance

The meeting was called to order by Chair, Chris Yates @ 7:18pm, followed by the Pledge of Allegiance.

D. Public Comment

- Steve LaFar asked about the grant application that was signed at the last meeting and why personal social security numbers were being used vs. using the town's tax id #. Connie Beyor pointed out that she, as chair of the school board, has had to give her personal ss# on federal grants as well.
- David Rouse asked about the Jedware property and if the town does or does not have possession of it. He wants to know who is responsible for the property that has come up missing from that parcel. Steve commented on this too, reminding the board that he brought it up at town meeting last year. He was told that prior boards researched this and it was decided not to touch this property. He knows someone that moved from the area, for fear of cancer. He is disturbed by this. Chris would like to hear definitive facts, not here say, because the board has to act on facts. There are lots of examples of issues that don't get passed down from board to board, as it is constantly changing as terms end and new people are elected. Steve feels there is liability there that should have been brought up to the townspeople so they are informed. This is an ongoing legal matter involving a bankruptcy proceeding that the board cannot comment on.

E. Highgate School Board Update – Connie Beyor, David Roddy, Chris Shepard

Connie, David and Chris are all school board members and are here for a bi-annual update. The start of the school year was good. There was a numbers issue, so an additional teacher was hired that was unexpected. Connie gave an ACT46 update. The ACT46 independent study committee meets twice per month, and has since August. There are some fabulous discussions with more work yet to do. They have a goal to have their recommendation to the Supervisory Union by summer. There is a good chance another year will be given by the legislature with regard to getting things worked out. There are representatives from each local school board on the committee that are contributing greatly with regard to the impact on each town. The process is a good one that they are going through. The meetings are warned and aired on NW Access TV. Meetings are held in the MVU library. ACT46 was enacted by the legislature and there are five goals that FNWSU must give evidence of having met. *1) Provide substantial equity and variety of education opportunities*
2) Lead students to achieve or exceed the State's Educational Quality Standards, adopted as rules by the State Board of Education Quality Standards
3) Maximize operational efficiencies through increased flexibility to manage, share and transfer resources, with a goal of increasing the ratio of students to full-time equivalent staff
4) Promote transparency and accountability
5) Deliver at a cost parents, voters and taxpayers value. The initial goal of ACT46 was to curb school spending and the state is learning that the savings is not what they thought it would be. By November 2017 any school that has not applied to the state board to merge, the state has the right to come in and look at the school. The state has the right to put any school in a supervisory union of the state's choice if evidence cannot be shown regarding the five goals. There is criteria for the merge, one of which is that the SU must have at least 900 students. Our SU has around 2,000 students. There are tax incentives as well.

We already merged back in 1970 when MVU was formed – Highgate, Swanton and Franklin. We are receiving no credit for that merge. FNWSU is the seventh largest district in the state, based on our structure. Our SU has opted for an independent study for this process, which needs to be done, but we are playing by our own rules. The ACT46 independent study committee has one rep from Highgate, Swanton, Franklin and MVU. Connie is our rep for Highgate. Sharon had questions about our structure, as Sheldon is the only town in FNWSU that has school choice. There are still questions about what will happen with Sheldon, as they are also the only elementary school that goes through 8th grade. The other three go through grade 6 and then feed into MVU for middle and high school. St. Albans City has recently merged into the now called “Maple Run” school district. We will have to pay attention to how that plays out and how it affects their tax rates. FNESU voted last summer and all towns voted down a merger. Other issues Connie, David and Chris had to report were with regard to the school parking lot and the need to repair the entire parking lot. There are drainage issues which have been looked at by an engineer. The pitch of the parking lot needs to be changed and also entirely repaved. This will be put out to bid. This will be an expensive project and they are looking at financing it with a ten year bond. The white building has a drainage plan in place that is working. Water will need to be directed using a pump from the parking lot and then using the existing drainage easement sent over to Frog Pond. This was anticipated so a pipe is already there to hook onto. The parking lot has been an issue for some time and temporary fixes are no longer an option. Their informational meeting prior to town meeting will include this project and will likely be the third or fourth week of February. The town’s informational meeting is looking to be on March 2nd. The school board will be looking for grant funding also. Jeff Towle asked who engineered the parking lot project – Roy and Alex Hango from Berkshire. Roy Hango also did the plans for the project at the white building. Shelley asked about their capital reserve fund and if they plan to use that. They do, but not all of it. There are other projects on the horizon at the school including roof work and windows. Connie also noted that in June 2018 Winton Goodrich will retire as our Superintendent of FNWSU. With regard to the Highgate school’s budget, the pre-K numbers are down, but K-6 numbers have gone up so another teacher will need to be hired for next year. Connie thanked the road crew for doing their best to keep the school driveway plowed and safe, despite all the pothole concerns. Jeff asked about who inherits all the needs of our school if a merger happens. That would depend on the articles of agreement put in place. If we do merge, there would be one budget by Australian ballot and one school board covering all towns, thus a loss of local control. The board thanked Connie, David and Chris for being here and sharing all this information.

