

**Select Board Meeting, Monday, November 14th, 2016 in the Cavendish Town Office
Meeting Room at 6:30 pm**

Present: Bob Glidden (Chairman), George Timko, Mike Ripley, Wendy Regier, Rich Svec (Town Manager), Bruce McEnaney (Assistant to the Town Manager), Jen Leak (Recording Secretary), and citizens as listed on the attached sheet.

Absent: Jill Flinn

1. Call the meeting to order

Bob Glidden, Chairman, called the meeting to order at 6:30 p.m.

2. Review/approve minutes of the regular meeting of October 17th and the special meetings of October 19th, 20th, 24th and 25th, 2016. Chair to sign minor correction to the minutes of September 12, 2016 as approved 10/17/16.

Mike Ripley moved /Wendy Regier second a motion to approve the approve minutes of the regular meeting of October 17th and the special meetings of October 19th, 20th, 24th and 25th, 2016 as written. All voted in favor.

3. Sign Orders

Bob Glidden, Chairman, advised the Select Board that there were no orders to sign.

4. Review Correspondence

Bob Glidden, Chairman, directed the Select Board to review correspondence at their convenience during the course of the meeting.

5. Adjust agenda

Rich said he needed to add one item, # 6.a. **Cavendish Snow Fleas Snowmobile Club request to have their annual road crossing and use request reviewed.**

Barbara Dickey was present and asked if item #14 could be moved earlier in the meeting. Rich said there were others in attendance for specific items as well, but it could be considered after item #8.

6. Hear Citizens

AnnMarie Christiansen was present, and introduced herself as the newly elected state representative for Cavendish and Weathersfield. She asked all residents to feel free to pass along their concerns to her. Rich added that she was welcome to let the Town Manager know if she would like to present updates at Select Board meetings.

6.a. Cavendish Green Mountain Snow Fleas Snowmobile Club request to have their annual

road crossing and use request reviewed.

Rich passed out a list of roads and trail map to the Select Board. Joe Marini, Snow Fleas President, was present to answer questions. Rich commented that the map showed crossings but did not show locations where the trails ran along the roadsides. Joe said that Atkinson and Moriglioni Roads were the only areas where the trails ran along the roadside. Joe added that this map showed last year's route, and there is a new route which will run alongside Atkinson Road rather than crossing Prior Road. Joe said the trail accesses Atkinson Road above Shapiro's house. Rich asked if Joe could provide a more accurate map, and Joe said he could. Rich offered to help with the mapping.

Wendy noted that the map does not show the Quarry Road area, and asked for clarification of where the trails run in that area. Joe said there is no trail along Quarry Road, rather the trail stays on the powerline right of way.

Rich noted that, last year, the trails in the Quarry Road area were discussed extensively. He asked if that matter was resolved. Mike Caron, property owner on Quarry Road, was present. Mike and Joe discussed the cutting and clean-up of brush on Mike's property, but did not agree on what had occurred. Mike said he would not allow snowmobiles to cross his property this season. Rich suggested that Joe and Mike should hold further discussions on that topic outside of this meeting. Joe then left the meeting.

George pointed out that the map shows trails crossing Davis and Center Roads, but they are not included on the list the Club is requesting permission to use. Wendy suggested the letter should request permission to "cross" roads rather than "use" them. The Select Board agreed they wanted a better map and would consider this topic at the December, monthly meeting.

Jim Petrycki, property owner on Mountain View Ave. in Proctorsville, was present. He asked for an update on the replacement of the Depot Street bridge. Rich said that, after 18 to 20 years of town efforts to get this bridge project funded, it is now on the accelerated bridge program with the State of Vermont, and replacement is scheduled for the 2018 construction season which is in advance of what would otherwise have been scheduled. Jim said his neighbors' house burned down recently, and he wondered how much sooner the fire department could have been there if the bridge hadn't been closed. Bob said it was a 3 minute delay at most. Jim said he believed the delay was much greater, and stated he felt the closed bridge was a significant safety issue. Mike pointed out that, at several Select Board meetings where the bridge replacement was discussed, many Depot Street residents stated that they wanted the bridge closed permanently. The Select Board did not agree with a permanent closing. Jim urged area residents to write the State in order to expedite this repair.

