

NORTH BENNINGTON WATER BOARD
MINUTES OF MEETING
19 October 2023

PRESENT: Steve Goodrich, Arla Sampsell, Joe Herrmann, Ted Fela, Attorney Stephen Cassarino, Craig Jewett (Otter Creek Engineering) Dave Hazel (Solar Company), Dan Heil (BHB) and April Paulin

Steve called the meeting to order at 1 pm.

This meeting was called so that both sides could see where each other was at before going any further. An updated map with the proposed layout for the new transmission line was available for a reference. Dan and Dave saw Otter Creek's comments and took them into account with the layout.

Dan and Dave had a couple of things they wanted to ask the first of which was the possibility of using C900 PVC instead of ductile iron. They have used it in various other projects and wanted to use it for this as well. The Board's position on this is because it is a main transmission line they feel ductile iron is what is best for the situation. Dan said then that is what they will use.

The second question they had was the relocation of the western portion of the property. Because of the exposed ledge and environmental sensitive areas directional drilling was the plan and that comes at quite an additional cost. They were looking to possibly not replacing that portion and just connecting the new line to that one. The Board's intent was to have all the infrastructure as new as possible.

Project 248 requires the same guidelines for the future for any work done there so if the Board were to replace that portion of the line in the future they would be held to the same limitations that were laid out for the initial project so it would be best to do it all at the same time. When they talk with the regulators everything needs to be in writing with how they need to proceed. When the pipe is assessed engineers from both sides need to be present at the same time.

Craig asked if pipe bursting was an option that they had thought about if the directional drilling is not allowed. Dan has not thought about that but will look into that option.

Dan asked when the assessment could take place. The Board said once permission is given to dig and everything is permitted then the assessment could take place.

There is no date, at this time, to start any work including test sites and excavation for ledge.

Craig said he was not concerned if the new line can't be a depth of 6' all the way. Because of the circumstances and the fact that it is a gravity line it is less crucial.

Dan and Dave were hoping that the Board would be willing to do cost sharing for the extension on the line. The Board is not interested in sharing any of the cost as they do not need to replace the line and doing so is only being discussed because the solar developer has the need to have it moved.

Dan asked when we could get an agreement together. Our Attorney just presented the Board with a draft. The Board will look it over and have a meeting next week to discuss it. They should have something to their lawyer in two weeks at the most. Without an agreement in place things can go no further. The Board will work on a preliminary agreement so that some work can be started.

Dan will forward a list of excavators they could use so that Craig and the Board can give their approval for digging the test pits.

Steve asked about the current easement, and he was told it is 25' centered and there will be additional room until the fencing begins which at this time is a total of 65'. The Board requested enough room to pile dirt and supplies should anything need to be done there.

Dan and Dave thanked the Board for meeting with them and they look forward to the preliminary agreement so they can get started. They left the meeting at this time.

It was suggested that maybe there should be an impartial engineer present while the line is being assessed. Craig agreed and will bring it up to Dan and Dave as well.

The Board & Craig discussed some things that would qualify as poor conditions such as a leak.

Craig asked Ted to look into who owns the neighboring property and see, if need be, would the owners be willing to allow the end of that line go onto their property. This would be if there is too much ledge or they just can't get the ok from the State for that end of the line.

Ted was concerned about having two 90 degree angles if that was the case. Craig said that because it is gravity fed and will be a 12" line instead of a 6" line that it is not a big deal.

OTHER BUSINESS

Craig informed the Board that Otter Creek was assigned by the State for the contract to do the certifying services for the Town of Shaftsbury. He wanted to bring it up so if the Board thought that it was a conflict of interest than he could let the State know. The Board was okay with it as they are not working for the Town.

Craig is still working with Ted and the guys collecting information for the AMP. He is expecting to have the report done late winter or early spring.

Attorney Stephen will work on the preliminary agreement and get it to Craig for his input by the weekend.

At 1:56 pm Joe moved to continue this meeting on Tuesday 24 October at 7pm. to discuss the legal agreement. Arla seconded the motion. Motion passed unanimously.

Respectfully submitted,

April A Paulin
Board Secretary

Approved:

David Shaughnessy

Date



Steve Goodrich

Date



Joseph Herrmann

Date

Arla Sampsell

Date

Edward Myers

Date