

TOWN OF PITTSFORD SELECT BOARD MINUTES November 3, 2021

Members Present – W. Joseph Gagnon, David Mills, Alicia Malay, Tom Hooker. ABSENT: Thomas “Hank” Pelkey. Others Present: Chad Eugair, George Yan, Will Cox, Ariadne Will, Lyle Jepson, Michael Willard, Len Ancuta, Nancy Malmquist, Adam Crary, Mike Warfle, Kim Rupe, Tom Shannon, Jennifer Popp, Bill Hemple, Bob Foley, Donna Wilson, Peter Wilson.

The meeting was called to order at 6:30 PM by Chair Malay.

J. Haverstock stated that there was a need to enter into Executive Session for Personnel (Zoning Office) and Legal (Route 7/3 Bridge Act 250 Hearing). Motion by T. Hooker and seconded by A. Malay to enter into Executive Session for Personnel and Legal. Motion passed 4 – 0.

J. Haverstock stated that there was a need to amend the agenda to remove the Discussion of Assessor’s Office Budget and Staffing and the Discussion of Digital Mapping (GIS) Proposal and to add the Discussion of Waiving the Zoning Fees for a pole barn permit. Motion by D. Mills and seconded by T. Hooker to adopt the agenda as amended. Motion passed 4 – 0.

Minutes:

The minutes of the October 20, 2021 meeting were signed, with no corrections.

Orders:

The orders in the amount of \$46,355.92 and Payroll in the amount of \$11,838.18 were signed, with the following discussion:

J. Gagnon inquired about the repair of the crack seal on the Oxbow Road. J. Haverstock explained that there was some damage in the area of the Soulia property that was repaired and there is a suspect vehicle. The suspect vehicle owner will be contacted.

Town Manager’s Report:

J. Haverstock reported the following:

- The Sidewalk on line survey results were reviewed by the Sidewalk Committee on October 26, 2021 and there will be further evaluation of promising routes at the November 30, 2021 and December 21, 2021 meetings. There will be a second required Public Hearing scheduled for some time in January or February 2022.

- The Veteran's Day Ceremony will be held at the Municipal Offices on November 11 at 11:00 AM. There is still a search for a Keynote Speaker and if anyone is interested or has suggestions, please contact the Town Manager.
- There were 7 delinquent tax parcels forwarded to the Town Attorney. Currently, 2 of the 7 have been pulled due to varying circumstances.
- There was an Act 250 hearing on October 27, 2021 with regard to the Route 7/3 bridge.
- There have been three hairline tears reported in the fabric roof cover of the new salt/sand shed. Currently, there is a temporary repair in place and the manufacturer will be following up with a proposed long-term solution.
- The proposed line striping will likely be delayed until next year due to a busy contractor and the shortage of paint.
- A camper trailer was abandoned on Kendall Hill Road in July. The camper was towed to the salvage yard and the owner has been notified, however, there have been no attempts to retrieve the unit or pay the towing fees. The Town deems the item to be abandoned and will have it disposed of.
- Steve Belcher, the Pittsford representative to the BLSG Mosquito District, has reported that the proposed by-law changes have been approved by the group at their last meeting and the Select Board will be asked to approve this.

Select Board Member Remarks:

Chair Malay stated that the Grandpa's Knob wind project representatives have met with all affected Select Boards and have received the same response as in Pittsford.

Public Comment:

None presented at this time.

Old Business:

Update on VLCT Retention and Efforts on Recruitment/Hiring of Town Manager:

J. Haverstock reported that Rick McGuire has been in contact with most members of the Select Board and has been receiving the requested information. D. Mills stated that Mr. McGuire is looking to have the Recruitment Plan Authorization approved. The advertising options were discussed and a motion was made by T. Hooker and seconded by D. Mills to follow the recommended advertising plan that was presented by Mr. McGuire with a spending amount of up to \$1,600. Motion passed 4 – 0.

Continued Discussion of Proposed Adams Road Solar Project:

George Yan, a representative of the solar development company for the proposed project on Adams Road was present to answer questions with regard to the project.

J. Haverstock asked for clarification of the lease/ownership of the property as it has now been listed for sale. Nancy Malmquist, an attorney also a representative with Mr. Yan stated that there is a signed lease with an option to buy the property from the current landowner, which has been recorded in the Pittsford Land Records. Ms. Malmquist explained that the size of the project is 16 – 17 acres. A. Malay inquired if they would be purchasing the land. Ms. Malmquist stated that the development company has no right of First Right of Refusal. D. Mills inquired whether if the development company did purchase the property there would be a change in footprint of the solar project or if this was limited to 16 – 17 acres. Ms. Malmquist stated that the Standard Offer Program limits the size of the parcel for the 2.2 megawatt project and they lose the ability to sell the property back under the Standard Offer Program.