7. Update on the VTrans railroad bank stabilization project on Cavendish Gulf Road [Vtrans Cavendish RREW12K] which is completed.

Rich said the culvert has been cleaned of stones and debris, but the damaged plastic pipe has not been replaced since it is set in concrete. He hoped that the cleaning would improve the drainage. Wendy added that the shotcrete work is not as bad looking as she had anticipated.

8. Update on recent activities and initiatives of the Cavendish Energy Committee and recommendations from the committee on the installation of heat pump equipment at the town office building. Discussion will include updates on the solar array and a proposal regarding redistribution of net metering credits.

Peter Labelle (Cavendish Energy Committee) and Vic Hall (Ascutney Area Sustainability Coalition Chairman) were present. Peter reminded the Select Board of the Solarize program, which encouraged and facilitated residents to install solar panels on their properties. He noted that an important part of the Solarize project was to partner with the towns of Windsor, West Windsor, Reading and Weathersfield. The Energy Committee Chairs of these towns have continued to meet after the Solarize program concluded. They applied for and received a grant for their group, which they are now calling the Ascutney Area Sustainability Coalition. The Coalition is presently putting together its mission statement, goals, and a prioritized list of projects. Vic said they are focusing on sustainability issues. Their first project is called "Weatherize." They will have vetted contractors who can inspect homes and present the owners with list of needed weatherization projects along with the estimated costs. The Coalition will also help owners find low-interest loans to fund these projects.

Rich said the Select Board has previously discussed installation of heat pumps in the town office building, which would be powered by excess energy credits generated by the Town solar array. Rich has explored the heat pump option with Cota and Cota, HB Energy and Green Mountain Power. Rich stated that, with taking advantage of current Efficiency Vermont rebates, heat pumps could be installed by HB Energy in the town office for about \$12,000. The existing hot water oil heating system would be left in place, for back-up and during very cold periods, but use of oil would be greatly reduced. Currently, the Town pays about \$2,000 per year for fuel oil for the town office building. It was noted also that the \$2,000 figures would go up if fuel oil costs rise in the future, which they are apt to do. The heat pumps would also provide more efficient cooling and dehumidification in the summer months. Rich noted that the dehumidification is especially important to maintaining the paper records.

Rich said he and the Energy Committee have reviewed the proposals and recommend accepting the HB Energy bid. Rich noted, as before, that there is money in the Town Office Renovation Fund which would be appropriate to use to pay for this improvement. Wendy suggested holding off spending anything out of this fund. She said that the Board had discussed possible changes to the building. She would rather look at how the building is being used and consider using those funds for remodeling and/or adding additional office space.

Mike asked what space the heat pump would occupy. Peter pointed out a small area of wall in the meeting room, and said there would also be a small area in both the Town Clerk's office and the Town Manager's office. There would also be some small pads with equipment on the outside of the building. Heat pumps will provide heat using outside air and are efficient down to an outside temperature of about zero. When temperatures outside are lower than zero, the head pumps can be shut down in favor of the oil furnace. They also cool the air in the summer and remove humidity.

Carl Snyder was present, and asked if there were enough solar energy credits to heat the building for the winter. Rich said there definitely are. Carl said he was opposed to heat pumps in general,

because the electricity needed to run them could come from fossil fuels so there was no overall conservation, so he was not in favor of increasing the towns energy needs.

Rich asked if the Board was going to address Wendy's expressed concern. George asked for the balance in the Town Office Renovation Fund, and Rich said last year's town report showed \$132,000 as of June 30, 2015. Mike asked how long it would take for the pump to be installed. Peter said it could be done in 4-6 weeks.

George said he was not in favor of this project, given the pending changes in the Town Manager position and that next year's budget will be under consideration soon. Rich noted that taking money out of a fund would not affect the budget. George said he thought there could be large changes in order to separate the Town Manager and Town Clerk offices. Wendy said she would like to be able to hire someone to evaluate the town office in order to use the space more efficiently. Mike asked how hard it would be to move a heat pump once it was installed. Peter said he thought it was a fairly simple system, and moving the wall-mounted units would only require running new tubing and wiring. Rich added that the wall units are connected by tubing to the outside unit and that the inside head could be moved while keeping the outdoor unit the same.

