**MEETING MINUTES FROM**

**SPECIAL INFORMATIONAL**

**SELECTBOARD MEETING**

**WEDNESDAY - 09/30/2015**

**PRESENT:**  Steve Aubin (Chair), Alton Bruso, Robert Creller, Linda Gotshall, Donna Bohannon (Clerk)

**GUESTS:** Will Veve (VWSD), Victor Veve (VWSD), Miles Waite (Waite-Heindel Environmental Management), Steve Riley, Tinker Palmer, Verne McFadzean, Mona Reed, Jim Ross, Irene Clark, Alain Trahan, Terry Tatro, Carol Behrman, Mike Lamphere, Willie Burbank, Bob Cosgrove, George Boutah

**6PM - OPEN MEETING:**

* Meeting called to order at 6:03pm by Chairman, Steve Aubin
* **WILL VEVE** – **Missile Base Solar project –**
  + Will began by giving an overview and an update of the proposed project.
  + He informed those present that the proposal is for a net metered solar project of a 500KW that will consist of 3-5 acres of panels that measure 12 feet in height that will be enclosed by a seven foot high fence, part of which already exists.
  + There will be approximately 2090 (+ or -), on the site. This will consist of approximately 11 rows with 200 panels per row. The panels will be fixed and will not rotate.
  + This is a net metered proposal that they are hoping to get approved for the 2016 year as the cap for 2015 has already been met.
  + At this stage they are trying to get an expedited certificate of public good so that they can move forward.
  + They will be submitting a request for 150KW in order to establish their spot in the cue for 2016. That will be followed with a request for another 350KW which will make the 500KW that they would like to reserve. 150KW is the minimum that would be beneficial to the Town as well as VWSD.
  + Construction on the project, should it be approved would begin in June or July of 2016.
  + Local labor will be used for much of the work such as landscaping, plowing snow, shoveling snow off the panels and mowing the grass.
  + Those present were informed/ updated on the development by stating that the impact on wetlands has been determined to be zero. This project, should it be approved will not have an impact on wetlands.
  + There has been a visual impact study done that has determined there will not be a negative impact on the landscape or view. Neither residents of the area or passersby will see much if any of the panels.
  + VWSD has been working with Jeannie Oliver, Special Counsel for Public Service Board
* BENEFITS TO THE PROJECT –
  + 1. There will be an increase in revenue of a “non-usable” property.
    2. VWSD will pay taxes on the panels.
    3. They will employ a local party to handle some of the upkeep at the site.
    4. VWSD will be paying a lease for the life of the project (estimated 25 years)
    5. Town owned properties will have a reduced power bill.
* POSSIBLE DRAWBACKS TO THE PROJECT –
  + 1. Town would be liable for the waterline that feeds the site and other residents on Missile Base Rd.
       1. Town is already liable for the waterline
    2. Town would be required to move tanks and other materials on site if they need to be moved.
    3. Town will be liable for any contamination.

Will introduced Dr. Miles Waite who was hired to consult for potential hazardous waste issues that may run with the property.

