

Derby Line, Vermont
Trustees Meeting
November 5, 2019
Derby Line Village Hall

Call to Order:

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

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

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

One addition to the agenda: Water Charge Discounts for Vacant Rental Properties

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

Approval of Minutes of October 8, 2019 Regular Trustees Meeting:

Keith made a motion to accept the minutes of the regular Trustees meeting of Oct. 8, 2019 as written. Lindsay seconded. Motion carried.

Tabled Items:

- 1) Stanstead Sewer Treatment Plant Reconstruction – tabled
- 2) AT & T Road Access Permit – to be discussed at this meeting
- 3) Denis Ducharme Wastewater – to be discussed at this meeting
- 4) Laura Carpenter backup – to be discussed at this meeting

Laura Carpenter Sewer Backup:

Richard reported that the village's insurance company has decided that the village is not responsible for the damage at Carpenter's home as a result of a sewer backup as the problem originated on her property.

AT & T Filing of Petition;

Richard reported that the Public Utilities Commission's response is that they have no objection to the Village of Derby Line's status as an intervener. The decision has been delayed until November 27, 2019 at which time Derby Line will have two (2) weeks to respond to that decision. However, their interpretation of our objection to the project in question was not what Derby Line intended, as shown in Richard's document filing with them.

Their permit application from Centerline Communications is strictly for permission to access Breakneck Hill. The village can make any requirements it wishes of them regarding this road, which would be at their expense.

Keith made a motion to approve their petition as is for access to the proposed cell tower site from Breakneck Hill, which is a Class 4 road. Lindsay seconded. Motion carried.

Bond Vote, Vermont Superior Court Status Conference:

Laurie provided the trustees with a copy of a Notice of Hearing dated October 29, 2019 received from the Vermont Superior Court regarding Docket No. 262-9-19 Oscr, the case of Karen Jenne vs. Village of Derby Line. This notifies the village to appear at this status conference on Friday, Dec. 13, 2019 at 9:30 am.

Lindsay made a motion to appoint Keith Beadle and Laurie Moss to represent the Village of Derby Line at this status conference. Keith seconded. Motion carried.

Laurie agreed to notify the bond agency and Attorney Paul Guiliani of this status conference. **Tabled.**

VT Dept. of Environmental Conservation Sanitary Survey:

A letter dated Oct. 15, 2019 has been received from Dana Nagy of the Dept. of Environmental Conservation. The letter appears to indicate that the Village of Derby Line has ownership of the water system, when in fact the system is owned by the International Water Co. It appears they want Derby Line to install meters on all five water lines going to Stanstead or that Derby Line install its own water system. They also think Brian Fletcher does not have the proper license. Water testing can no longer be done by Stanstead as they have hired an independent company to do their testing and that company is not able to work in the States. Consequently,

Brian has consulted with Laramie Waterworks of Newport and they will be doing Derby Line's testing as agreed with International Water Co (IWC). The IWC should be the one involved with the requirements set out in this letter. The letter indicates that a written response is required by Nov. 11, 2019 from the village to all the items listed. The trustees asked Laurie to send Mr. Nagy a letter asking him or any representative of the VT Dept. of Environmental Conservation to attend the next meeting. Laurie will also invite Philippe Dutil, President of the IWC.

Brian suggested asking one of our town legislators to research this issue and advocate for Derby Line in Montpelier. Laurie agreed to call Brian Smith. **Tabled.**

Main St. Cones:

Brian reported that several times he and Jaret Judd have had to move the cones at the top of the hill on Main St. going down into Canada as they stick out too far making it difficult for vehicles, especially large trucks, to navigate up or down Caswell Ave. on that tight corner. Invariably, the Border Patrol move the cones back to where they had them set. Keith agreed to contact the local head of Border Patrol to discuss this issue. He did state that Vermont Statutes say that if the federal government wants to take over any section of highway, it needs to execute an agreement with that municipality. **Tabled.**

Road Erosion Inventory:

Documents regarding FY2021 Vermont Better Roads Grant Program were received on Oct. 31, 2019. The erosion in question is most likely the water runoff from Main St. down Valentine Ave., and which most likely originates from I-91. Correction of this runoff will most likely be very expensive. It may be determined that it is the State of Vermont's problem if indeed the water runoff is from I-91. But, in the meantime the village should apply for the grant to be assured of only having to pay 20% of the cost rather than 100%. The grant application deadline is 4:30 pm, Friday, Nov. 22, 2019.

Water Charge Discounts for Vacant Rental Properties:

Nancy Gosselin and Edward Gosselin, Jr. were present to discuss this issue regarding Edward's 7-unit apartment house on Caswell Ave. Nancy indicated that this property is now really only 6 apts as the seventh one, all in Canada, was totally destroyed by a tenant and all plumbing to it has been cut off and is unusable. Two other units are not now rentable as they need considerable repair. These have not been rented for the last two years. Their request is that the village allow a larger discount for these vacant units. The present discount is only \$6.00 per month for water. The trustees agreed that the unit in Canada that is not rentable should be deleted from the total to be charged, and that the discount for water for properties that are vacant for three consecutive months should be calculated on a percentage basis, not a flat amount.

Keith made a motion that the village apply a 40% water service discount for rental units that are vacant for at least three consecutive months. Lindsay seconded. Motion carried.

Business from Trustees, Treasurer and Road Foreman:

Leaves: Brian reported that the road crew is basically finished with baling and picking up leaves.

Storm Damage: Brian stated that the village was lucky and did not get much storm damage in the recent windstorms.

Paving: The paving by Northeast Paving has been completed. They applied about 248 tons of hot mix with the total cost coming in slightly under budget. Brian is very happy with their work. Sections of streets repaved were on Sunset Terrace, Patenaude St. and Highland Ave.

Ducharme Wastewater Repair: Brian has been told by Denis Ducharme that he does not plan on making the repairs at his property until Spring 2020.

Flushing of Sewer Lines and some Hydrants: Flushing began on Nov. 4, 2019 and will continue through Nov. 14, 2019.

Trimming of Trees: Charles Gross sent a message that he has been in contact with Vermont Electric Coop. They will be starting tree trimming in the village within the next two weeks.

Stanstead Sewer Plant Reconstruction: Keith reported that he has tried to contact Jean Charles Bellemare in Stanstead to get a status report on the reconstruction. Bellemare emailed him that he does not want to give his report by email and asked that Keith call him. Keith will call him tomorrow.

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 Nov. 19, 2019.

Review and Sign Bank Statement: Yes

Warrants were Reviewed and Signed: Yes

The Last Check Printed: #15330

The meeting was adjourned at 7:45 pm.

Respectfully submitted,

Madeleine C. Roy, Assistant Village Clerk