Mike Ripley moved/Bob Glidden seconded a motion to expend money from the Town Office Renovation Fund to buy and install heat pump equipment in the town office building. George asked if it could be installed next month. Rich said he would again talk to the contractor, but thought it could still be accomplished in December. Mike asked what happens to the energy credits if we don't use them. Peter said they would expire. Wendy said she would like more information on moving the pumps, or reconfiguring them if the building was remodeled. Peter said another heat pump unit could be added, if needed because of building expansion. Rich added that the tubing and wires would generally be run in the space above the dropped ceiling so that installation is fairly simple and neat. George commented that, in his opinion, spending this amount of money should be clearly stated on the agenda and warned to the public. Wendy said she would like a more detailed estimate of the costs. Carl asked if the electrical system in the office building is sufficient to support the heat pump. Rich said it is. ***Bob Glidden and Mike Ripley voted yes. Wendy Regier and George Timko voted no. The motion did not pass.***

The Select Board moved to item #14.

Rich informed the Board that the Solactria Power inverters were serviced by the manufacturers to eliminate a systemic arc fault problem. Some of the solar inverters after the services had not been transmitting data to the website, but that had apparently not affected the actual production of electricity or the production meters and the company sent a crew back to fix the data telemetry problem. All seems to be working properly now.

Rich said he and Peter have discussed other ways, besides the heat pumps, to use excess solar credits. They suggested that area organizations which provide services to the town, such as the Cavendish Fire Department, the Cavendish Baptist Church and the Black River Health Center, could perhaps use the credits if the Town cannot. Rich suggested that said the Town could collect some monies from the beneficiaries, at a lower cost than they would have paid Green Mountain Power for the energy they've consumed. The money thus collected would be used towards paying off the solar array construction costs just like we are doing with the Towns own GMP accounts. Rich said he would like to see the net metering credits all used before they expire.

Wendy asked George, President of the Black River Health Center, if he had thoughts on this idea. George thought it would be helpful for the Health Center, and agreed it should be extended to organizations that serve the community. George suggested that the agreement be flexible, since the number of excess credits generated could vary and the Town needs could change. Rich agreed flexibility would be important. Wendy asked about including the Historical Society Museum. Rich said their electrical needs were very modest, and seasonal. He added that the Universalist Stone Church (while wired) currently has had the electricity shut off for the last eight to ten years. Rich noted that he and Peter would try to include the Historical Society accounts if it proves to be practical.

George asked how the credits would be distributed among these several organizations. Rich said that is being worked on now. The Select Board asked Peter for his input. Peter said he would like to know if the Board agrees to the general idea of using excess credits toward organizations which benefit the community. He could then examine how to distribute them.

Mike Caron commented that using credits towards heat pumps made much more sense to him. Wendy suggested that the agreements with area organizations could be short-term. Rich said that there are several opportunities to change the credit allocations during the year and adjustments can be made. Wendy said she was not necessarily opposed to the heat pumps, but she would like more information on them. She suggested that someone from HB could come to a Select Board meeting to present that. Rich commented that decision by committee always takes much longer, but if you hire competent knowledgeable people you should be able to trust their judgement. Wendy said that the Board had not yet fully discussed, in detail, town office building alterations, which could affect this decision. Rich said the heat pump installation would mainly affect the gable ends of the building, and past building expansion discussions had focused on expanding the back of the building perhaps to the parking lot and possibly an addition to include a second story.

Mike Ripley moved/Wendy Regier seconded a motion to take the excess solar credits and redistribute them to the four entities previously discussed, and to let Rich Svec (Town Manager) and Peter LaBelle (Energy Committee Chairman) and Bruce McEnancy (Assistant to the Town Manager) decide how they are distributed. Bob Glidden, Mike Ripley and Wendy Regier voted in favor. George Timko abstained. The motion passed. Mike asked if they would report back to the Select Board. Rich agreed they would do so.

9. **Update from the Cavendish Telecommunications Committee on TDS high speed internet improvement activities in Cavendish and the most recent contact from Comcast.**

Rich said Margo was unable to attend tonight's meeting. He handed out a summary report she had prepared for the Board. TDS has upgraded their service in the Tarbell Hill Area. Several area residents are reporting much faster service. Wendy asked how residents can find out what is available at their property. Bruce suggested contacting Margo for that information.

