

Barton Village, Inc.
Regular Trustees Meeting

Monday, August 28, 2023

6:00 pm

Barton Village Memorial Back Office

Attendance: Regina (Gina) Lyon (Chair), Ellis Merchant (Trustee), Marilyn Prue (Trustee), Vera LaPorte (Business Manager) Crystal Currier (VPPSA), Meghan Waylan (NEKO), Ellora Stone (NEKO)

MINUTES

- A. **Call to Order:** Chair, Gina Lyon called the meeting to order at 6:00 PM.
- B. **Changes to the Agenda/Additions or Deletions:** Gina received two requests and asked they be added for consideration under action items. The letters shall be added directly after item K.
- C. **Privilege of the Floor:** Meghan Waylan and Ellora Stone from NEKO were present to discuss the continued use of the hall on Tuesday, Thursday and Saturday. They indicated that their work is going well, but there is still a lot to do, and they are extending their outreach beyond Barton Village. The Board did not see any issue with the continued use of the space and indicated that they would notify the group if another party was scheduled to use the building.

ACTION ITEMS:

- D. **Minutes from Regular Board of Trustees Meeting August 14, 2023:** Gina Lyon made a motion to accept and approve the minutes of the meeting held on August 14, 2023 as presented. The motion was seconded by Marilyn Prue. The motion was approved.
- E. **Approval of Tax Rates:** Ellis Merchant made a motion to accept the 2023-2024 tax rates as listed below. The motion was seconded by Marilyn Prue. The Board discussed the methodology for the tax rate vs the water/sewer assessments and how these amounts were determined. It was determined that the Business Manager and/or Crystal Currier will contact the tax collector and work with her regarding how these amounts were developed and determine if that is the appropriate methodology to use going forward. The motion was approved.

Sewer Assessment	0.1117
Water Assessment	0.1298
Water Bond	0.1298
Sewer Bond	0.1117
Highway	0.7875
Village	0.1631

- F. **Approval of Highway-Driveway Permits:** It was noted that the DPW Foreman Andy Sicard has reviewed two driveway permits; one at Lot#44 on Eastern Avenue and another at 257 Main Street. It was determined that the application for Lot #44 Eastern Avenue meets all State rules and regulations. The application for 257 Main Street does not currently meet the required regulations; however, with a few adjustments to the permit (as recommended by the DPW foreman) it could be reconsidered for approval. Gina Lyon made a motion to approve the driveway permit for Lot#44 on Eastern Avenue. The motion was seconded by Ellis Merchant. The motion was approved. The second application will be reconsidered if resubmitted and approved by the DPW foreman.

- G. **Junky Yard Ordinance Letters:** Several properties (as listed below) have been identified as being in violation of the Barton Village Ordinance Regulating Outdoor Storage of Junk and Junk Vehicles on Non-Commercial Property (aka the “Junky Yard Ordinance”).

137 Vigario Lane
 76 Water Street
 16 Hubbard Avenue
 286 High Street
 380 Park Street

There was a short discussion regarding the ordinance, what constitutes a violation and who enforces the ordinance.

Marilyn Prue made a motion to approve and send the Junky Yard Ordinance letters to the property owners in violation of the Ordinance. The motion was seconded by Gina Lyon. The motion was approved.

- H. **Financial Reports for Period Ending 07/31/2023:** Crystal Currier provided a brief review of the financial reports for the period ending July 31, 2023. It was noted that the overall cash balances are relatively low and they will need to be monitored closely until tax revenues are received. There was a short discussion regarding the future needs of the various departments and the revenues needed to fund those needs.

Gina Lyon made a motion to approve the financial reports for the period ending July 31, 2023. The motion was seconded by Marilyn Prue. The motion was approved.

- I. **Generator Maintenance:** Following-up on the generator proposal discussed at the meeting held on August 14th, the Business Manager reached out and received an additional proposal from Brookfield Services. It was determined that Milton Cat was not an option as they only service CAT generators. The cost of the two potential proposals were reviewed and discussed. The costs are approximately \$8,200 for Powers Guaranteed and the other from Brook Field Service is approximately \$4,692. Gina Lyon made a motion to move forward with the maintenance agreement with Brookfield Services. The motion was seconded by Ellis Merchant. The motion was approved.
- J. **Property Liens for Electric Accounts:** There are currently 15 Barton Electric accounts with outstanding balances that have been deemed impossible to collect due to disconnection and /or the account holders vacating the property or by being deceased. Recording liens on the impacted properties could be used as a means of collection in the event the property is sold.

