

**Joint Meeting of the Waterbury Village Board of Trustees
and Water & Sewer Commissioners
Main Street Fire Station
July 10, 2013**

Attendees: P. Howard Flanders, Village President; Lawrence Sayah and Natalie Howell-Sherman, Trustees; William Shepeluk, Municipal Manager; Cindy Parks and Mark Alberghini, Water Commissioners; Alec Tuscany, Public Works Director; Bill Woodruff, Water Superintendent; Steve Lotspeich, Community Planner; Anne Imhoff, ORCA Media; and Denise McCarty, Board Secretary.

Public Attendees: Kristen Fountain, Waterbury Record; Chris Lamonina, Green Lantern Capital; Ernest Bilbrough, Kathleen Daye, Deborah Mulveu, Laura Flint, Everett Coffey, Jon Farnsworth, Robert Dostis, David Luce, Margaret Luce, Joan Beard, Alan Pierce, Lincoln Pierce, Michael Milne, Felix Callan, Monty Markow, Duncan McDougall, Steve Hagenbuch, Ken Bisceglia, Dan Sweet, Rob Hofmann and Steve Sisler.

Call to Order: The joint meeting of the Water Commissioners and the Board of Trustees was called to order by P. Howard Flanders, Village President at 7:03pm. P. Howard Flanders introduced the Trustees, Water and Sewer Commissioners, and Municipal Staff to the public attendees.

Open Public Informational Meeting on Proposed Solar Panel Project in Village Well Field on Sweet Road.

The Village Trustees held an informational meeting to provide information and receive comment from the public on the proposed 500 KW net metering project utilizing fixed solar panels on Village property on Sweet Road in Waterbury. Interested members of the public and adjacent land owners were invited to attend and discuss the solar project and the options going forward.

P. Howard Flanders discussed four identified areas in Waterbury where a solar array could be placed. None of the four areas were sufficient for the project. Waterbury LEAP identified the well area on Sweet Road as a prime location to support solar panels. P. H. Flanders also discussed the history behind the Sweet water well source and how it was purchased in 1988.

Steve Lotspeich, Town and Village Planner, discussed what the local permitting process was for this project. Zoning Regulations are enabled by State Statute. State Statute indicates that any public utility or generating facility would be exempt from local zoning regulations and be governed by Title 30 section 248. Municipalities are not allowed to regulate installation of renewal energy sources or generating facilities. The Town and residents can submit comments to the Public Service Board during the design review process.

Chris Lamonina from Green Lantern Capital spoke to public attendees. Green Lantern Capital is based in Waterbury and is a leading developer of clean, distributed energy solutions and mixed-use real estate. They build, manage, and own renewable energy projects which are primarily solar. This particular project is in the early preliminary stages. The proposed solar panel project will be 500 kilowatts taking approximately 4 acres of land, and the design needs approval from the Public Service Board, permitting, and design review.

Lincoln Pierce designed a two dimensional virtual image based on Green Lantern's Design of the solar array in the Sweet field. The design showed the landscape as it would look if you walked past it from the road, also images of what it would look like if you walked in the meadow from several different views and angles with tree "screening" options.

Concerns were discussed from adjoining land owners in attendance that no one knew the Green Lantern company, people that own land in that area have to jump through hoops to develop their land to build a home yet the Village who will benefit from this project does not have to be held to the same permitting standards as adjoining land owners. Also discussed was the history of maintaining the natural landscape and views with existing property owners in the area thus far and how the proposed project would counter act this effort if the solar array and screening trees were installed.

Cindy Parks, Water and Sewer Commissioner, discussed the water source at Sweet Well. The well is a permitted public water source and the Sweet Well is permitted by the Agency of Natural Resources. Protection of the ground water is paramount. The permitting process for a public drinking water source goes through a very rigid process. There are three isolation zones identified near the Sweet Well that will need to be protected from harm and disruption during any construction of a solar array. C. Parks discussed all terms that the Water and Sewer Commissioners would negotiate to protect the natural water source which included PCB free materials, disclosure of all materials being used, periodic inspection of equipment, space for well maintenance and repair, if needed, and appropriate legal controls to protect ground water resources in any contract that is drafted. Discussion followed.

Duncan McDougall discussed the purpose and mission of Waterbury LEAP and their support of this project. Discussion followed. Public attendees voiced their frustration with the regulatory process and health concerns about the electromagnetic fields from the solar panels and what impact it would have on people nearby. Also, concerns about the materials that the solar panels are made from and the long term effects of rain water hitting them and dripping on the ground then seeping into the soil.