10. Review of changes to proposed Policy on Objects Placed in the Town Highway Right-of-way and consider for approval. This item is a hold-over from the October 17th meeting.

Rich passed out draft copies to the Select Board, which now includes a brief description of the Town's right of way. The Select Board reviewed it, and clarified the meaning of section 3.c. with a two word addition. Carl asked if the parking of vehicles which project into the right of way could be included. Bruce said vehicles were included in state highway right-of-way laws. George noted that vehicles, as objects, were already included in this policy. Carl asked how the policy would be enforced. Rich said the focus was not on enforcement per se but rather on formalizing a clear policy. Wendy asked if roadside signs were also included in this policy. Rich said those were specifically covered by State of Vermont sign statues. Wendy asked if this policy mainly addressed mailboxes. Rich commented that mailboxes and stone walls are the objects that have historically generated the most controversy.

George Timko moved/Wendy Regier seconded a motion to adopt the Policy on Objects Placed in the Town Highway Right-of-way with the change in wording discussed on section 3.c. All voted in favor. Rich passed a copy, with a hand written correction, for the Select Board to sign. He said he will provide another copy with the minor edit typed in for the Select Board to sign and replace the document signed this evening.

11. Review for approval the update of the Policy on Town Employee Health Insurance as discussed at the February 8th and October 17th meetings.

Rich said he would like to discuss this item with the Board soon, as the changes impact new hires.

12. Update and continuation of discussion on the proposal for an Alternate Project in lieu of work specified in FEMA PW3020. This is a follow-up to the discussion on item #14 of the October 17th meeting.

Rich said he has been working on an application for an Alternate Project which would replace the originally specified work on PW3020 with another activity which would better serve the public interest. The Alternate Project would include installing back-up generators at the water plant and the Depot Street and Greven Road sewer lift stations. He said he needed to take the newly adopted FHARs into consideration on this project, since the Depot Street lift station is in an area impacted by flooding during Tropical Storm Irene. He has discussed this issue with the engineer and flood plain manager. The water plant and Greven Road pump station both would have above ground propane tanks, but the Depot Street pump station would have a ballasted, underground tank. The least costly option to keep the Depot Street generating equipment above the 100 year base flood level is to build a raised earthen mound (approximately 4 feet high) and place the equipment on top, installed upon a concrete slab. Rich said he hopes to send the proposal to Vermont Emergency Management later this week. The total cost of the project is estimated at about \$125,000. The FEMA share would be \$94,395 (90% of the amount approved for the Meadowbrook Road bridge project). The Town materials and labor would be about \$10,000, and the engineering costs would be another \$16,000. Rich said he would suggest in kind contributions for the equipment and labor costs, and using money from the sewer and water plant

improvement funds for the remainder. The engineering costs could be paid out of the Community Development Infrastructure Fund, which has a combined total of about \$35,000 since this project is in line with the fund's purpose.

Mike Ripley moved/Bob Glidden seconded a motion to approve of spending the monies as discussed above in order to conduct the Alternate Project in lieu of FEMA PW3020. George commented that the Town will spend \$20,000 which was not spelled out on the agenda or warning for this meeting. Bob Glidden, Mike Ripley and Wendy Regier voted in favor. George Timko voted against. The motion passed.

13. Update on the repair work needed on Bonts Hill Road, town highway #43.

Bruce said that the contractor, M&M Construction, will start work on this repair tomorrow morning. Dr. Bont has been notified. The Bont's can access their property via an old right of way which leads into the lower part of Cavendish Cemetery. Rich explained that the retaining wall will be rebuilt using interlocking concrete "Redi-Rock" blocks and the road levelled using materials the Town already has on hand. It will be re-surfaced with surepack for the time being, since hot mix asphalt is not available this late in the year. The contract cost for these repairs is \$15,680. The project should last just a few days.

