

Town of Danville
Selectboard Minutes
September 1, 2022
Danville Town Hall (6:00 pm)

Board Members Using Microsoft Teams: Janice Ouellette, Kellie Merrell and Peter Griffin

Board Members Present: Ken Linsley and Eric Bach

Others Present: Audrey DeProspero, Wendy Somers, Glenn Herrin, Jake Clark, Rob Balivet, Chris Burns, Scott Burns and Greg Prior

Others Present Using Microsoft Teams: Constantine Leotsakos, Craig Morris, Robert Zarnetske, Kate Whitehead and Debby Marrier

Meeting called to order by Chair Eric Bach at 6:01 pm.

1. **Additions to the agenda:** none
2. *Motion by Ken Linsley, 2nd by Janice Ouellette to approve **minutes of Regular meeting of August 18, 2022** as written. Vote 5-0-0. All in favor.*
3. **Visitors**
 - **Jim Brimblecombe – H2O Innovations – Permits –** DEC (Department of Environmental Conservation) is requesting two WET tests per year over a ten-year span and two toxic pollutant scans a year. That would be \$35,000 over the next five years. Danville is being lumped in with Rutland City, Burlington and St. Johnsbury facilities. The PQR (Permit Quality Review) does not state small facilities need two tests. Jim Brimblecombe suggested to hire Randy Bean to speak on the Town's behalf. Jim Brimblecombe spoke to Paul Olander who is also willing to help out.

Ken Linsley inquired if Randy Bean could support multiple locations.

Jim Brimblecombe noted yes and also thought one WET test a year should give the needed information.

Ken Linsley wondered if other towns would be interested in supporting Randy Bean.

Jim Brimblecombe thought the other towns would be interested in supporting Randy Bean.

Kellie Merrell requested explanation of what the required tests were.

Jim Brimblecombe explained the tests performance.

Kellie Merrell discussed Tom Brown's prior suggestion for having an engineering study done for the plant for future upgrade compacity and wondered if this should be done before doing the permit.

Jim Brimblecombe noted it was not possible because the permit expired the prior September (almost one year ago) and the new permit should come within the next month.

Eric Bach inquired what the cost for Randy Bean would be.

Jim Brimblecombe noted H2O already paid for the written letter. He thought the cost may be \$1,000. He noted that Randy Bean wrote permits for DEC for thirty-five years.

Ken Linsley suggested getting senators involved.

Kellie Merrell wondered if they could talk to Katie Parrish themselves, rather than escalating the situation. Kellie Merrell spoke of prior litigation and working with state water department.

Jim Brimblecombe spoke to Katie Parrish Environmental Analyst and she was not aware of cost but was aware of testing EPA has. Jim Brimblecombe noted Vermont is a delegated state whereas ANR could implement a regulatory program that could be customized and reasonable. He noted there are still a few more questions that need to be asked.

Eric Bach wondered what the time frame was.

Jim Brimblecombe spoke of the communication time line whereas there is a pre permit chance to respond to the permit which is usually one month. On June 23, H2O sent a letter and has had no response to it.

Peter Griffin wondered what the odds were that the requirements could be removed before the permit was issued.

Jim Brimblecombe noted he has been talking with them since May.

Eric Bach discussed the Selectboard putting a letter together on their own behalf and wondered if they did not receive a response within two to three weeks before the permit is sent, would it be possible for the Town of Danville to still join with Randy Bean.

Jim Brimblecombe noted yes.

Eric Bach inquired what the preference of the Selectboard was for their next step.

Motion by Ken Linsley, 2nd by Janice Ouellette to move that the Town of Danville write a letter expressing concern for both short term and long term to what was proposed to testing requirements and for copies to go to Representative, Senator and Governor. Vote 5-0-0. Motion carries.

- **Jake Clark – Encore Renewable Energy – Solar Project off of Olde Farmhouse Road –**
Encore Renewable Energy is based in Burlington and has projects in ME, NH and NY however the core of their business is in VT.

Jake Clark discussed Olde Farmhouse Road Solar Project which covers 13.5 acres and will have 7,500 panels. The panels are fixed tilt panels and do not move. There will be a fence around the project and there is a screening plan in place. The intent of the screening plan is not to make the project invisible but for it to break up the project views. There is 300 feet of visibility along Route 2 to the north. At first the Planning Commission had concerns for visibility however 414 feet of trees will be planted for the screening plan.