W. Shepeluk gave an overview of the net metering credits from the solar array project based on if the benefit is assigned to the Waste Water Treatment Plant. Green Lantern estimates that the kilowatts produced from the solar array at the Sweet Field would be 683,565. GMP will pay Waterbury 20.6 cents per kilowatt hour and Waterbury will pay Green Lantern 18.2 cents per kilowatt hour (90 percent) and Waterbury will keep 2 cents per kilowatt of that (10 percent). The benefit to the Village would be \$14,000. Questions were raised: Has anyone spoken with Tom Vickery about the taxable loss of the seven surrounding properties versus the costs generated by the solar array? Will the solar panels be taxed and if so who will pay the tax? Has there been any review of alternative suppliers of this project besides Green Lantern? Discussion followed.

Rob Hofmann thanked the Trustees for their service and for providing information about this project. He asked attendees and municipal staff and Trustees to consider not only valid concerns of the attendees but to take into consideration the bigger picture of the purpose of this project. R. Hofmann stated that we say no to wind turbines, drilling, and VT Yankee; however, we have to consider alternative energy if we continue to use electricity.

Question raised: How many CO2 emissions are we eliminating from this solar array? Discussion followed and Green Lantern would be responsible for disposing of the solar panels and restoring the site to pre-solar array conditions after the 20 year contract comes to term if the contract was not renewed or other plans implemented. P.H. Flanders stated that the Board of Trustees would make a final decision about this project in 6 weeks. Discussion followed: Were the people that resided on Sweet Road or near Sweet Road notified of this meeting? Yes, there was a letter, agenda, and a map mailed to them and a notice was printed in the paper. Concerns were raised that there should have been more than a week's notice regarding this meeting. P.H. Flanders suggested that anyone interested in getting updates about the solar array project leave their contact information on the sign-up sheet provided.

There were no further questions or comments about the solar array project in Sweet Field. The Board of Trustees and Water and Sewer Commissioners will take into consideration all public comments and concerns. The Water and Sewer Commissioners adjourned at 9:16pm.

Art in the Ally Request

Art in the Ally coordinators are requesting to close Stowe Street on July 31st from 5 to 8 pm for the Art in the Ally event. **N. Howell Sherman made a motion to accept the request. L. Sayah seconded the motion. The motion was voted on and passed unanimously.**

June Police Report

Chief Joby Feccia was not in attendance at this meeting due to attending an Active Shooter Response Training in Enosburg, VT. The June police report and 17 Point Police Statistical Report was distributed and reviewed. Discussion followed. No action was taken at this time.

Village Tax Rate

W. Shepeluk discussed the homestead tax rate for 2013 and stated that the tax rate increased by \$.0742 cents which is a 5.62% increase from last year; and the non-residential tax rate increased to \$.0216 cents which is a 1.55% increase from last year. The Grand List also went up since last year. W. Shepeluk recommended that the Village Tax Rate be set at 16 cents per \$100 value. **N. Howell Sherman made a motion to set the Village tax rate at 16 cents per \$100 value. L. Sayah seconded the motion. The motion was voted on and passed unanimously.**

Other Rusty Parker Park Request

Carrie Miller is requesting to use the Rusty Parker Park for a bridal shower on July 28th from 11:00am to 3:00pm. Approximately 50 people are scheduled to attend and there will be no alcoholic beverages served. **N. Howell Sherman made a motion to accept the request. L. Sayah seconded the motion. The motion was voted on and passed unanimously.**

Meeting Minutes

L. Sayah made a motion to approve the Board of Trustees meeting minutes of June 26th. N. Howell Sherman seconded the motion. The motion was voted on and passed unanimously.

Request for Village Annexation

1100 Waterbury Stowe Road LLC is requesting to be annexed into the Village so that they will be able to connect to the Village of Waterbury municipal waste water system. They are asking that the Village Trustees consider asking the voters to annex the property and if the Trustees are in agreement, then the Trustees will warn the required public meeting as soon as possible.

N Howell Sherman made a motion to recess and re-convene the Board of Trustees meeting at 11:30 am, Thursday, July 11th at the Main Street Fire Station to discuss the annexation request. L. Sayah seconded the motion. The motion was voted on and passed unanimously.
The meeting was recessed at 9:57 pm.

The next meeting is scheduled for **August 1st at 6 pm at the Waterbury Fire Station.**

P. H. Flanders reconvened the recessed meeting at 11:30am on Thursday July 11th. L. Sayah and W. Shepeluk were in attendance.

L. Sayah made a motion to call a Special Village Meeting at 6:00pm on August 1st, 2013 at the Main Street Fire Station to consider the annexation of property owned by 1100 Waterbury-Stowe Road LLC into the Village. The motion was seconded by P. H. Flanders and passed by those present.

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There being no further business, the meeting was adjourned at 11:35am.

Respectfully submitted,

Denise McCarty
Board Secretary

Approved on: July 22nd, 2013

P. H. Flanders
P. H. Flanders

Lawrence Sayah
Lawrence Sayah

Natalie Howell-Sherman