D. Mills stated that the use of the trails in the area of the proposed project are a concern to many in town and inquired whether there has been any consideration to that concern. D. Mills stated that he understands that the day following the tentative approval from the Planning Commission the property was listed for sale. Ms. Malmquist explained that the project is designed to not interfere with the use of the trails. However, A. Malay expressed concern over the aesthetic impact on the trails. Ms. Malmquist stated that the trails on the property will remain untouched. D. Mills stated that the trails are very important to the Townspeople and would like some assurance that the trails will remain. Ms. Malmquist explained that the lease is already in place and signed.

J. Haverstock explained that the Planning Commission has submitted their thoughts, which were included in the packets for review. At the last Planning Commission meeting, they chose to take no action on the project. Ms. Malmquist stated that if the project is of interest to the Select Board and the Town is satisfied with the project and plan that the developers would appreciate the Select Board's support. Ms. Malmquist stated that the current property owner is accepting payments on the lease.

D. Mills inquired if there has been any analysis of the possible glare impact on neighbors from the rotation of the panels. Mr. Yan stated that most of the panels are constructed with anti glare/anti reflective glass and absorb 95% of the sun's rays. Michael Willard stated that there has been a visibility analysis conducted and that the property of the 3 possibly affected neighbors on the Goat Farm Road have been viewed from the public right of way and that there is vegetation that intervenes with any visibility.

Donna Wilson inquired whether there were other similar projects that pay education funding tax. Ms. Wilson stated that she understands that these projects are required to pay municipal taxes, however, the education payment is a concern. Mr. Yan stated that there is no one from their tax team in attendance and he will consult the team and advise.

J. Haverstock inquired who currently owns the property. Mr. Yan stated that Erica Cyr is the landowner. J. Haverstock inquired whether the property owner remains supportive of the project. Mr. Yan stated that the lease was signed on March 26, 2020. Ms. Malmquist stated that the company entered into a contract that runs with the land and they are

currently paying the landowner and the landowner has no right to terminate the contract. Ms. Malmquist added that there is no knowledge regarding Cyr's current support or opposition to the proposal. J. Haverstock inquired about the timeline for applications and permits. Ms. Malmquist stated that they need to file the petition with the Public Service Commission in the next month.

T. Hooker inquired if this property lies within a wildlife corridor. Mr. Crary stated that part of the Act 250 and Act 248 process requires the evaluation of these concerns and it has been determined that the deer winter in the area and there are ground bird areas identified. Mr. Crary explained that the fencing would be constructed so that smaller animals could enter/exit at the bottom and not become trapped in the project.

Representatives of the project exited at 8:00 PM.

New Business

Remarks from Lyle Jepson on Killington Valley Marketing and CEDRR:

Lyle Jepson and Kim Rupe were in attendance to present their annual update to the Town regarding the Killington Valley marketing project. Ms. Rupe explained that there has been an increase in the population since the COVID 19 pandemic. Ms. Rupe discussed programs that are being utilized, with the focus on the Concierge Program. The Concierge Program utilizes volunteers to speak with folks that are looking to relocate to Rutland County. Currently, there are no volunteers from Pittsford. Ms. Rupe explained that the folks that are relocating to the area are remote workers, healthcare professionals and executives at local companies. These folks are increasing population in 10 Rutland County towns. Mr. Jepson presented financial information showing where the funds were originating and where they are spent. Mr. Jepson stated that a marketing firm was hired to assist with the marketing. Ms. Rupe explained that the majority of the marketing is on Facebook and Instagram. A survey was left for the Town to update their information on the website that potential residents view. Mr. Jepson stated that there is an internship program with Castleton University and there is a notice of DEI (Diversity, Equity and Inclusion) included on the website with Pittsford being listed as having this policy in place.

Mr. Jepson and Ms. Rupe exited at 6:56 PM.

Presentation of First FY 2023 Budget Drafts:

J. Haverstock read a memo to the Select Board regarding the initial budget drafts stating that the Department Heads' requests are entered. Currently, the revenues will need to be raised and/or the expenses cut to balance the budgets. The Union contract is in place through June 30, 2023; there is a 1.5% wage increase due on July 1, 2022; the health insurance changes are factored in; wage adjustments are factored in; the 4th and final buy in amount of \$17,500 for the BLSG has already been paid; the annual allocations to the Fire Department and Highway Department Capitol Funds each have been increased by \$20,000; Chad Eugair has requested a \$38,000 increase in the paving budget.

Presentation of Police Department Budget:

Chief Warfle was present to discuss the Police Department budget for FY 2023. Chief Warfle explained that the Durango will need replacing as the vehicle has 95,000 miles and there is currently a 6 – 8 month delivery time frame. He is investigating State pricing options. Chief Warfle stated that he is in need of office and storage space due to the department being of confidential nature; Chief Warfle would like to see the Police Department remain on the portable radio replacement pace of replacing 2 radios per year; Chief Warfle requested a sign at the front of the property indicating that the Police Department is in the rear of the building.