Glenn Herrin Planning Commission Chair, noted solar is not permitted through the Town, it goes through the PUC (Public Utilities Commission) however Encore is seeking support from the Town from both the Planning Commission (PC) and the Selectboard. The PC unanimously supported the build. The project does fit the compliance to the Town Plan per the solar screening plan. This is a very big solar project that will produce a lot of power. It will max out the solar capacity on 2B by GMP (Green Mountain Power). PC held a long discussion because the location is farm land and they do not like commercial use of farm land however sheep will be put there to graze.

Jake Clark requested a letter be written by the Selectboard and signed by Chair in support of the project and sent to the PUC.

Kellie Merrell inquired about water runoff from the panels.

Jake Clark noted they were consistent with the stormwater permit and were not adding any more impervious surface. There would still be grass underneath the panels to absorb water.

Greg Prior inquired about poison parsnip in that area.

Jake Clark noted poison parsnip was typically removed if found on site however he has not seen any on this location yet.

Peter Griffin noted he would be willing to make a motion to write a letter of support if the other board members wanted to do so at this meeting and not wait until the next meeting.

Ken Linsley suggested to hold off in case something came to light that they were not aware of.

Glenn Herrin noted if the Selectboard were ready to support them when the PC meets, they could let the Selectboard know and work with their Assistant to write a letter.

Motion by Peter Griffin, 2nd by Janice Ouellette to write letter of support for solar project on Olde Farmhouse Road in conjunction with the Planning Commission. Vote 5-0-0. Motion carries.

Eric Bach discussed with Glenn Herrin that the Selectboard would work with the Planning Commission to line up the writing of the letter together.

- **Jonathan Austin-Shortt, Fire Chief – Fire Department Use of Town Hall 2nd Floor –** cancelled. Second floor no longer required for Fire Department training as they are using the school cafeteria.
- **Alison Despathy – Use of Green –** postponed until a later date.
- **Robert Zarnetske & Constantine Leotsakos – HCH Enterprise – Grant Funding Assistance –**

Constantine Leotsakos was working with other municipalities. Currently he is working with St. Johnsbury. HCH Enterprise does ARPA consulting work, grant obtainment, and compliance reporting to identify grants on town's behalf.

Propose further discover around micro purchase is higher and town 50,000 without RFP

Robert Zarnetske noted HCH Enterprise has been in business for thirty-five years and is based out of Rhode Island. They have clients up and down the east coast. They are a company that does compliance contract grant management, and grant obtainment and grant writing for ARPA funds. Towns' have the discretion of how to use ARPA funds. Their company seeks out other grants by using ARPA funds. Anything under \$10,000 is a micro purchase and there is no requirement of RFP by federal government. The federal rule is \$10,000 and local rule is no more than \$50,000. Vermont is up to \$50,000. Municipalities do not have the resources to do RFPs. Their service is to towns is offering to explore a good prospect for municipalities to find other grant funds. They have a team of researchers to do this for the town. They will give the town a report and the town will then be able to decide if they want to go after the grants. They have an internal list of grants like sewer and water. They receive IJA notices and grant information. Robert Zarnetske noted there are new federal grant programs that they will start seeing and will start putting narratives together from grants. ARPA funds can be used for this service. Local grant writing use to be paid for by local funds. They are seeing more grant writer positions and have the expertise and are just letting the towns know that they are available if the town wants to use them.

Kellie Merrell discussed fire department could use assistance revamping fire station, or a new building, a new truck, and even training. FEMA grants have been awarded to other towns and she wondered if their company could help with that. She also wondered about the billing and cost.

Robert Zarnetske noted they could put a narrative together but couldn't guarantee success. Billing was done on an hourly rate and based on an estimated rate. The estimate would be \$5,000.

Ken Linsley noted the Town needed to do their due diligence and inquired about their clients in VT.

Robert Zarnetske noted their only client in VT was St. Johnsbury, however they are not funding grants for St. Johnsbury, they are just identifying projects that their Advisory Committee has.

Constantine Leotsakos noted they were only talking to Northfield but has not presented yet.

Eric Bach noted the Selectboard has received a packet from HCH Enterprise to review.

4. **Town Clerk** (Wendy Somers)

- Special Event Permit for VT Spirits Distilling for Autumn on the Green.

