

Derby Line, Vermont  
Trustees Meeting  
June 4, 2019  
Derby Line Village Hall

**Call to Order:**

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

Also, present were Karen Jenne, Brian Fletcher, Road Foreman, Laurie Moss, Village Clerk & Treasurer, and Madeleine Roy, Assistant Clerk & Treasurer.

The meeting was called to order by Chairman Richard Creaser at 6:34 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.

**Approval of Minutes of May 7, 2019 and May 21, 2019 Meetings:**

Lindsay moved that the minutes of the May 7, 2019 meeting be accepted as written. Keith seconded. Motion carried.

Keith moved to accept the minutes of the May 21, 2019 meeting with the following correction: under the Business from Trustees, Treasurer and Road Foreman section, it was Richard Creaser who asked if Mario Paul Excavating had assessed the sewer line work needed on Louis St., not Keith Beadle. Richard seconded. Motion carried.

**Tabled Items:**

- 1) Stanstead Sewer Treatment Plant Reconstruction – to be discussed at this meeting
- 2) Louis St. Sewer Line – to be discussed at this meeting

**Stanstead Sewer Treatment Plant Reconstruction:**

Keith stated that his research of the Memorandum of Understanding (MOU) with Rock Island of 1980 does not indicate that Derby Line owns any part of the treatment plant even though Derby Line paid 50% of the cost. Attorney Paul Guiliani noted that this MOU clearly calls it "Rock Island's Treatment Plant". In view of this, Keith stated that we could negotiate for ownership of 50% of the new plant, or we could say that we don't own it, according to the old MOU, and tell Stanstead that we should only pay like any user. Lindsay noted that paying as a user would be better than paying the \$1.6 million share for reconstruction.

Karen suggested that the trustees get a clear definition of "ownership". Does that include just the plant itself or the land as well?

Keith stated that the trustees need to meet with the Stanstead Council as soon as possible, hopefully, here in Derby Line at a regular Trustees meeting or even a special meeting. He agreed to contact Paul Guiliani tomorrow for further interpretation of "ownership" and to find out if Derby Line can actually be an owner of property in another country. If Derby Line has no ownership of the plant, we then most likely would not be able to get U.S. funding per Teresa Thomas, stated Richard.

The bids were not opened on May 31, 2019 in Stanstead as the bidders requested an extra two weeks to give them more time to calculate their bids. The revised bid opening date is tentatively June 14, 2019.

**Water Testing and Flushing of Hydrants:**

Brian stated that Stanstead has now hired a Canadian company to do their testing, which will not do any testing in the U.S. This means Derby Line would then need to take its own water samples in different locations. Brian will call the State of VT and ask who is allowed to do our testing, what to test for and how many tests are needed. Phil Laramie has stated that he is willing to help with this process.

When Brian made requests, he found out that Stanstead will flush in June. However, they did not tell him ahead of time. He impressed upon them that both municipalities need to flush at the same time and that Derby Line normally flushes twice a year. They will only flush once a year. Richard suggested that Brian tell Stanstead that we will be flushing in June and just do it. Brian agreed to flush two weeks from today giving Laurie enough time to advertise.

**Derby Town Roads:**

To repair parts of Dashner Circle that need gravel to fill in some holes, Brian asked the Town of Derby for 28 to 30 yards of gravel that they took when JP Sicard did the large construction project in the Derby Line Cemetery a few years ago. They will not give it or sell it to us. It appears the town will not work with us even though Derby Line plows Day St., Elm St. and Mountainview Dr. For this, they only give Derby Line one load of salt every year, which is not enough to cover what is actually used. No further action was taken.

**Louis St. Sewer:**

Brian stated that putting in a new sewer line on Louis St. from Jeannette Fortin's property to Richard Cotreau's property would require several permits. As it is now with the line running away from the main line onto homeowners' properties (Hamby's to Cotreau's), those homeowners are responsible for any repairs needed. When the houses were built beyond Mrs. Fortin's, those homeowners must have opted to have the sewer line built that way rather than tearing up the street. Changing this sewer line to run straight down the street on village property would set a precedent for others wanting to have new sewer lines put in in a similar way in order to avoid maintenance costs.

The Trustees authorized Brian to talk with Richard Cotreau and Ian Hamby to explain the village ordinance that applies and offer whatever help the village can give.

