

Derby Line, Vermont
Trustees Meeting
September 25, 2019
Derby Line Village Hall

Call to Order:

Present were Trustees Lindsay Brainard and Keith Beadle.

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

The meeting was called to order by Trustee Keith Beadle at 6:30 pm.

A sewer backup at the Laura Carpenter property on Highland Ave. was added to the agenda.

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

Approval of Minutes of September 3, 2019 Regular Trustees Meeting:

Lindsay made a motion to accept the minutes of the regular Trustees meeting of Sept. 3, 2019 as written. Keith seconded. Motion carried.

Tabled Items:

- 1) Stanstead Sewer Treatment Plant Reconstruction – to be discussed at this meeting
- 2) AT & T Road Access Permit – to be discussed at this meeting

Stanstead Sewer Treatment Plant Bond Vote:

Laurie announced that the bond vote did pass 14 to 6. All information has been sent to Attorney Paul Guiliani for him to get all documents ready with the bond bank. He will send the new Memorandum of Understanding draft to the bond bank for their approval. Keith agreed to advise Jean Charles Bellemare in Stanstead of this.

Karen Jenne read her statement indicating that she feels that the bond vote was done illegally and not according to Vermont statutes as the polls were open only until 6 pm rather than 7 pm. She wants the vote nullified. Keith advised her that she had 15 days to appeal the vote, which ended on Sept. 21, 2019. The change of time at the polls was not done with the intention of denying people the right to vote. Keith asked Laurie to check with the village attorney on this issue.

Old Fire Station Garage:

Brian mentioned, just for information, that the old fire station behind the Rural Edge and Ducharme apartments on Ducharme Dr. is in dangerous disrepair. There are trees growing in front of the doors and broken windows. The garage doors do not open easily and are falling apart and there are cars parked in front of the doors most of the time. It is used only for storage of picnic tables. At this point, it is not of much use to the village without doing some major renovations. The tables can be stored outside at the garage on Baxter Ave. Or, a lean-to can be built so they would be under cover. Should the village sell the old fire station, or tear it down? Laurie stated that the insurance shows its value as \$47,524, but it is unlikely that anyone would pay this much for it. Keith suggested that it could be sold for \$1.00 with the understanding that the new buyer tear it down at their expense.

It was agreed to put this item up for discussion at the next annual meeting.

Denis Ducharme Wastewater:

Brian stated that Ducharme has not yet corrected the wastewater piping that now is flowing into the sewer line, but has agreed to do so. Brian does not feel that the village crew should help as the problem is not on village property but, he is willing to offer helping by using the village camera to check all the lines once the pipes are properly connected. **Tabled.**

Fire Hydrants During Winter:

Brian has spoken with Fire Chief, Craig Ellam about whether or not people should keep hydrants shoveled out during the winter. Craig advised that it is fine to shovel a path to within two feet of the hydrant, but to keep snow around the hydrant is a good idea for insulation.

Derby Line Gardens Parking on Main St:

Laurie reported that she had spoken with a representative at Rural Edge about the possibility of painting parking lines on an angle in front of this property. That representative agreed that it is a good idea. Keith suggested that Laurie get this in writing from them. Laurie will request a letter to include their agreement to tell their tenants of the change of parking method that is to come. **Tabled.**

AT & T Road Access Permit:

Brian has met with the AT & T representative. They have a lease agreement with Tivoly, Inc. and need access to the site for the proposed cell tower from Breakneck Hill. She also stated that they are willing to cover the cell tower in any way that people in Derby Line want it camouflaged. If the access permit is not approved by the Trustees for Breakneck Hill, they would then access via Tivoly land. Brian did advise her that should they access the tower area via Breakneck Hill, they would have to remove the berm at the top of the hill parallel to Elm St. and put in a culvert that would divert water from going down Breakneck Hill. All village conditions would have to be met.

The online documents for the village to request being an intervener have to be completed by Oct. 15, 2019. These documents will be worked on by the Trustees between now and the next regular meeting, which is scheduled for Oct. 1st. However, since tonight's meeting had been postponed from Sept. 17th and Oct. 1st is only one week away, Lindsay suggested that the October meetings be changed to Oct. 8th and Oct. 22nd. This online application for intervener status will be on the Oct. 8th agenda.

Karen suggested that the village hire an attorney for some technical support as these online documents are not simple to complete. She suggested Annette Smith of VT for a Clean Environment, or Cindy Hill of Middlebury, who is familiar with these issues. Laurie agreed to contact Cindy Hill. It was also suggested that the village work on this issue with the Derby Line Cemetery Association and share costs. Karen suggested getting the Town of Derby involved. Since Richard Creaser is on the town Planning Commission, he will be asked to ask the Town.

