

Town of Pittsford SELECT BOARD MEETING – April 5, 2023

MEMBERS PRESENT: W. Joseph Gagnon, David Mills, Alicia Malay, Mark Winslow and Thomas Hooker. OTHERS PRESENT: Helen McKinlay, Adam Cracy, Michael Willard, Will Cox, Nancy Malmquist, Christine Heffernan, Will Ross, Andrew Mills, David Atherton – Town Manager, Kelly Giard – Recording Secretary.

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

Chair Malay stated that there was a need for Executive Session for Personnel. Motion T. Hooker and seconded by M. Winslow to enter into Executive Session for Personnel. Motion passed unanimously 5– 0.

Chair Malay stated that there was no need to amend the agenda. Motion by D. Mills and seconded by M. Winslow to accept the agenda as posted. Motion passed unanimously 5 – 0.

MINUTES:

The March 15, 2023 regular meeting minutes were signed with no corrections.

ORDERS:

The orders in the amount of \$58,306.45 and payroll in the amount of \$14,123.67 were signed with the following discussion:

J. Gagnon inquired the expense to Otter Creek Engineering in the amount of \$3,765.00. D. Atherton stated that this was for the mandatory lead study, which a grant was received.

M. Winslow inquired the 4 invoices from Cargill. D. Atherton stated that there was an invoice issued for each delivery.

SELECT BOARD COMMENTS:

None presented at this time.

TOWN MANAGER REPORT:

Town Manager Atherton reported the following:

- Financials have been reviewed with the external auditors
- A letter is being composed for residents to make them aware of the mandatory lead study
- Applied for Class 2 paving grant for shim on Whipple Hollow Road.
- Met with Lyle Jepson at CEDR regarding Segment 2 and attracting businesses to the Route 7 corridor.
- Reviewing policies with Ann Reed and utilizing VLCT templates for revisions
- VTRANS has issued a grant in the amount of \$48,000 for the TriTown Walking Trail project

- The general permit for roads has been received
- Daniels Construction has been contacted regarding the Kendall Hill Bridge

PUBLIC COMMENT:

None presented at this time.

OLD BUSINESS

Special Appropriations:

D. Atherton stated that some calls have been received from some of the recipients of the special appropriations following the appropriations being cut in half during the budget process. VLCT was consulted and the petition from the recipient must remain as is until changed. The town attorney was consulted and the recommendation was to reinstate the amount originally requested, increasing the total expenditure by \$12,238. Motion by T. Hooker and seconded by J. Gagnon to reinstate the special appropriations and to review the policy going forward. Motion passed 4 – 1.

NEW BUSINESS

DG Outback Acres Solar Presentation:

Representatives from NextEra were present to discuss the proposed Outback Acres Solar Project.

Christine Heffernan, representing NextEra was present and made a Powerpoint presentation to the Select Board. There are additional projects that NextEra is overseeing in Vermont. The DG Outback Acres project will be on property located at 474 Furnace Road and consisting of a 3.5 mW project located on 18 acres of a 71 acre parcel. The panels will be single axis tracker panels, that follow the sun for the most optimal collection of sun. The construction of this project is dependent on permitting. The Green Mountain Power study has been completed, Phase 1 ESA, Natural Resources and Wetlands, Cultural/Historic Desktop Review, ALTA Study, Geotechnical Study, Grassland Bird Survey, RTE Plants Survey, Archaeological Phase 1 Assessments and Habitat Assessment have also been completed. The permits completed are the Construction Stormwater Discharge, Access/Right of way and VT Wetlands. Each of the permits, whether pending or completed were explained. The soil is ag land and forested land with minimal impact.

This project will create jobs, pay property taxes, diversify electricity generation, which will return the land to its original state at the end of the project. There will be no impact on traffic in the area and will not impact the town infrastructure.

Chair Malay inquired what pollution would be remaining when the life of the project is complete. Mr. Cox explained that the land would be reclaimed back to its original state using the earth that will be stock-piled on the property. There was discussion regarding the bond on the property. Ms. Malmquist stated that this was part of the state requirement.

Mr. Atherton inquired the height of the panel. Mr. Mills stated that the height of each panel was between 15' and 18'. Chair Malay inquired if there was any glare from the Adams or Oxbow Roads. The representatives stated that the panels were constructed of non-reflective material. J. Gagnon inquired if the abutting property owners were made aware of the project. Ms. Malmquist stated that there was

notification made to the abutters when the petition was filed for the project. There will be a meeting of the abutters on April 11, 2023 at 2:00 PM. Chair Malay stated that she has received calls from residents who did not receive the information on the project until after hearings, etc. were held. Ms. Malmquist stated that the Court Clerk is responsible for sending the information to the property owners. Chair Malay stated that there is concern regarding the visibility of the project. Mr. Willard stated that there have been field investigations from local roads. Mr. Willard stated that he hiked to the top of Bald Mountain and there was some visibility not anticipated to be visible from Route 7; some visibility from Randall Park. Mr. Willard explained that there would be vegetative plantings to provide screening.