**Line of Credit Extension from Community National Bank (CNB):**

Laurie stated that because the final grant monies have not yet been received from the State of VT on the Caswell Ave. Sidewalk Project, we need another extension on the line of credit. Thad Richardson of CNB will allow another extension until September 2019, although Laurie feels we won't need it that long. Jon Kaplan of VTrans authorized Laurie to send in the final paperwork for this grant even without yet having received the final invoice from Staff Sterling Management, which she did a week ago. Kaplan said the last invoice can be sent in when received.

**VTrans Meeting:**

Brian and Laurie recently attended a meeting with VTrans about paving of Class 2 roads. In 2020, \$175,000 will be available for Derby Line set up as an 80/20 share (80% paid by State of VT and 20% paid by Derby Line), meaning that Derby Line would be responsible for about \$24,000. Baxter Ave. needs to be repaved as the large trucks that travel that street down to Tivoly have damaged it considerably. The next street that would need repaving would be Elm St., but it might be another 15 years before more money is available from the State.

The Trustees noted that this \$24,000 should be included in next year's budget, and instructed Brian to only fix what is needed, like potholes, on Elm St. for this year.

Regarding the retaining wall on Caswell Ave. at the old Steele residence, Laurie reminded all that the engineer's estimate to build that wall is \$186,017.00. For this the State has money available at a contribution funding rate of 90/10 (90% by State and 10% by Derby Line). The village's share would be about \$20,000, which the Trustees noted should also be included in next year's budget. Laurie reminded all that the village has already paid Ruggles Engineering Services, Inc. \$10,000 for engineering fees.

**Access Permits:**

Laurie stated that Tanya Webster has requested a permit for a second driveway at their location on Coulter St. Brian has inspected and okayed it.

Karen mentioned that a permit is probably also needed by the new owners of the Harriet Downing home on Pelow Hill as they have constructed an extra driveway from the road onto their front lawn for a commercial vehicle. They will be contacted by Laurie.

**Painting of the Village Hall's Exterior:**

Tim Hinman, to whom the bid was awarded, has told Laurie that he cannot do it this year as he has accepted too many jobs already. Laurie was authorized by the Trustees to tell him to do it next year as long as he holds his quoted price. If he will not, then we should put it out to bid again. Laurie agreed to contact him.

Regarding the ramp at the front of the village hall, Hinman indicated to Laurie that paint won't last and stain will only make it slippery. He feels it should be left as is. Brian suggested that Thompson's Water Seal be applied.

**Business from Trustees, Treasurer and Road Foreman:**

Cell Tower on Breakneck Hill: Keith stated that at last night's Derby Line Cemetery Association meeting, their Board felt that that location for a cell tower is inappropriate and they will file their position with the Public Utilities Commission (PUC). Despite what the presenters of this project said at the last Village Trustees meeting that this is the best location for coverage of the border area and the I-91 corridor, there has to be a better place to locate this cell tower. It would seem that a better place would be near the I-91 Rest Area. Keith asked if the village would want to also file a similar concern with the PUC.

Keith made a motion that Derby Line apply as an intervener of the proposed cell tower on Breakneck Hill. Seconded by Lindsay. Motion carried.

Concerns can be filed online after June 20, 2019 on the PUC website. It was noted that Derby's Zoning map shows this property as public land. However, the map provided by the cell tower presenters at the last meeting show it as being owned by Tivoly, Inc. Three questions were voiced: Who actually owns this land? Has Baxter Park ever been surveyed? Does Derby Line own beyond the access road (Breakneck Hill) where the tower is to be placed?

Playground Mulch: Lindsay asked for clarification of the costs for mulching the playground in the park. Two years ago, the cost was \$626.00 and the last meeting minutes show a possible cost of \$2,650.00. Brian stated that \$2,650.00 has not actually been spent. Rather, it may be more like \$800.00. The problem is that when the playground was built, those building it dug down too deep requiring much more mulch to bring it up level with the sod around it. What should have been done is to first lay a thickness of sand. Richard indicated that the village should not skip a year of mulching the playground as was done last year. Laurie will be sure to include an appropriate amount for mulch in next year's budget and beyond.

**New Business from the Audience:** None

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

**Executive Session:** None

**Next Meeting:** The next regular Trustees' meeting is scheduled for June 18, 2019.

**Review and Sign Bank Statement:** Yes

**Warrants were Reviewed and Signed:** Yes

**The Last Check Printed:** #15041

The meeting was adjourned at 8:00 pm.

Respectfully submitted,

Madeleine C. Roy, Assistant Village Clerk