F. Town Treasurer Updates – Shelley Laroche

1. Check warrants

There were no questions on the check warrants.

2. Misc. updates

- The auditors were here last week and officially finished up our audit.
- We are working on the 2016 town report to get a draft to the printers by the end of January.
- Our final budget meeting will be Jan. 26 @ 6pm.
- The tax sale on Jan. 12th was cancelled. All are paid in full or have initiated payment plans, which is great!

G. Town Clerk Updates – Wendi Dusablon

1. Minutes from Jan. 5th

Motion by Chris Yates to approve the minutes from *January 5, 2017*, with one correction. The motion was seconded by Sharon Bousquet – **APPROVED.**

2. Town Meeting Petitions

Today was the deadline to submit petitions for warned articles. We did receive two petitions and both had the required number of signatures. The deadline for petitions and consent forms for elected offices is Monday, January 30th @ 5pm. I have received a few so far and there are still some circulating in the community.

3. ACS / Xerox contract renewal – due in March

Our five year contract for our land records software expires in March. Both the old and new contracts are in the drop box for the board to review. They are not “apples to apples” contracts, so please get your questions to Wendi so

she can direct them back to ACS / Xerox. Wendi would like to put this back before the board on Feb. 16th for signature, if possible.

4. Liquor License Renewal – Desorcie’s Market

Motion by Chris Yates to exit the regular Selectboard meeting and enter into the liquor control board @ 8:06pm. The motion was seconded by Sharon Bousquet – **APPROVED**. Motion by Chris Yates to sign the 2017 liquor license renewal for David A. Desorcie / Desorcie’s Market. The motion was seconded by Josh LaRocque – **APPROVED**. Motion by Chris Yates to enter back into the regular Selectboard meeting @ 8:09pm. The motion was seconded by Josh LaRocque – **APPROVED**.

H. Administrator Items – Heidi Britch-Valenta

1. Emergency equipment management bids

Josh, Randy, Heidi and Shelley have reviewed these as well as the fire chief and library staff. We have not heard back from Joe Depatie, fire chief, with comments. Randy would like to get more information from Travis at Black Dog. Shelley’s opinion is in line with Randy’s. FireProTec is willing to give a 10% discount so the prices are not much different. Randy has questions on the price sheet from FireProTec, but doesn’t know how many extinguishers we have. FireProTec offers training also. Randy would like feedback from the fire chief and to put this back on the next agenda.

2. Misc. updates

- The Town of Highgate worked with NRPC on a road inventory. We received a grant last year and created a map that highlights locations in town that are issues and would be good grant projects. Heidi noted that new standards are coming out and all culverts that do not meet the standard will have to be updated over a twenty year time frame. Heidi and Pat Loyer, Highgate Public Works Department, met with Better Back Roads and NRPC and walked Mill Hill. Drummac assisted by running a camera down underneath for us. There is one culvert that is gone and is undermining the road. The upper culvert is handling a lot of storm water from the main road, Route 78. The plan would be to take the surface off the upper section of Mill Hill and use material to flatten the road so it is not sloping towards the ravine and to create a bank and turnout so the water can go down into a spot that is stone lined. The road will need to be reshaped with a lip to keep the water from running down the bank. We basically will need to rebuild Mill Hill all the way down or we could eventually lose it. Jim Smith is putting together an estimate and a design for the grant, which is due in March.
- Another project high on the list is the Machia Road bank along the river. There seems to be more action there and it could do some more shifting this spring. A project was completed there years ago and that portion of the bank is holding up well. David Rouse asked about purchasing land from landowners and moving the road. An engineer will have to tell us what is most practical for the given situation.
- The annual Certificate of Highway Mileage has been reviewed by Pat and it is accurate. This has to be submitted by the end of February and keeps us in line to receive state aid. That state aid is based on how many miles of each class of road we have (Class II 20.990; Class III 42.73; State Highway 22.695; Class IV 3.73; Legal Trail 4.29). Motion by Chris Yates to sign the Certificate of Highway Mileage for 2017. The motion was seconded by Sharon Bousquet – **APPROVED**.
- The Public Works Director posting closes tomorrow, January 20th @ 4:30pm. We have six applicants as of today. Our final budgeting meeting will be January 26th @ 6pm and the town meeting warning will also be created. The group that will be reviewing PWD applications will meet prior to this @ 5pm.