Motion by Ken Linsley, 2nd by Kellie Merrell to approve the Special Event Permit for VT Spirits Distilling for Autumn on the Green. Vote 4-0-1 (Eric Bach abstained). Motion carries.

- Credit Card Policy with Addendum

Motion by Ken Linsley, 2nd by Janice Ouellette to accept the Credit Card Policy and Addendum to be signed every year. Vote 5-0-0. Motion carries.

- Internal Financial Controls Checklist for Municipalities

Motion by Ken Linsley, 2nd by Peter Griffin to approve the Internal Financial Controls Checklist and to request Chair Eric Bach to sign on behalf of the Selectboard. Vote 5-0-0. Motion carries.

5. **Highway Foreman** (Keith Gadapee) – absent

6. **Issues and Information** (All)

- (a) **Tiny Art Gallery on the Green** – Eric Bach noted Abigail Bartell Danville Art Teacher discussed with the Selectboard at their last meeting to place a tiny art gallery on the Green.

Kellie Merrell thought Abigail Bartell was going to get other information from other towns that had tiny art galleries.

Ken Linsley suggested that Abigail Bartell look at other locations and private properties.

Eric Bach discussed issues about locating the tiny art galleries on the Green as they would need to be mowed around which could cause issues for the mowing contractor. He suggested they be located on a walkway such as the one between the community building and the library.

Ken Linsley had concerns for what would be permitted and not permitted in the tiny art gallery and the policy the Selectboard would have to create.

Consensus is for Eric Bach to follow up with Abigail Bartell on details.

- (b) **Window Dressers – North Danville Community Center**

Deb Marrier discussed the white insets blending in with the current windows and the pine standing out.

Motion by Kellie Merrell, 2nd by Ken Linsley to support Window Dressers white inserts for the North Danville Community Building in the amount of \$1607.79. Vote 5-0-0. All in favor.

- (c) **Apparel Impact (AI) Textile/Clothing Recycling** – Janice Ouellette discussed NEKWMD's email regarding their contact with AI regarding working with member towns of the NEK Waste Management District. She noted that the Saturday option for pick up was not an option as AI only works Monday through Friday. The owner said they monitor their locations of their bins and if they see issues starting then the bins can be moved to such places as inside the recycle building. Janice Ouellette spoke to Rita Kitchel of the Open Door who thought that having a bin behind the Open Door would be great, however, the issue became, who owned the land. The Town Clerk looked into it and the survey map was unclear for ownership. Janice Ouellette thought the recycle center would be a better option for the bin as it will have better visibility.

Motion by Ken Linsley, 2nd by Kellie Merrell for the Town to host a bin at the recycle center and to put in place an agreement in writing with the company. Vote 5-0-0. All in favor.

(d) **Dedication of new Recycle Building**

Ken Linsley discussed recognizing the contributions of an individual through a plaque or notice of some sort and to place on the building.

Janice Ouellette discussed a dedication ceremony.

Selectboard suggested to contact Walter McNeil and get his thoughts for wording.

(e) **Trees on the Green – grind/replace**

Selectboard discussed grinding stumps of removed trees.

Consensus is to get quote for stump grinding.

Eric Bach and Ken Linsley discussed replacement by the trees that were growing in the Town Forest that were native to the area.

(f) **Update on status of state looking at speed**

Selectboard discussed State Commission meeting on September 27th from 1-4 pm. Information of date and time of meeting was delivered to Selectboard by Jane Kitchel who inquired about the meeting with Secretary Flynn. The Selectboard wondered who would be permitted to provide testimony, how many wanted to provide testimony, did the Town want to provide testimony as they previously wrote a letter (unanimously decided, yes), what is required for presentation, is there a limitation on time, and how many people could testify.

It was noted that representation was needed to push the urgency to get the speed study done. It was also noted that part of the testimony should be that the Selectboard want the speed study done.

Kellie Merrell nominated Keith Gadapee to provide testimony on behalf of the Town as she thought his representation as Road Foreman would be well received by the audience. She also suggested a representative from the Village to Village Steering Committee such as Ken Linsley and/or the Implementation Committee member Eric Bach would be good representation too.

Selectboard noted that coordination of words would be required so as not to repeat themselves.

7. Financials: Orders to review and sign – Financials Signed.

8. Adjourn - Motion by Ken Linsley, 2nd by Peter Griffin to adjourn at 8:08 pm. All in favor.

Minutes taken by Audrey DeProspero submitted September 6, 2022 at 2:00 pm.