

Derby Line, Vermont
Trustees Meeting
April 16, 2019
Derby Line Village Hall

Call to Order:

Present were Trustees Richard Creaser, Lindsay Brainard and Keith Beadle.

Also, present were Karen Jenne, Richard Cotreau, Lynette Claudon, Laurie Moss, Village Clerk & Treasurer, and Madeleine Roy, Assistant Clerk.

The meeting was called to order by Chairman Richard Creaser at 6:30 pm.

No additions or deletions were made to the agenda.

Lindsay moved that the reading of Rules of Procedure be waived. Keith seconded. Motion carried.

Minutes of 03/19/19 Meeting and Special Informational Meeting of 4/8/19:

Lindsay moved to accept the minutes of the March 19, 2019 meeting as printed. Keith seconded. Motion carried.

Lindsay moved to accept the minutes of the Special Informational Meeting of April 8, 2019 with the following corrections:

- Under Stanstead Sewer Treatment Plant Reconstruction section, first paragraph, the third sentence should read: "The new projected cost in Canadian dollars will be \$5.6 million of which Derby Line will be responsible for half less the \$500,000 grant promised by EPA and less estimated Canadian exchange, or approximately \$1.6 million.
- Under the same section, third paragraph, the last sentence should read: "Derby Line, on the other hand, is required to pay \$2.1 million US dollars less the \$500,000 grant, or a net of \$1.6 million, which amounts to 75% of half the project.

Tabled Items:

- 1) Caswell Ave. Sidewalk Project – will be discussed at this meeting
- 2) Stanstead Sewer Treatment Plant Reconstruction – will be discussed at this meeting

Appointment of Chair of Board of Trustees:

Keith moved to nominate Richard Creaser as Chair. Lindsay seconded. The Village Clerk was asked to cast one ballot for Richard Creaser as Chair.

Keith also moved to set trustee meeting dates as the first and third Tuesdays of each month and to name the Newport Daily Express as the village newspaper of record. Lindsay seconded. Motion carried.

CFSG Summary of Account – Orpha Durland Fund:

The documents provided for this fund from Community Financial Services Group were reviewed. Lindsay moved that they be signed by the Board Chair and returned to CFSG. Keith seconded. Motion carried.

Stanstead Sewer Treatment Plant Reconstruction:

Lynette Claudon, engineer with the Dept. of Environmental Conservation, reviewed the history of this infrastructure and various plans that have been discussed with Stanstead since 2016. Other alternatives are to hook onto Derby Center to be treated by Newport, or to build a pump station to Newport, neither of which would be feasible and would be cost prohibitive. Higher limits of phosphorus will need to be removed in the near future.

Karen suggested that Derby Line needs to terminate the existing agreement with Rock Island before entering into a new agreement with Stanstead. Regarding funding for this project, she also suggested that the trustees look at the grand list and fund it through a sewer bond. This would assure that all users on the system would pay for service based on their assessed property value, including exempt properties. This would be a more equitable way of funding. Lynette agreed that this can be done.

Lindsay suggested that we need to look for more grant monies, if available, so that we don't have to pay a higher percentage of the project than Stanstead.

Discussion followed regarding the fact that Derby Line should not be responsible for as much as 50% since the system was allowed to reach such disrepair by Stanstead without communicating with Derby Line. It was also noted that unless US contractors who want to put in a bid are affiliated with the Quebec labor system, they would be unable to bid.

Meeting Temporarily Recessed to Enter into Public Hearing on Environmental Impact of the Proposed Stanstead Sewer Treatment Plant:

Keith moved to recess this regular trustees' meeting and enter into a public hearing for environmental impact. Lindsay seconded. Motion carried.

Lynette pointed out that in the 1980's when the present treatment plant was built, the federal government found no environmental impact. However, today the requirements show that if there is a 20% increase in environmental impact, that is if phosphorus levels exceed 20%, much more stringent rules apply. The EPA does consider the affordability. She provided a spreadsheet entitled CWSRF's Village of Derby Line User Rater Analysis dated April 2019 showing present and projected total costs as a result of a new sewer treatment plant and the effect those costs will have on annual rates to the users. Estimated cost to each user unit would go from \$357.00 to \$763.00 annually.

Discussion that followed:

- Derby Line needs to re-negotiate a contract with Stanstead (not Rock Island) so that costs are determined equitably;
- The cost should be proportionate to the flow that each community is sending;
- The sewer operator will need to be licensed;
- Each community must keep track of flow rates on a regular basis so that equitable costs can be reviewed and assigned regularly;

Lynette stated that her report of this hearing will be posted on the Dept. of Environmental Conservation's website for thirty (30) days and public comment can be made on that site. She also stated that before the village asks for another bond vote, should it be needed, she be consulted for accurate figures.

