



# Annotated Agenda

09/12/16

## **4. Consider Authorizing Funds for Construction of One Field of the Bissonette Fields Project**

**Guests:** (1) None

**Enclosures:** (1) Bissonette Fields funding worksheet (as of 09/06/06)  
(2) Bid Tabulation Sheet (from prior bid round)

There is the chance to use existing funds to construct one of two multi-purpose fields this fall. The estimate for the field construction is \$90,000. After subtracting the \$120,000 spent this season on construction efforts (road, parking lot, field preparation), more than \$98,000 remains. The low bidder from earlier this year, Green Mountain Siteworks, provided the price and would continue with the work if authorized by the Selectboard.

Selectboard member Tom Ayer can speak to the request in greater detail.

*Consider a motion to authorize the expenditure of \$90,000 for the purpose of construction of one of the multi-purpose recreation fields for the Bissonette Fields project.*

## **5. Discuss the Possible Purchase of Solar Trackers at the Wastewater Lagoon**

**Guests:** (1) None

**Enclosures:** (1) Analysis comparing All Earth Renewables financing proposal and the Vermont Municipal Bond Bank option (both for 10-year terms)

The attached analysis compares the financing proposal received from All Earth Renewables with an option to borrow from the Vermont Municipal Bond Bank. A third financing query was made to a commercial lender (Merchant's Bank), which declined to "bid" on the project.

As the analysis shows, borrowing from the Bond Bank is the most cost effective purchase financing option, due to the low interest rate (2.285%). The interest rate quoted by the Bond Bank in August includes an additional 0.5% in anticipation of the rate increasing during the course of the next year or so. The Bond Bank proposal, based on the difference in the interest rates, is nearly \$51,000 less than the All Earth proposal over the 10 years of the term.

The "wrinkle" with financing through the Bond Bank is that the Town would need to acquire a capital anticipation note or a bond anticipation note, as the Bond Bank is not planning to sell any bonds until July 2017 (generally there are two offerings, in January and July). The interest rate on a bond anticipation note would be less than 1.5% according to Merchant's Bank.

In past conversations, the Board has expressed a preference for purchasing the trackers as opposed to continuing with the power purchase agreement (which is also an option moving forward; average annual cost = \$52,605).

Given the compact timeline, staff is looking for direction on the purchase option so that it can coordinate with bond counsel (Paul Giuliani, as utilized in the past, unless otherwise directed) and begin the process of warning a bond vote in November. The time between now and the November vote, especially the month of October, would be utilized to build public awareness of the proposal.

The discussion can be continued following the Open Meeting Law, if more time is needed or desired.

*Formal action is not required, however, advisory action indicating whether or not purchase is desired would be helpful. To that end: Consider a motion selecting purchase of the solar trackers and direct staff to work towards finalizing the financing and warning a bond vote.*

## **6. Public Hearing on Proposed Changes to the Zoning Regulations**

**Guests:** (1) Alex Weinhagen, Director, Planning and Zoning  
(2) Members of the Planning Commission have been invited.

**Enclosures:** (1) Notice of public hearing  
(2) Planning Commission report on the proposed changes  
(3) Proposed changes to the zoning regulations

From the Town's website:

"The purpose is to revise and bolster landscaping and screening requirements for commercial and industrial uses, and to ensure these requirements also apply to certain ground-mounted solar installations. The geographic area affected is town-wide."

Following the close of the public hearing, the Board has the following primary options:

- Adopt the proposed regulation changes as presented.
- Amend the proposed regulation changes as presented.
- Vote not to adopt the proposed regulation changes.
- Take no action.

## **7. Open Meeting Law Training with VLCT**

**Guests:** (1) Carl Andeer, Staff Attorney I, Vermont League of Cities and Towns (VLCT) Municipal Assistance Center (MAC)

**Enclosures:** (1) Copy of a recent presentation given in Greensboro on the Open Meeting Law

Carl will provide an overview of the open meeting law, focusing on topics such as the requirements of the law, changes made during the most recent legislative session, and what does or does not constitute a violation. The training, while open to the public generally, is intended for the various boards, committees, and commissions. The chairs of each of the bodies have been invited, with the request to invite the members as well.

The Town hosted an open meeting law training with VLCT in 2014.

