

DRAFT
Town of Panton
Select Board Minutes
January 12, 2016 - 6:30 P.M.

In Attendance:

Select Board:

Howard Hall
Beth Tarallo
John Viskup, Chair

Administration:

Jean Miller, Clerk
Rick Cloutier, Road Foreman

Guests:

James Dayton
Jim Carroll, Esq.
David Bronson, Esq.
Hans Vorsteveld
Rudolf Vorsteveld
David Raphael

J Viskup called the meeting to order at 6:30 P.M.

Review/Approve Minutes of December 22, 2015 – **B Tarallo moved to approve the minutes of December 22, 2015. H Hall 2nd. All approved.**

Public Comment – None

Road Foreman Report – Monday the pickup did all the salting needed on Panton roads. The big trucks never left the garage.

They built a new bench on wheels so that when they are working on equipment the bench can be moved to that location.

There is an OSHA meeting Wednesday in Whiting. OSHA is going to do an invited inspection at the Panton garage. They will make a list of what needs to be done to be in compliance.

Highway Financials – Highway financials were reviewed.

Impact Fees for ROW Work – When major construction is done sometimes the roads are damaged. These fees are to cover the damage. The DRB is looking into these fees.

Fencing – Cemetery - Money was not put in the budget for fencing. C Allen is going to check with Middlebury Fencing to see if they have used fencing that can be obtained to do the fencing that is needed. She is also checking with the Courts to see if volunteers can be gotten to do the clean-up needed at the cemeteries and painting the fences.

Process for Deeming Roads Class III to Trail – **B Tarallo moved to discuss process for Deeming Roads Class III to Trail at 6:40 P.M. from time slot of 9:05 P.M. H Hall 2nd. All approved.**

There is a handbook put out by Vermont Agency of Transportation for local officials “The Orange Book”. This should give the details of what needs to be done to reclassify the road. This item has been moved to the December 14, 2016 warned meeting of the Select Board. R Cloutier believes this will need to be voted on at Town Meeting.

Correspondence – Correspondence was reviewed.

SB Report – Review - **B Tarallo made a motion to talk about the SB Report at 6:46 P.M. moved from time slot 10:10 P.M. J Viskup 2nd. All approved.**

The Select Board has reviewed the report and has agreed it is ok for inclusion in the Town Report as is.

Town Hall Report – The septic tank for the Town Hall was located. The tank is not any good but the Town does not have a failed system. Part of the leach field is in back of Town Hall near the carriage barn and handicapped ramp. The tank was replaced this past weekend and is working fine. There should be no trucks or tractors around back of the Town Hall because they would crush the leach field and no cars parking on it. Signs will be posted. Otter Creek Engineering certified the system. ACRPC has been informed of where the tank and leach field is so that two parties will know where it is, if there is ever a question about it in the future.

J Viskup moved to recess the meeting at 6:55 P.M. – The Select Board intends to recess the Select board meeting in order to attend the Public Service Board hearing: Green Mountain Power Company’s proposed 4.9 MW solar electric generation facility off Panton Road in Panton (the GMP Solar Panton Project – PSB docket No. 8637); the hearing is held at this same address, 3176 Jersey St., Panton at 7:00 P.M. B Tarallo 2nd. All approved.

J Viskup reconvened the meeting at 7:55 P.M.

Vorsteveld ROW Encroachment on Jersey Street Permit Conditions (Jim Carroll, Esq. & David Bronson, Esq.) – H Vorsteveld stated that they had some issues with the semantics that were in the Finding of Facts, Conclusion and Decisions that had been pointed out to them by D Bronson, Esq. (their Lawyer). They wanted parts of the decision to be clarified. D Bronson, Esq. and J Carroll spoke of some of the changes that D Bronson, Esq. had noted on the document.
8:21 P.M. motion by B Tarallo that premature public disclosure of legal counsel’s advice re: legal options in connection with the Select board’s deliberations concerning pending permit request of Vorsteveld pursuant to 19 VSA 1111 to utilize the municipal ROW, will, as advised by counsel, place Panton at substantial disadvantage. H Hall seconded. All approved.

Motion by B Tarallo to enter executive session in order to discuss with counsel the Vorsteveld permit request. H Hall 2nd. All approved.

B Tarallo made a motion to exit executive session at 8:53 P.M. H Hall 2nd. All approved. No action taken.

Discussion of MOU (Regarding GMPSolar) (D Raphael & J Carroll, Esq.) - There was discussion of Memorandum of Understanding and what should be included.

J Viskup made motion to authorize D Raphael to seek party status with Green Lantern for Solar siting on 1075 Panton Road for the Town of Panton. H Hall 2nd. All approved.

9:27 P.M. motion by B Tarallo that premature public disclosure of legal counsel’s advice re: legal options in connection with the Select board’s deliberations concerning pending Green Mountain Power Company proposed 4.9 MW Solar Electric Field pending before the PSB, will, as advised by counsel, place Panton at substantial disadvantage. J Viskup 2nd. All approved.

B Tarallo motion to go into Executive Session inviting James Dayton, David Raphael and Jim Carroll, Esq. in order to discuss with Jim Carroll, Esq. the proposed 4.9 MW Solar Electric Field pending before the PSB.

Motion by B Tarallo to exit executive session at 10:01 P.M. J Viskup 2nd. All approved.

No action taken.

B Tarallo motion to adjourn at 10:02 P.M. J Viskup 2nd. All approved.

Respectfully submitted,

Jean Miller, Clerk