J. Haverstock explained that the external auditors recommended doing a one-time deposit into the Vehicle Replacement Fund. J. Haverstock inquired the costs for the new radios, which Chief Warfle stated are in the area of \$2,000 each.

Chief Warfle exited at 7:07 PM.

Presentation of Fire Department Budget:

Chief Hemple and Assistant Chief Shannon were present to present the Fire Department budget. Chief Hemple explained that there was an increase in the labor rates; some lines were decreased and some lines were increased – some of the increases included equipment replacement for hoses. Chief Hemple explained that the hoses and ladders were professionally tested this year and some hoses needed replacing. This testing cost approximately \$3,000 per year.

Chief Hemple and Asst Chief Shannon exited at 7:20 PM.

Presentation of First Response Budget:

Bob Foley was present to discuss the First Response budget. J. Haverstock explained that this is the second year that the First Response has been a department of Town government. Mr. Foley explained that there were 181 answered calls; the membership has done some local fundraising, which resulted in \$2,500; they have had repairs performed on the overhead door and are seeking estimates on minor building repairs, rehabbing the wood to possibly replace with siding and new windows.

The Pittsford First Response is always seeking volunteers.

T. Hooker inquired about the status of the Vehicle Replacement Fund. Mr. Foley stated that the current suburban vehicle is rusting. J. Haverstock stated that there is currently \$5,000 being appropriated annually to the PFR's Building and Vehicle Replacement Funds.

Mr. Foley exited at 7:20 PM.

Presentation of Highway Department Budget and Work Plan:

Chad Eugair was present to discuss the Highway Department budget and work plan. The paving budget request is \$390,000 to pave 4 miles of road, which will include the base at West Creek Road and 3 miles of Whipple Hollow Road (following the replacement of 3 culverts on Whipple Hollow Road). However, Furnace Road also needs paving if funding allows. Mr. Eugair proposed purchasing a combined tractor and arm mower (the ditch mower should have been replaced 4 years ago). J. Haverstock inquired if the old units would be traded or resold. Mr. Eugair stated that Fairfield has expressed interest and would inspect once the decisions are made.

Mr. Eugair stated that the work plan includes renting a sealer to be able to perform crack sealing in-house to save money.

Presentation of Recreation Department Budget and Work Plan:

Jennifer Popp was present to discuss the Recreation Department budget and work plan. Ms.

Popp distributed a handout to the members of the Select Board outlining plans for the Recreation Department for the upcoming year. Some highlights of the budget request include replacing the dock with a metal and engineered wood for about \$15,000 – there will be an application submitted for a 1:1 matching grant; parking lot expansion in the spring; resurfacing of the basketball and tennis courts with an approximate cost of \$15,000; Myrec online registration system with a budget of \$3,000 (this is used by Brandon with great success) and increasing the lifeguard supervisor pay.

Ms. Popp exited at 7:20 PM.

Discussion of Assessor's Office Budget and Staffing:

This topic was tabled to a future meeting.

Discussion of Assessor's Digital Mapping (GIS) Proposal:

This topic was tabled to a future meeting.

Review and Act on Highway Access/ROW Permit Application:

J. Haverstock explained that there was a Highway Access/Right of Way permit application received from Bean's Homes for a property located on Windy Hill. Howard Stickney will be doing the construction work. Chad Eugair has visited the site and approved, with the condition that the drive is sloped away from the road. Motion by J. Gagnon and seconded by D. Mills to approve the request with the stated condition. Motion passed 4 – 0.

Review Sno-mads' Request for Snowmobile Access to Town Roads:

J, Haverstock stated that the list of roads remains the same as in years past. Motion by T. Hooker and seconded by D. Mills to approve the request as presented. Motion passed 4 – 0.

Discussion to Waive Permit Fees for Pole Barn:

J. Haverstock explained that the Highway Department has been looking to do this project and has most of the materials on hand. The Zoning Office states that the permit comes with a required fee and the Select Board has the option to waive the fee of \$515.00. The consensus of the Select Board was to waive the fee.

EXECUTIVE SESSION: Motion by T. Hooker and seconded by A. Malay to go into Executive Session for Legal and Personnel, where premature knowledge would be damaging to the Town and may be jeopardized by public disclosure.

In accordance with 1 VSA 312 (b), where premature general public knowledge would clearly place the Municipality or person involved at a substantial disadvantage, the Board unanimously agreed to enter into Executive Session for the purpose of Legal and Personnel at 8:14 PM. Town Manager Haverstock was invited to remain for Executive Session.

The Select Board exited Executive Session at 8:24 PM, with no action taken.

The Select Board adjourned at 8:24 PM.

The next regular meeting of the Select Board will be held on November 17, 2021.

Respectfully Submitted,

Kelly Giard Recording Secretary

Alicia Malay, Chair

David Mills, Vice Chair

Thomas Hooker, Selectman

W. Joseph Gagnon, Selectman

_____Absent_____

Thomas "Hank" Pelkey