* + Dr. Waite spoke to the group about the findings at the site.
    1. Based on the report dated April 19th, 2000, which was prepared by Roy F. Weston, Inc., titled, Final Inspection Report Atlas Missile Base S-2, Alburg, Vermont CERCLIS No. VTD988366126 TDD no. 99-05-0051, Dr. Waite feels that there is minimal to no ground water contamination. There were several small amounts of contaminants, some of which are common to Vermont soils.
    2. He believes that this area is acceptable for industrial use (such as a solar array) but that it is not a suitable residential area.
    3. There will be some trenching that will disturb the soil but there will be minimal trenching and as long as the soil is moved in an OSHA approved manner and all of the soil is placed back in the trenches that it is taken out of, it should be acceptable.
* **VISITOR INPUT:** 
  + Several questions were posed throughout the meeting – followed by the answers that were given
    1. What background do you have in this field?
       1. Will stated that he and Victor have not installed any but that their partner had installed three arrays with a total capacity of 20 megawatts of power.
    2. Why is the Town considering VWSD instead of another company
       1. They came to the Town inquiring about the site and asked the Board to consider allowing the project.
       2. They prefer to use “Brownfields” versus agricultural land.
    3. How long is the lease?
       1. The proposal is for a 25 year lease.
    4. Can the Town get out of the lease?
       1. The proposal is for a legally binding lease.
    5. Concern about the possibility of the panels melting or cracking as they age.
       1. If the panels are maintained properly they have a life expectancy of 25 years. VWSD will be responsible for making sure that the panels are properly maintained. They will hire locally, if there is an interest, to plow the road and clear the panels of snow in the winter, and to mow in the summer. They will hire a qualified person to do any maintenance on the panels themselves.
    6. What things can go wrong with the panels?
       1. Ice load can be too much, high winds can damage them. These are all things that VWSD will ensure are taken care of with maintenance.
    7. Will there be shrubs planted around the perimeter?
       1. If they need to, yes. They will be utilizing the existing fence and installing more fencing as needed in order to enclose the entire area. The fence will measure 7 feet in height.
    8. How will the power be transmitted?
       1. Through the existing VEC 3 phase powerline. It may need to be upgraded and some of the poles may need to be replaced.
    9. What is the cost to the Town?
       1. There is no cost to the Town. VWSD will incur the costs associated with the project.
    10. Who is funding the project?
        1. Altas, they are the equity firm. They will receive a tax credit for the project.
        2. VWSD has been supplying the finances thus far.
    11. One resident stated that the only risk that he can see is the trenching. If it is done correctly there won’t be a problem.
  + Town attorney, David Rugh made several public comments during the meeting.
    1. VEC is the only power company in Vermont that puts a cap on net metering.
    2. Net metering is the law.
    3. VEC has to pay a solar adder on top of residential rate.
    4. The Town will be liable even if this becomes a “closed site”.
    5. Even though the Town would be liable, VWSD would also be liable.
    6. The State will mandate what they need to do and what they have to do.
    7. Town could file a 1061 if they want to but they are not required to.
       1. The Town will not post a 1061 notice.
    8. The Town will be able to tax the panels. The Listers will have information on the correct method to use for this.
    9. Renewable Energy Credits will be retained by the solar company. These can be bought, sold and traded.
* **What are they asking for at this point in time –** 
  + Asking for a letter of intent, spelling out the bare minimum so that they can get in que for 2016 in order to receive the higher tax credit.
  + They are going to request 150KW to start the project and will follow it with a request for the additional 350KW.
* **AGENDA ADJUSTMENT –** 
  + Chairman, Steve Aubin, stated that the Board will be entering into an Executive Session for the purpose of contract negotiations with VWSD and the Town of Alburgh. The reason stated was wrong this is just a correction.
* **EXECUTIVE SESSION**: For the purpose of attorney client correspondence pertaining to pending or probable litigation of which premature general public knowledge would clearly place the Town at substantial disadvantage - 1 V.S.A. § 313(a)(1)
  + *At 7:37PM Linda Gotshall motioned to enter into Executive Session for the purpose of contract negotiations – seconded by Bobby Creller – all in favor – motion carried – Board in Executive Session.*
  + *At 8:15PM Linda Gotshall motioned to leave Executive Session – seconded by Steve Aubin – all in favor – motion carried – Board out of Executive Session.*
  + *Alton Bruso motioned that the Town Attorney, David Rugh negotiate the contract for a lease with VWSD – seconded by Bobby Creller – all in favor - motion carried.*
* **ADJOURN:** 
  + *At 8:26PM Steve Aubin motioned to adjourn – seconded by Alton Bruso – all in favor – motion carried – meeting adjourned.*

Respectfully submitted,

Donna L. Bohannon

Alburgh Town Clerk

Please note the above minutes HAVE NOT been approved. Approval or changes to the minutes will be addressed at the next regular meeting, currently scheduled for 10/13/2015.