Lindsay moved to close this public hearing and re-enter into the regular trustees' meeting. Seconded by Keith. Motion carried.

Keith stated that the trustees need to meet with Stanstead regarding the current agreement, their lack of proper maintenance and communication, and to be sure that a new agreement be made with Stanstead and not Rock Island as now stated. The next Stanstead Council meeting is scheduled for May 6, 2019. Karen suggested we have a contract lawyer read through the present contract.

Renewal of Line of Credit for Caswell Ave. Sidewalk Project:

Laurie stated that this line of credit needs to be renewed one more time until the State of VT provides the final grant monies. The trustees agreed that deducting the amount of interest paid thus far from the amount to be paid to J. P. Sicard, Inc. would only delay matters even more. It was decided to pay Sicard's final bill, send it with the Receipt and Release drafted by Attorney Paul Guiliani and be done with this project. Richard Creaser asked Laurie to send the final payment to Sicard with the Receipt and Release by certified mail.

Keith moved to authorize the trustees to sign the extension of Line of Credit for the Caswell Ave. Sidewalk Project. Lindsay seconded. Motion carried.

Water & Sewer Maintenance Charges to Users:

Based on the 2019 budget, the sewer rates will reduce from \$84.00 to \$78.00 quarterly.

Laurie provided a spreadsheet showing the present charges now being assessed to users that have water fire protection only (vacant or unoccupied properties), but no sewer maintenance fees are now being assessed for these type properties. Is the fire protection charge adequate at \$43.75 per quarter? Should there be a sewer maintenance fee assessed to those vacant properties? With no such charge, the village is losing over \$11,000 annually.

Keith moved that owners of vacant or unoccupied properties, when the water is shut off, should pay 50% of the annual rate of that current year for fire protection and sewer maintenance. Lindsay seconded. Motion carried.

Sewer Problem at Richard Cotreau Property on Louis St:

Cotreau informed the trustees that the sewer pipe to his home at the end of Louis St. has collapsed because of tree roots growing through it. Consequently, he has not had sewer service since February 2019. He provided a hand-drawn map showing the sewer line built in 1966 down the middle of the street ended at the Jeannette Fortin residence. When additional homes were built beyond that location in 1969 and 1974, the sewer line was built veering from the middle of the street onto the lawn on the west side of the street (across Hamby's) to his property. Cotreau attended to request the village to re-build that sewer line from Fortin's to his home, continuing down the middle of the street rather than on Hamby's lawn, which is approximately 250 feet. Keith suggested having Brian Fletcher suggest the best way to make the repairs. The trustees agreed that these repairs must be made.

VT Agency of Transportation Reimbursement Request for Caswell Ave. Sidewalk Project:

Laurie has documents ready to be sent to Jon Kaplan at VTrans to finalize the state's reimbursement on the Caswell Ave. Sidewalk Project. However, she has been informed by Pat Travers at Staff Sterling Management that he has one more bill to submit to the village. For information only, she confirmed that the total invoice to the state is for \$224,532.48 less the village's 20% share of \$44,906.50 for a net federal government share of \$179,625.98. The trustees reviewed all corroborating documents.

Business from Trustees, Treasurer and Road Foreman:

Spring Newsletter: Laurie stated that Richard has agreed to write a summary of the sewer treatment plant reconstruction information to be included in the spring newsletter that will be sent with the next billing by April 25, 2019. Lindsay suggested that a note be included that spring lawn debris will not be picked up by our road crew. Laurie will also include information about Derby Line Day and a CCR report about water quality.

New Business from the Audience: Karen asked if the village is seeking a new auditor now that Gene Besaw has passed away. The trustees agreed that another auditor will be more expensive, but that they will need to find one especially for auditing of the Caswell Ave. Sidewalk Project.

Karen also asked when the next International Water Co. meeting is scheduled. She is concerned about their wanting to abandon the Holland Pond location. The date of the next meeting is not known at this time.

Old business from the Audience (5-minute limit unless otherwise directed): None

Executive Session: Keith moved to enter into Executive Session to discuss employee evaluations. Lindsay seconded. Motion carried.

Keith moved to leave Executive Session. Lindsay seconded. Motion carried. No action was taken but evaluations will be discussed with employees on May 7, 2019 in executive session.

Next Meeting:

The next regular Trustees' meeting is scheduled for May 7, 2019. The Stanstead Council meeting will most likely be held on May 6, 2019. Laurie will confirm.

Review and Sign Bank Statement: No

Warrants were Reviewed and Signed: Yes

The Last Check Printed: #14956

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Madeleine C. Roy, Assistant Village Clerk