

**Minutes**  
**West Rutland Selectboard Meeting**  
**Tuesday, October 15th, 2024**  
**6:00 pm**

**Present:** John Harvey, Dick Daley, Mitch Frankenberg, Chet Brown and John Center

**Others Present:** Gary Kupferer, Lisa Wright, Pat Trepanier, Mike Moser, Michael Skaza, Fire Chief, Tom Lacz, Lori Lyons, Sean Barrows, Sam Carlson (Encore) Paul Grabowski, Melanie Grabowski, Seth Pietryka, Jeff Biasuzzi, and Devon Neary (RRPC). Remote: Robert Clark

**Call to Order:** The meeting was called to order at 6:00pm by John Harvey with the pledge of allegiance.

**Agenda Approval:** Motion made by Chet seconded by John Center to approve the amended agenda as presented. All in Favor. Motion approved.

**Minutes Approval:** Motion made by Chet seconded by John Center to approve the minutes of the meeting of September 9<sup>th</sup>, 2024 with spelling correction. Motion approved.

**Executive Session:** Motion made by Chet seconded by John Center to enter into executive session at 6:02pm for contract negotiations. Invite Attorney Gary Kupferer and the Listers, Lisa Wright and Pat Trepanier to attend. Motion made by Chet seconded by John Center to exit the executive session at 6:12pm. Motion made by Chet seconded by John Center to authorize the Town Manager to sign the five-year settlement agreement for the property tax appeal with Walgreens, as presented. Motion approved unanimously.

**Action Items:**

- a) **Fire Truck Sale** - The Town of West Rutland is accepting sealed bids for the sale of a 2006 Ford F550 KME Mini-Pumper. Mileage is 4,520 with 589 engine hours. Minimum bid was \$100,000. We received two bids: Bennington Rural Fire Dept bid \$100,000 and Chittenden Volunteer Fire Dept. bid \$101,000. Motion made by John Center seconded by Chet to sell the 2006 Ford F550 Mini Pumper to Chittenden Volunteer Fire Dept for \$101,000. Motion approved unanimously. The new truck was delivered and we received the training. It will be in service within a few weeks after loading in the equipment.
- b) **Salt Purchase** - This year's price is \$98.75/ton for enhanced deicer. The enhanced salt is treated and we are able to use less. We now receive smaller shipments as needed due to the leak in the salt shed. The salt shed should be fixed in the spring. Motion made by Chet seconded by John Center to purchase 1,000 tons of clearline deicer enhanced bulk salt at \$98.75 per ton and 100 tons of bulk at \$87.25/ton. Motion approved unanimously
- c) **Listers Errors & Omissions** – The listers discovered an error in square footage for a commercial warehouse at 403 Sheldon Avenue. Current assessment is \$487,800 proposed change is \$524,000. Motion made by Chet seconded by John Center to accept

the errors and omissions request at 403 Sheldon Avenue from the listers. Motion approved unanimously.

- d) **ROW permit** – We received a request to work in the right of way at 985 Whipple Hollow Road to fill the ditch to accommodate a mobile home delivery, remove fill and replace culvert with new 18” culvert. Motion by Chet seconded by John Center to approve the ROW permit as requested. Motion approved.

**Discussion Items:**

- a) **Regional Planning Commission Regional Plan Update** – Devon Neary led a discussion about the regional plan update, an 8-year visionary and regulatory document guiding development in the Rutland region. The plan aims to create a healthy, equitable, and resilient region. The update process began in fall 2023, with a first phase of public engagement from January to April 2024. The next phase of public engagement is now launched. Devon emphasized the importance of public feedback and encouraged everyone to take the survey and scrutinize the policies and provide suggestions for improvement. The plan is set to be adopted by May 2026. Devon also mentioned the upcoming Act 181, which will require an update to the regional future land use map and potentially exempt certain types of housing under Act 250.
- b) **Encore Renewable Battery Storage System** – Mary Ann introduced Sam Carlson from Encore Renewable Energy, a Vermont-based renewable energy company now operating in New England and several other states. Sam is proposing a battery energy storage system project near the solar array on Boardman Hill. It’s part of a larger state strategy to increase the resilience of Vermont's electrical grid. The battery system would absorb excess solar generation and release it during peak demand, reducing Green Mountain Power's purchase of electricity during peak loads. Mr. Carlson highlighted the tax benefits of the project and addressed concerns about fire safety, stating that they would follow the National Fire Protection Association's 855 guidelines and conduct on-site training. He emphasized the safety features of battery systems, including automatic shutdown in case of temperature anomalies and 24/7 remote monitoring.

