

Thetford Energy Committee 9/16/14 Minutes

Meeting started: 5:15

TEC Attendees: Bob Walker, Manny Grewal, Joel LeGunn, Mike Kiess, Alice Stewart, Ellen Blumberg

Others: Phebe McCosker

Review and approve minutes from 8/12/14 meeting - Mike moved to accept, Joel seconded. Minutes adopted as written.

United Church of Thetford Hosted Group Net Metered Array – Mike reported that UCT and 4 others will pay Catamount Solar to build the array. The owners need a “condominium” style agreement. Bob suggested Mike contact Samantha at VLS to develop a template.

Volunteer Assisted Weatherization Project – Bob shared the draft MOU between the Ompompanoosuc Community Trust (OCT), Town and TEC with the select board (SB) in late August. The SB decided it wanted to get feedback from Vermont League of Cities and Towns VLCT on:

- OCT raising, holding and dispersing funds for this effort (the SB preferred to have the OCT hand funds than have it flow through a separate town account) and
- The TEC encouraging town residents and businesses to contribute to the fund.

We wonder whether the Town can extend their liability coverage for volunteers if the town is not raising, holding, and dispersing funds. Bob will ask select board to pass this question to VLCT. We may want to include the town’s providing insurance coverage for volunteers in the MOU. Bob will forward feedback from VLCT when he hears.

OCT will discuss its willingness to raise, hold, disperse funds at a meeting on 9/18/14, 8:10 at town hall. TEC members are welcome to attend. Manny please report back to TEC on decision.

Residential Solar, Air Source Heat Pump and PACE/Efficiency Measures Forums – We discuss what forums we might want to organize in town and when. The Solarize subcommittee had previously discussed organizing a PV residential celebration and forum for this fall – to celebrate our great success in the Solarize effort, invite those who participated to give testimonials, invite other contractors to attend and have tables and promote moving forward with more residential solar – including ongoing town and independent (Wolfe Energy, SunCommon, Sovern Solar, etc) group net metered efforts. SERG will be working with Efficiency Vermont (EVT) to develop an Air Source Heat Pump (ASHP) workshop to role out Dec. and 2015 in conjunction with their forthcoming incentives. SERG is working with EVT develop a workshop for UV towns on various energy efficiency measures (weatherization, ASHP, heat pump water heaters, pellet stoves, window weatherization treatments, etc.) that can be cost effectively implemented through PACE and other financing for later in the fall and winter.

We decided we would like to do a series of workshops instead of movies during the winter. We thought we would start these after the New Year. Possible subjects:

- Residential solar options, solar hot water, group net metering
- Air source heat pumps and heat pump hot water heaters
- PACE and what it can be used for (weatherization, ASHP, heat pump water heaters, pellet stoves, window weatherization treatments, etc.)
- High efficiency pellet stoves – Lyme Green Heat owner Morton Bailey is interested in doing a “Pelletize” program in a town similar to Solarize. Loggers who can talk about their aspect of the business.

Mike volunteered the North Thetford church as a good indoor venue.

Structure: Our overview, chance for each presenter to briefly introduce themselves, moderated panel, expo booths.

TEC Budget - We want to use our funds in the Volunteer Assisted Weatherization account before they are turned over to the town's general fund. We agreed to buy materials for another volunteer assisted weatherization project with the funds, and to buy materials for our 2015 workshops from our 2014 budget. We will also cover costs of TEC members attending VECAN conference once registration opens. Ellen please check with Jill on deadline to spend EVT Volunteer Assisted Weatherization funds.

Community Solar Updates and Discussion –

Samantha/VLS Energy Clinic Update –

In terms of a status update, we have been working on assessing Thetford's possible liability for site cleanup if the town acquires and/or develops the Post Mills landfill site. From my understanding, Thetford is concerned about exposing itself to liability--either from state or federal enforcement action, or by private suit by third parties--by developing on the landfill. Here are our preliminary determinations:

- If Thetford acquires the Post Mills landfill, we should procure a covenant from the EPA and the State DEC guaranteeing that they will not take enforcement action against the town. These are pretty standard agreements and should not be too difficult to acquire.
- If Thetford acquires the Post Mills landfill by operation of law (i.e. tax foreclosure), then it is likely shielded from liability from third party suit or enforcement action (which would be a guarantee in addition to the covenants not to sue that we should secure from the EPA and VTDEC) unless it does something to create more toxic exposure (i.e. piercing the landfill cap).
- If Thetford acquires the Post Mills landfill by purchase, rather than operation of law, then it is potentially liable to third party suit arising out of existing toxic exposure (i.e. groundwater contamination or other damage from leachate). Again, we would secure covenants from the EPA and VTDEC to ensure that they would not sue for public enforcement, but there is likely no way that Thetford would be able to totally shield itself from liability to damage suffered by private third parties.

As you can see, Thetford's degree of exposure to CERCLA liability depends upon the manner by which the town acquires the property. As a result, we need to determine the ownership status of the property--i.e. who currently owns it and whether the town can acquire the property by operation of law. Viggo, Gregg, and I plan on going to the county offices in Chelsea to perform a title search to nail down the current ownership of the landfill property and assess the effect of the earlier abatement from there.

Other Project Updates and Discussion

- The SB agreed to collaborate with Vermont Law School (VLS) Energy Clinic on our community solar projects and signed the agreement with them. The Energy Clinic organized a conference call with Jim Masland for this Thur. (9/18) 1:30pm. Bob will forward draft agenda from Samantha and provide her with some answers to some of the issues she raised ahead of the call. Anyone wanting to participate call the **Conference Dial-in Number: 712-432-0385 then Participant Access Code: 429725#**
- Bob is following up with groSolar to see how large an array could be built on the uncapped part of the landfill (cheaper to develop than the capped part) and to get an estimate of finances for doing so. Will share with others when he hears from them.
- Phebe has been researching other possible town owned land for a group net metered project and will report. Phebe will seek clarification on specific details of town parcels.
- TEC discussion on whether it would be preferable to develop a municipal/school project or residential group net metered (GNM) project at the Post Mills site. There was general agreement that since a municipal/school project would benefit all the town's tax payers, it would be the

preferred option on any town land. We agreed we are open to almost any kind of project, but we want the RECs to be retired – not sold.

- Mike will check with Erin Sterner about ownership of land that TES will be using for its project and whether other land there might be used for a town-owned GNM project open to town residents.

VECAN Conference 2014 – Saturday Dec 6th, 2014 at Lake Morey Inn.

http://www.vecan.net/ai1ec_event/vecan-conference/?instance_id=220843 has some info. Registration is not open yet.

Energy Tip – Alice will recycle an old one.

Next TEC Meeting Date – Oct. 14, 5:00 PM, at town hall.