The Trustees agreed to do nothing with the access permit application until the village's intervener status application is submitted. **Tabled.**

Caswell Ave. Sidewalk Project Loan:

Laurie reported on the requests she has made for interest rates for a loan to cover the \$97,800, which is the village's share of the sidewalk project. Passumpsic Savings Bank quoted 3.274% fixed for ten years for a monthly payment of \$956.78. Community National Bank quoted 2.5% fixed for ten years for a monthly payment of \$921.96. She also checked with two local credit unions, but neither was able to offer a loan.

Lindsay made a motion to accept the quote from the Community National Bank to finance \$97,800 at an interest rate of 2.5% fixed for ten years for a monthly payment of \$921.96. Keith seconded. Motion carried.

Emerald Ash Borer:

Charles Gross reported on his recent meetings with representatives from VT Electric Coop and H. Bros Tree Service (see Charles' separate report). Several trees in the village right of way affected by the emerald ash borer will be trimmed and others will be taken down entirely.

Charles is looking into alternatives for saving the trees, like spraying the trees with pesticides in the spring, which would cost a far smaller amount than having trees cut down (about \$30 per tree for spraying). He is looking into getting his pesticide license. He stated VEC could show up tomorrow to start trimming, cutting and chipping, but they should contact each homeowner prior to starting their work.

Keith moved that if Charles is willing to try and save the trees, the village will take care of his expenses. Lindsay seconded. Motion carried.

Sewer Backup on Highland Ave at Laura Carpenter Property:

Laura attended the meeting to see if the village will cover her expenses for the damage at her home from a recent sewer blockage on Caswell Ave. Her insurance company advised that she should ask the village for coverage of her damages before putting in a claim on her homeowners policy. The sewer actually backed up in a drain in her driveway, which runs downward into the garage. It was found that that drain was not originally installed correctly as it is connected to the sewer line rather than the regular water line. Thus, they are in violation

of the Village Sewer Ordinance. Laurie agreed to submit a claim to VLCT to see if her damages will be covered or if the claim would be denied because the drain in her driveway does not comply with the Village Sewer Ordinance. **Tabled.**

Cargill Quote for Salt:

Cargill's quote for this winter has come in at \$87.19 per ton (compared to \$86.48 last year) based on 350 tons. Keith made a motion to accept Cargill's offer of \$87.19 per ton for 350 tons. Lindsay seconded. Motion carried.

Letter from VT Dept. of Environmental Conservation:

Keith reported that a letter has been received regarding a gas tank at the old village garage that had been disposed of properly twenty-five years ago. A similar letter was received last year and nothing was done with it. He suggested that no response be sent again.

Water Agreement with International Water Co (IWC):

Brian advised that he has been approached by a representative of the State of Vermont who thinks Derby Line needs to own a portion of the water system, even though the State has no jurisdiction. Philippe Dutil, President of IWC has asked him to attend the next IWC meeting where they can explain to him how IWC works.

Karen asked if a signed copy of the agreement with IWC was ever recorded and filed with the Town of Derby. Laurie will look into it.

Business from Trustees, Treasurer and Road Foreman:

Paving Quotes: Brian submitted two paving quotes for this fall's work. Both are for \$98/ton for shimming and patching on some sections of Patenaude St, Pelow Hill, Sunset Terrace, Highland Ave. and Beauchesne St. The quotes are from Brown's Paving and Northeast Paving & Sealing. Brian highly recommended Northeast Paving & Sealing as they do quality work that will last longer.

Lindsay made a motion to accept the quote from Northeast Paving & Sealing of \$98.00 per ton and to purchase approximately \$25,000 of work as allowed by this year's budget. Keith seconded. Motion carried.

Death of Alphonse Patenaude, Former Village Worker: It was agreed to send a donation of \$50.00 in memory of Alphonse Patenaude to the Boy Scouts of America. Laurie will send it.

Trees in Village: Brian suggested that Jaret Judd be asked to work with Charles Gross on the village trees as he has worked with an arborist on his own land and is very knowledgeable. He should probably also be certified for use of pesticides. The Trustees agreed.

Accepting Credit Card Payments: Laurie reported that she has conferred with the Town Clerk of Newport Center, where they do accept credit card payments through MuniPay. This is a program on the computer which does not charge a fee to the municipality, but does charge 3% to the customer over and above their bills being paid. Laurie was asked to find out if this program provides proper security in protecting the customer's account numbers in case the village system gets hacked. Laurie was also asked to get VLCT's opinion on this.

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 Oct. 8, 2019.

Review and Sign Bank Statement: No

Warrants were Reviewed and Signed: Yes

The Last Check Printed: #15246

The meeting was adjourned at 8:00 pm.
Respectfully submitted,

Madeleine C. Roy, Assistant Village Clerk