M. Winslow inquired the soil types, which were discussed at length and it was determined that the majority of the soil was prime ag.

D. Mills stated that the drawings appear to be more than 18 acres. Ms. Heffernan stated that the project is not permitted to use more than the 18 acres. M. Winslow inquired the status of the 100-year flood plain, which Mr. Cracy stated was above the 100 year flood plain.

Chair Malay inquired if the project would be maxing the grid. Ms. Heffernan stated that this was a question for the utility. Chair Malay inquired why the solar projects are being sited on farmland and gorgeous property. Ms. Heffernan explained that other lands may have hazardous contaminants.

D. Mills inquired the projected construction date. Ms. Heffernan stated that the hope is 2024.

The representatives exited at 7:28 PM.

Water and Sewer Commission Discussion:

Mr. Atherton inquired why the Select Board was separate from the Water and Sewer Commission. T. Hooker stated that they used to be one board. There was discussion regarding the Water and Sewer Commission and a motion was made by D. Mills and seconded by M. Winslow to move the business of the Water and Sewer Commission back to the Select Board. Motion passed unanimously 5 – 0.

Trustees of Public Funds Discussion:

T. Hooker stated that an email was received, which was shared with the Select Board, requesting funds. There was discussion that if the request was to be considered; that there is a formal process to be followed before any consideration.

Financial Policies Review and Approval:

Mr. Atherton stated that he has been working with Ann Reed and Helen McKinlay on the Trustees of Public Funds Investment Policy, Fraud Prevention Policy and the investment Policy. There was discussion and the Select Board members would like to receive any policy for review at one meeting and review it between the meetings before any action is taken.

Lawn Mowing Bid Review:

Mr. Atherton reported that 2 bids were received. There was discussion regarding the 2 bids that were received. Motion by T. Hooker and seconded by D. Mills to award the Lawn Mowing Bid to Furnace Brook Landscaping for 2 years at a price of \$5,090 per year. Motion passed unanimously 5 – 0.

RRPC Mutual Aid Agreement:

Motion by D. Mills and seconded by T. Hooker to accept the RRPC Mutual Aid Agreement and include with the Emergency Management Documentation. Motion passed unanimously 5 – 0.

RF3-594-1.0 Loan Agreement for Lead Service Line Inventory Loan:

The Lead Service Line Inventory is a requirement from the Federal Government. This document is for a 0% loan. Motion by A. Malay and seconded by M. Winslow to sign the document. Motion passed unanimously 5 – 0.

Vermont Digital Quote for Police Laptops:

The Police Department ipads are in need of replacement and VT Digital provided a quote of \$8,118 plus \$105 an hour for installation and travel. Motion by M. Winslow and seconded by T. Hooker to adopt the quote as written. Motion passed unanimously 5 – 0.

Otter Creek Communications Union District Appointment of Representatives:

There was discussion that this committee is still seeking representatives from Pittsford. The members of the Select Board were inquiring the status of any progress in Pittsford. Mr. Atherton will look into this and report at a future meeting.

Personnel Policy Draft Review:

The VLCT model policy was used and tailored to meet Pittsford's needs. There were inclusions of union contracts, vacation accruals and benefits. This topic was tabled to a future meeting.

Rules of Procedure for Selectboard Review and Approval:

Mr. Atherton explained that this was to outline how meetings were run, how motions are made, etc. This topic was tabled to a future meeting.

Local Emergency Management Plan Municipal Adoption Approval 2023:

Mr. Atherton stated that this is an annually required document. Motion by T. Hooker and seconded by D. Mills to adopt as presented. Motion passed unanimously 5 – 0. Motion by T. Hooker and seconded by D. Mills to appoint Town Manager Atherton as the Alternate to the Regional Committee. Motion passed unanimously 5 – 0. The document was sent to Tim Cornell, Emergency Management Coordinator.

The Select Board recessed at 8:04 PM to convene as the Liquor Board.

The Select Board reconvened at 8:06 PM.

The Select Board adjourned at 8:06 PM.

EXECUTIVE SESSION

T. Hooker made the motion and seconded by M. Winslow to go into Executive Session for Personnel where premature knowledge could be damaging to the Town and may be jeopardized by public disclosure. Town Manager Atherton was invited to remain for Executive Session.

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 Personnel at 8:06 PM.

The Select Board exited Executive Session at 8:45 PM with no action taken.

The Select Board adjourned at 8:45 PM.

The next Select Board meeting will be held on April 19, 2023

Respectfully Submitted,

Kelly Giard
Recording Secretary

Alicia Malay, Chair

David Mills, Vice Chair

Thomas Hooker, Selectman

W. Joseph Gagnon, Selectman

Mark Winslow, Selectman