14. Continuation of discussion on a noise ordinance.

Rich said he recently spoke with the Town Manager from Woodstock about their noise ordinance, and Rich obtained a copy of that ordinance. He handed out copies of it to the Select Board for review. Wendy asked Bruce to explain why he had suggested removing the section concerning construction noise from the VLCT sample noise ordinance. Bruce said he believed that, the last time a noise ordinance was discussed in Cavendish, it failed due, in part, to objections raised by contractors whose working hours would have been limited. Wendy commented that the quarry near her house had their hours of operation examined during their Act 250 permit application. Bruce said that was not based on any noise ordinance but on the Act 250 process.

Barbara Dickey commented on the current increased truck traffic on Twenty Mile Stream Road. Rich commented that the increased truck traffic was due to the VELCO powerline project and that it was indeed a high volume but should now be back to normal as work on the the VELCO project, which started at the Coolidge substation, has now progressed toward Ascutney. Barbara asked if signs could be placed to limit use of the air brakes as the truck are travelling downhill toward the village area. Bruce said that, since the ability to slow down the trucks was a safety issue, the use of air brakes could not be limited. Rich added the VELCO project is temporary so the truck traffic will return to normal in all of the affected areas when the project progresses to the east.

The Select Board decided to consider this ordinance at the monthly December meeting, and moved to item #9.

15. Updates on other town activities

Rich thanked the Ludlow Area Rotary for their generous donation of \$1,400.00 to the Town Recreation Department. This amount was the proceeds from their annual Duck Race benefit. Rich and Terry O'Brien were invited to attend their weekly luncheon and receive this donation.

Rich reported that a property on Cavendish Gulf Road, which had previously been issued a temporary logging access, had been sold. The intent of the new owner is to build a house. Rich said he, Bruce and Phon have met with the contractor/previous owner and the new owner to discuss the driveway access. The grade is very steep. They have reached an agreement on methods of construction of a driveway which will minimize erosion and avoid damage to the Town road.

Bruce said the Historical Society has completed the refinishing of a set of double doors for the front entrance of the Museum, and placed them inside the Museum to acclimate over the winter. The belfry on the Stone Church is being repaired by local contractor Tom Barr. He will place stainless steel, low visibility, screening once the repairs are done to keep out pigeons and bats. The Preservation Committee is considering plans for expanding the stone wall around the new addition at the Twenty Mile Stream Cemetery and for replacing the chain link fence at Hillcrest Cemetery. Bruce commented that the Town Cemeteries are now closed for the season.

Rich informed the Select Board that Ralph Strong, who was employed by the Town for over 30 years, passed away last week and asked for a moment of silence. The Select Board observed moment of silence in his memory.

16. Other business

Wendy Regier – Wendy informed the Board that she and Barbara Dickey helped the young women at the Twenty Mile Stream House to plant daffodil bulbs on the Proctorsville Green with the bulbs that Bruce purchased. Barbara also purchased additional bulbs, which they planted in the lot next to the Elementary School. Wendy gave each participant a certificate of appreciation. The Select Board thanked Wendy for doing this.

Mike Ripley – none.

George Timko – George said he had noticed truck tracks on the road leading into the Route 131 Town gravel pit, and asked if they were from Town vehicles. Rich said they were and commented that Matt Palmer was supposed to be manufacturing a gate for that road, which he will check into.

Bob Glidden – none.

Rich added that the Select Board correspondence folder had an announcement for the public hearing on the Windsor County budget, which is scheduled for Wednesday, December 14, 2016. He encouraged Board members to attend if they were able. Wendy indicated that she may be interested in attending.

17. Brief status report on the hiring of a new town manager followed by an executive session discussion by the Board.

Mike said the Board invited five candidates to interview for a second time. The Board members have not all been able to meet together since then in order to decide on their next move. Rich noted that the health insurance policy change, which could impact the monthly contributions for new employees, might impact the hiring process.

Mike Ripley moved/Gimko Timko seconded a motion to enter into executive session to discuss the Town Manager's impending retirement and replacement at 9:03 p.m. All voted in favor. The Select Board members and Rich moved to the Town Clerk's office. Rich left the executive session at 9:04 p.m.

Mike Ripley moved/George Timko seconded a motion to exit executive session at 9:38 p.m. All voted in favor.

18. Adjourn

George Timko moved/Bob Glidden seconded a motion to adjourn at 9:39 p.m. All voted in favor.

Minutes Approved: _____

Date: _____