

Derby Line, Vermont
Special Trustees Meeting with Stanstead Council
July 18, 2019
Derby Line Village Hall

Call to Order:

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

Also, present were Jean Charles Bellemare, Paul Stuart, Stanstead Mayor Philippe Dutil, Frances Bonenfant, Steve Blake, Karen Jenne, Laurie Moss, Derby Line Village Clerk & Treasurer, and Madeleine Roy, Derby Line Assistant Village Clerk.

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

The only item on the agenda for this meeting was to review and discuss revisions to be made to the 1980 Sewer Treatment Plant agreement between Rock Island, QC and Derby Line, VT.

Richard went through each article of the 1980 agreement highlighting those items that need to be deleted as they are no longer relevant and those items that need to be revised.

The new agreement is to reflect that it is made between Stanstead and Derby Line, not Rock Island and Derby Line.

It should also include that both municipalities are to install measuring devices to measure all flows entering the new treatment plant with related costs to these devices to be borne by each respective municipality.

In addition, the agreement will include that each municipality will have equal access to the total capacity of the facility. If either municipality exceeds its 50% capacity availability, it shall not permit additional connections to the system without permission of the other municipality. Should additional capacity be required by one municipality, it shall be responsible for all costs related to the construction of the expansion and proportionate shares of operations and maintenance (O&M) costs will then be recalculated.

It was agreed that both municipalities will periodically review the amount of flows each sends and determine what percentage is to be paid by each municipality.

It was also discussed that should regulatory burdens (e.g. additional treatment of water) be mandated by one country's environmental agency, the municipality in that country will be responsible for those charges.

Regarding construction of the new plant, the agreement should include that Derby Line is to pay to Stanstead a proportional share of the cost of construction. Derby Line is to receive monthly invoices from Stanstead itemizing the costs of construction during the preceding month with payment to be made in Canadian currency by Derby Line within 30 days.

Regarding O&M costs after construction is complete, it was suggested that Derby Line pay Stanstead 50% of costs unless the recorded flow readings exceed 55% in a calendar year. Should flows exceed 55%, the municipality producing the higher flows will be responsible for an adjusted percentage of O&M costs.

Richard proposed that Derby Line be involved in approving all large major O&M expenditures and that such expenditures be approved by a majority of the wastewater system Board of Commissioners.

It was also proposed that Stanstead maintain a separate cost accounting system for the joint treatment plant to be the basis for determining allocation costs. These records are to be provided quarterly to Derby Line.

Richard also proposed that an independent contractor or engineer be hired every year, two years or five years, as determined by the Board of Commissioners, to inspect the plant to avoid any major repairs that might be needed.

It was agreed that the new agreement is to be reviewed annually by both Boards to be sure that all points within it are being adhered to and that all points are still relevant.

It was agreed that, while the new plant construction is underway, both Boards are to meet quarterly to be kept informed of the progress of construction and related costs. After construction is complete and the plant is operating, the Boards could then meet semi-annually or annually with meetings held alternately in Derby Line and Stanstead.

Jean Charles stated that Stanstead is now under pressure by the Canadian government to get the project started and needs a letter of confirmation from Derby Line of U.S. funding for its share of the construction costs. Richard and Lindsay explained that Derby Line is now bonded for \$2,000,000.00 with an additional \$75,000.00 available in U.S. dollars, which appears to be insufficient for what Derby Line's share of the costs will be. Having to go back to the voters for another vote for approximately a new total of \$2.3 million would take a minimum of 56 days that would include posting the bond vote, holding the bond vote and then allowing 30 days of reconsideration time as per Vermont law. In addition, going for a new bond vote for the new total needed would totally negate the first bond of \$2,000,000. Should the bond be voted down by voters, then Derby Line would have nothing for funding as there can only be one bond for the same project.

Jean Charles agreed to incorporate the changes described at this meeting into his copy of the original agreement and will call the Canadian government to explain Derby Line's shortfall in funding to see what they can do to assist in the funding problem. He will send Derby Line his revised agreement for review as well as a proposal to Derby Line regarding funding. Richard, in turn, agreed to try and get clarification of our approved bond. Keith agreed to call Derby Line's attorney, Paul Guiliani tomorrow for bond clarification as well.

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 Aug. 6, 2019. Another special meeting between Derby Line and Stanstead is yet to be determined.

Review and Sign Bank Statement: No

Warrants were Reviewed and Signed: No

The Last Check Printed: N/A

The meeting was adjourned at 7:40 pm.

Respectfully submitted,

Madeleine C. Roy, Assistant Village Clerk