*Action is neither required nor anticipated.*

**8. Consider Authorizing the Town Agent to Sign a Waiver and Release of Right to Purchase (231 Hayden Hill Road, the Estate of Leona Hayden)**

**Guests:** (1) None.

**Enclosures:** (1) Waiver and Release of Right to Purchase

The prospective buyers of the estate of Leona Hayden would like to clear the title for the property. The Town, when it conveyed the parcel in 1961 to Lyle and Leona Hayden, reserved what was essentially a right of first refusal to re-acquire the property located at 231 Hayden Hill Road West. The Town Attorney has reviewed the Waiver and Release of Right to Purchase (the proposed mechanism for relinquishing any purchase rights) and has recommended signing if the Town has no interest in acquiring the property. The Town is not likely to acquire the property at the price for which it sold (\$1,150, paid in equal installments over five years, with interest) either.

The residence on 231 Hayden Hill Road West is approximately 0.2 miles from the intersection with North Road.

*Consider a motion to authorize the Town Attorney to sign the Waiver and Release of Right to Purchase for a parcel of land, located primarily at 231 Hayden Hill Road West, originally conveyed to Lyle and Leona Hayden in 1961.*

**9. Town Administrator’s Report**

- a. *Selectboard Retreat dates* – The results of the Doodle poll are in – there are three date and time combinations that work for four of five members, but no single combination that works for all five (*Thursday, 9/22, 4 p.m.; Thursday, 9/22, 6 p.m.; Friday, 9/30, 2 p.m.*). Please consider whether or not any of those combinations can work, and if not, what may work in October.
- b. *Excessive Force Allegation* – The news is that there is no news as of this writing. The Town continues to await the conclusion of the investigation being led by the State Police, which in turn will lead to a decision by the State’s Attorney. At the same time, mediation has been set up for the Federal civil case filed – December 2016.
- c. *Lane/Gilman Road* – Zoning violations have been issued, and the Town Attorney is in the process of seeking to enforce the health order through the court system, as directed by the Board in August.
- d. *Old Police Station sale* – Closing has been scheduled for 10/7. The stormwater permit is under “public notice,” with the expected issuance on or shortly after 09/12. Once the stormwater permit is issued, the Act 250 permit can be issued as well (likely within one week). The State permitting process will then be concluded.
- e. *Green Street Affordable Housing Grand Opening* – The Board’s postcard invitations are here at Town Hall; a pdf of one received is included.
- f. *VLCT Municipal Action Paper #1 (Municipal Self-Governance)* – The first of the action papers produced by VLCT during election season is available and in the packet. The first paper is about self-governance. VLCT has long advocated that Vermont, in some form at least, become a “home-rule” state (where local government is granted greater autonomy and the influence and interference of State government is limited in certain areas). Vermont is what’s known as a Dillon’s Rule state, where municipalities are unfortunately the wards, in many senses, of the legislature. The rule is named after a judge from Iowa who issued the order in 1868. Iowa, ironically, is a home rule State.
- g. *FY16 Budget Report* – This has been moved to the 09/19 meeting, to allow for additional analysis and discussion.

<i>“Two-and-Two”</i>	
<u>09/19/16</u>	<u>10/03/16</u>

<ul style="list-style-type: none"> <li>▪ Alfalfa Lane/Medical Center right-of-way discussion.</li> <li>▪ Continue solar tracker purchase discussion</li> <li>▪ Discuss water/wastewater allocation framework, research</li> <li>▪ Discuss possible purchase of solar trackers at lagoons.</li> <li>▪ FY16 Budget recap/roundup</li> <li>▪ Discuss use of stipulated agreement (VGS/Gepregs) funds.</li> <li>▪ Review and adopt FY16 capital reserves (may occur 10/03).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Tree inventory presentation (Marie Ambusk and Paul Wieczorek)</li> <li>▪ Discuss FY17 Budget Priorities</li> <li>▪ Wastewater Treatment Facility – final report presentation</li> <li>▪ Review of capital improvement program and budget.</li> <li>▪ Discuss water/wastewater allocation framework, research</li> </ul>
<p><i>To be determined:</i></p> <ul style="list-style-type: none"> <li>▪ Changes to the Animal Control Ordinance.</li> <li>▪ Town Plan update – begin review process.</li> <li>▪ Selectboard Retreat</li> <li>▪ Highway Garage scoping study (10/17)</li> </ul>	