I. Selectboard Items

1. 911 forms

Josh and Sharon reached out to the town attorney to seek guidance on this issue. The town will be assuming a lot of risk if we were to accept these forms. It is our legal counsel’s opinion that this would be interfering with a system that is set up in a certain manner, and by changing it we would be adding confusion. It is his recommendation to not accept the forms. John Patnode asked to see the letter. Chris stated that the content of the letter was an attorney / client privilege. The letter from Ed Adrian is addressed to Josh. With Josh’s consent, Sharon read the letter aloud. Heidi also

reminded everyone that there is a lawsuit pending and that the Highgate Concerned Citizens have sued the Town of Highgate. Jean Chevalier and Sue Cota firmly denied that HCC was involved in a lawsuit with the town. It was clarified that the lawsuit was initiated by MVR, not HCC. Jean and Sue thanked Josh and Sharon for checking into the issue regarding the forms with the attorney. There was discussion on how to reach those people that submitted forms. It was decided to mail a letter to those that submitted a form and to return their form(s) with the letter. It was noted that people still have the option to call MVR directly if that is their choice. John Patnode asked if the contract process with MVR and AmCare was a sealed bid process – no, it was not. Shelley pointed out that this is a service that we have to provide, just like police coverage, and it does not fall into the category that requires a sealed bid, per our purchasing policy. Motion by Chris Yates to return the e911 forms to the requestors by mail accompanied by a letter stating that the town will be taking no action on them. The motion was seconded by Josh LaRocque – **APPROVED.**

2. Misc. updates

- Chris let everyone know that we received a request from Grand Avenue Enterprises to sand a turnaround for their bus. The location is at the end of Hempyard Road (Decker Road) on Frontage Road. Winton Goodrich will be taking care of this request. It was noted that Grand Avenue Enterprises does not serve students attending Highgate Elementary School.
- Josh received a message about one of our plow trucks going too fast on Lamkin Street. We have had the same driver covering Lamkin Street for many years. A date and time would be helpful. It was noted that when plowing snow some degree of speed is necessary.
- Jeff Towle would like to see a Selectboard candidate forum scheduled after the petition deadline. It was agreed that this is a great idea and Wendi has already reached out to NW Access TV about this. They are on board and will wait to hear from us. This would be a good opportunity to break in our new moderator as well as hear from candidates on several issues.

J. Upcoming Events

Jan. 23	5pm	Cemetery Commissioners Mtg.
Jan. 26	6pm	Selectboard Executive Session
Jan. 30	by 5pm	Petitions & consent forms for elected offices are due!
Feb. 2	7pm	Selectboard Mtg.
Feb. 9	6pm	DRB Mtg.
Mar. 7	10am	Town Meeting Day @ Highgate Elem. Polls open 7am-7pm for voting!

K. Executive Session

Motion by Chris Yates for the Selectboard and Town Administrator to enter into executive session @ 8:40pm with Rick Trombley (DRB Chair) and Jeff Towle (Town Agent) to discuss real estate, legal and contracts where premature general public knowledge could place the town or the individuals involved at a substantial disadvantage. The motion was seconded by Sharon Bousquet – **APPROVED.**

Rick Trombley departed the executive session @ 8:48pm.

Jeff Towle joined the executive session @ 8:48pm.

Motion by Chris Yates to exit executive session @ 10:15pm. The motion was seconded by Randy Connelly – **APPROVED.**

L. Adjournment

Motion by Chris Yates to adjourn the meeting @ 10:16pm. The motion was seconded by Randy Connelly – **APPROVED.**

Respectfully submitted by,

_____ Wendi Dusablon, Highgate Town Clerk

Minutes approved by,

_____ Christopher Yates, Chair – Highgate Selectboard