

Village of Derby Line, Vermont
Trustees Meeting
April 18, 2023
Derby Line Village Hall

Call to Order:

Present were Trustees Richard Creaser, Sarah Webster and Dustin Horne.

Also, present were Frank Davis, Dan Mitton, Steve Christou, Dan LaBarron, Scott Jenness, Karen Jenne, Shannon Quinn, Tom Hardy, Katie Hardy, Jaret Judd, Road Foreman, Laurie Sanville, Village Clerk and Madeleine Roy, Assistant Clerk.

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

Additions or Deletions to the agenda:

Delete #4 on the agenda, Patrolling in Derby Line – Jennifer Harlow. Harlow called to cancel and wishes to be added to the May 2, 2023 meeting agenda.

To accommodate Dan LaBarron and Shannon Quinn, who were in attendance for the last topic on the agenda, (Softball Season and the Ball Field in Baxter Park), Richard suggested that item be moved to Agenda Item #2.

Sarah made a motion to waive the reading of Rules of Procedure. Dustin seconded. Motion carried.

Approval of Minutes of the March 28, 2023 Regular Trustees Meeting:

Dustin made a motion to accept the minutes of the March 28, 2023, meeting as presented. Sarah seconded. Motion carried.

Appoint Chair & Vice-Chair to the Board of Trustees:

Sarah nominated Richard Creaser as Chair. Motion carried.

Dustin nominated Sarah Webster as Vice-Chair. Motion carried.

Softball Season & Ball Field in Baxter Park:

LaBarron asked the Trustees to provide one or preferably two loads of fill to prepare the ball field for this season's games. LaBarron and his committee will do the work of spreading the fill if the village would pay for it.

Sarah made a motion to authorize the village's purchase and delivery of two loads of fill from Larry Letourneau for the ball field in Baxter Park. Dustin seconded. Motion carried.

Open Meeting Law and its Implications:

Richard explained that any deliberations, discussions, or decision-making between Trustees must be in an open meeting that is warned. Emails among Trustees also fall under this Vermont law. He also explained that going into Executive Session is allowed after a vote of at least two-thirds of the Board. Executive sessions are used mostly for Personnel issues but should also be used for such things as negotiating real estate sales, tax grievances, pending civil litigation, and confidential attorney/client communications. Karen Jenne advised that VLCT will be having a Zoom meeting on the Open Meeting Law. She asked if the village has an Email Policy.

Sarah made a motion to authorize the transition of Trustee, Road Foreman and Recreation Committee emails to village-based emails. Dustin seconded. Motion carried.

The visit to the new sewage treatment plant in Stanstead has been scheduled for 8 am on Wednesday, April 26, 2023. Because of the Open Meeting law, if more than one Trustee wants to attend, this would be considered an open meeting and would need to be warned. Laurie agreed to issue the meeting warning and Sarah will contact Jean Charles Bellemare in Stanstead of the possibility of several Derby Liners attending.

Naming of Official Village Newspaper:

Dustin made a motion to officially name the Newport Daily Express as the village's newspaper of record in which we have printed notices such as annual meeting warnings and ordinance amendments. Sarah seconded. Motion carried.

Stormwater Runoff Permit for Dashner Circle:

Dustin has been in contact with the Agency of Natural Resources to determine the steps needed to be taken by the property owners on Dashner Circle so they can do work on their properties to mitigate the stormwater issues they are now experiencing. The village needs to acquire a 9040 Permit for the runoff from the road, if it does not already have one, and the property owners need to acquire a 9050 Permit for the runoff from their roofs and land. When these are in place, the process for getting the Act 250 Permit reinstated that was allowed to expire several years ago, will then have to be addressed as well as resurrecting the Homeowners Association. The cost to the village on this project would be the permit and engineering fees. Dustin agreed to contact Sara Damsell of ANR, who did some work for the village regarding stormwater runoff a few years ago. She may be able to help with the process.

Sarah made a motion that the village investigate its ability and obligations under the 9040 Permit with regards to restoring the Act 250 Permit for Dashner Circle. Dustin seconded. Motion carried.

April Caspari Utility Units:

Tabled as April was not in attendance.