Chief Skaza discussed concerns about the potential hazards of lithium-ion battery systems, which could lead to thermal runaway and explosions. He highlighted the need for proper planning, a pre-incident response plan, environmental air monitoring for hazardous gases, and training and equipment upgrades. Mr. Carlson agreed with Chief Skaza's concerns and emphasized the need for an appropriate emergency response plan. Both acknowledged that these hazards are becoming more common and require thoughtful recommendations.

Jeff Biasuzzi discussed the zoning regulations and exemptions related to solar generation facilities and alternative renewable energy facilities. He sought clarification on whether battery storage was included in the exemption and whether it would be considered a conditional use under their zoning regulations. Sam said they intended to go under Section 248 J, which deals with issues already analyzed by state agencies. Jeff asked for information on Section 248 J to be sent to the zoning administrator and mentioned that

the Development Review Board would address this as a conditional use application. Sam mentioned that they were currently developing two other facilities, this project could expect construction to start around December 2025 and be operational by mid-2026.

c) **Otter Creek Engineering Projects Update** –

Robert discussed the lead service line inventory for the water system is now complete and submitted. He also talked about the Rutland Town Fire District project to tie the two systems together, which has been stalled due to cost concerns. Robert suggested that the project could be funded through grants or by Rutland Town Fire District, but he was unsure about the project's future without a clear payment plan. Mary Ann mentioned a grant opportunity she received that could help merge two water districts, which Robert agreed was a good fit for their needs.

Questions were raised about the original design for a pressure reducing valve, questioning why it was changed and why the new design was more expensive. Robert explained that the original design was not considered safe for access and that the State required a physical disconnection of the two water systems. He also noted that the cost of precast units and parts had significantly increased over the years. Robert suggested that Rutland Town should take the lead in finding a funding source for the project, as the current cost was beyond reach for both towns. Robert agreed that the project should not proceed without a clear funding source. Robert also proposed a special assessment on the fire district.

Discussion also about the need for new meters, with Robert explaining the benefits of modern meters, including improved accuracy and data collection. He also mentioned the potential for a regular replacement schedule for these meters. Robert discussed his ongoing meter contract in Dorset and suggested that New England Backflow could be a suitable option for meter contracts in Vermont, New Hampshire, and Massachusetts. He also mentioned the possibility of applying for funding for meter replacement, especially considering the recent merger of assets with the fire district. Robert also mentioned the Drinking Water State Revolving Loan Fund as a potential source of low-interest loans and grants for meter contracts. He plans to issue an updated draft of the asset management plan with updated costs to Seth and Mary Ann for review in a future board meeting. Mary Ann then discussed the progress of the wastewater plant upgrade, which is moving forward with approved funding and a potential bond vote in March. She also mentioned the upcoming project at Skyline, which they are trying to package as one project to avoid doing two big projects at the same time.

- d) **Town Manager Report** – We just unveiled a recreation survey to gather public input. Amy is also putting together a recreation committee. We are celebrating Frank Woolf's retirement this week.

**Board Member Concerns:**

John Center – would like to see speed radar signs working correctly.

Chet – When is the pump station at the recreation area getting installed. Seth said there has been many delays with the manufacturer. We hope to install in November. We are accepting yard waste this weekend at the old dump.

Dick – the football recreation team had a great season at the rec area.

**Adjournment:** Dick Daley made a motion to adjourn the meeting at 7:43pm and John Center seconded. Motion approved.

Respectfully submitted,  
Mary Ann Goulette