Borderline Ridgerunners/Scott Jenness & ATVs on Derby Line Streets:

Scott asked permission for the ATV Club to be able to ride on the same streets as allowed last year, which were Elm St down Breakneck Hill to Tivoly, Baxter Ave to Main St. allowing ATVs to gas-up at Irving's, and Main St. down to the Derby Line Village Inn. ATV riding dates are from May 15th to Sept. 30th. Richard noted that he has a problem allowing ATVs to go to Tivoly just so they can access their workplace. Scott stated that before they can get the State of VT's permission for them to ride on all of Main St. and Caswell Ave., they need the village's permission. This would allow them to travel over the I-91 bridge onto Herrick Rd. where they can access an ATV trail. Several voiced that many ATVs are riding illegally by not wearing helmets, speeding, and not belting in their children on their way to school. This will be part of a conversation with Sheriff Jen Harlow at the May 2nd Trustees meeting. Katie Hardy suggested that no decision be made until after speaking with Sheriff Harlow. Scott agreed to come back on May 2, 2023. **Tabled.**

Grants for ADA Compliant Restroom in Village Hall:

Sarah noted that she has not yet been able to secure enough information about grants for reconfiguring the stairs to the village hall basement and building one ADA compliant bathroom. **Tabled.**

Village Vendor Permit:

Richard has researched other municipalities' permit fees, which run from \$100 to \$300 for seasonal permits with no electricity. The Trustees agreed that before offering permits to any vendors, a structure of dates for events in the park, porta potties, clean-up of the park, garbage pickup, etc. needs to be put in place. A town permit is probably also needed. This will be discussed again at the next meeting. **Tabled.**

Recreation Committee:

Dustin advised that the committee will be meeting here at the village hall on April 24, 2023.

Tree Warden – Charles Gross:

Tabled as Charles Gross was not in attendance.

Jaret Judd's Public Water Operator's Certificate:

Jaret noted that he has received his Class D Operator's License. He still has to acquire his Class 2 Certificate for which he will be attending classes soon.

Business from Trustees, Treasurer and Road Foreman:

Rebuilding of Sidewalks: Jaret noted that Mike Green is ready to start the work on the sidewalk in front of the Derby Line Village Inn. Jaret was advised to also have him do the work on the sidewalk across the front of the park as that cost can be covered by some of the village's trust funds and ARPA money.

Water Leak on Elm St: The leak that could not be found ended up being a sprinkler system problem at the fire station, which has been repaired.

Reservoir: The reservoir is now full, probably because of spring runoff that caused the water table to rise enough to start flowing in the pipe from Holland Pond. The hydrants in Holland have been flushed.

Cleaning of Streets and Sidewalks: Jaret indicated that this Spring work is nearly complete.

Flushing of Hydrants: Will be done between May 22 and June 2, 2023.

Porta-Potty in Park: Sarah asked that Laurie contact Juddy's to find out when he usually sets one up in the park.

Storm Drain on Customs (CBP) Property on Rt. 5: Laurie noted that Customs has asked that the road crew check a storm drain at this property that appears to be causing erosion to their parking area behind the Customs station on Main St. Jaret will check on it.

Consumer Confidence Report (CCR): The State of VT has provided a Notice of Alleged Violation stating that the village needs to test for lead and copper. Laurie will be contacting Phil Laramie to do this testing. The CCR report can still be issued but may not include the final test results.

CBP Buildings on Main St: Laurie has been in contact with CBP officials who state that they have no plans at this time for the three buildings on Main St. (blue apt building, Caswell's and Brown's Drug Store).

Pile of Dirt on Dashner: Dustin asked if the pile of dirt now on Dashner will be a problem when paving. Jaret noted that it is in the village's legal right of way but will not be in the way for paving. If Norm Patenaude of Pike Industries thinks differently, it can be moved.

New Business from the Audience:

Karen Jenne asked that she be provided periodic reports of the water and sewer aged accounts receivable reports. The Trustees agreed that these be provided her on a quarterly basis.

Katie Hardy asked why her household had to be charged an extra half unit for water and sewer because of her daycare business when she knows of other households in town that have in-home businesses that are not being charged extra. She was informed that her business was brought to the attention of the village office. Other in-home businesses may not qualify for extra charges as per the State guidelines. A survey of all properties in this regard is done every several years.

Old business from the Audience (5-minute limit unless otherwise directed):

Regarding the warming shed in Baxter Park, Richard reminded all that a request must be made to the Probate Court to see if it and other structures can be left there permanently, and if so, what conditions apply. A letter will be sent to the Probate Court.

Next Meeting: The next meeting will be the sewage treatment plant site visit in Stanstead on April 26, 2023 at 8 am and the next regular Trustees meeting will be on May 2, 2023 in the village hall at 6:30 p.m.

Executive Session: None

Review and Sign Bank Statement: No

Warrants were Reviewed and Signed: Yes

The Last Check Printed: #17828

The meeting was adjourned at 8:40 pm.

Respectfully submitted,
Madeleine C. Roy, Assistant Village Clerk