62 Park St.	\$1,586.23	546 LeBlanc Rd., Barton	\$8,372.69
82 Glover Rd.	\$753.19	836 Cook Rd., Barton	\$1,136.20
184 Glover Rd.	\$4,318.85	1889 Chamberlain Rd., Barton	\$2,318.65
66 Glover Rd.	\$3,135.68	3668 Chilafoux Rd., Brownington	\$2,807.91
112 Lincoln Ave.	\$281.27	3411 Pepin Rd., Brownington	\$940.01
381 Main St.	\$561.36	822 Hunt Hill Rd., Brownington	\$2,346.07
		1255 Schoolhouse Rd., Brownington	\$4,974.47
		181 Sawmill Ln., Orleans	\$319.93
		86 Aspen Dr., West Charleston	\$417.61
Total	\$10,636.58		\$23,633.54

Gina Lyon made a motion to approve the property liens for the properties as listed above, in Barton, Barton Village, Brownington, Orleans and West Charleston for outstanding amounts related to Barton Electric services and further, that amounts for properties listed in the village be handed over to the tax collector. The motion was seconded by Ellis Merchant. The motion was approved.

K. Computer Components for Water Plant System: Water System Chief Operator-Manager Lucas DiMauro has expressed a desire to keep certain spare computer components on hand in order to more efficiently mediate an outage and removes the need for an outside contractor to perform the replacement. This will save the Village the cost of a service call. The requested components are listed as follows:

- 1 EA – 1766-L32AWAA (Micrologix 1400 processor, AC inputs) \$1,698.00
- 1 EA – 1766-L32BWAA (Micrologix 1400 processor, DC inputs) \$1,698.00
- 3 EA – 1762-IF4 (analog input module) \$2,052.00
- 1 EA – 1762-IA8 (AC discrete input module) \$325.00
- 1 EA – 1762-OF4 (analog output module) \$645.00
- 3 EA – 1762-OW8 (discrete relay output module) \$1,029.00
- Total \$7,447.00

The Board discussed the need for having the spare parts available, the related cost and whether the purchase could be delayed until CY 2024. The Board requested that the water operator try to obtain at least one additional quote/proposal for the requested components for consideration at a future meeting.

K-1 – Letters for Consideration: In response to two requests received, Gina Lyon drafted two letters of support: the first to send to Barton Academy and others interested in using the Village property (ballfield) and the second supporting the monster truck event at the Orleans County Fair.

Marilyn Prue made a motion to approve the two letters of support as presented. The motion was seconded by Ellis Merchant. The motion was approved.

DISCUSSION ITEMS:

L. Salt/Sand Shed Project: DPW Foreman Andy Sicard has advised that his previous plan of storing the salt and sand in a CONEX shipping container at the Village garage is no longer feasible due to possible damage to the CONEX container. He would like to dismantle the current shed on High Street and re-erect it at the Village garage. He is concerned that it may impact the ongoing testing at the High Street location and asks for guidance from the Board. The Board discussed the various options, and it was suggested that the Village set some old poles, add a roof and use that as a temporary structure until the project moves forward in the spring. The Business Manager will reach out to Andy to discuss further.

M. Village Streets Right-of-Way Permits Policy: The Highway-Driveway Permit Application states that per the “policy” regarding Village Streets Right-of-Way permits the application must be approved by the Village Supervisor and Board of Trustees. No such policy has been located; however, the only mention of such policy exists is in the application itself. In reviewing the application documents with DPW Foreman Andy Sicard, we have determined that given the lack of written policy, it may not be necessary for the Highway -Driveway permit application to fall under BOT purview. The Board discussed whether the approval of future applications should be allowed (approved) by the DPW Foreman, the Business Manager or the Board of Trustees. The Business Manager indicated that the existing application is old and confusing. The Board instructed the Business Manager to reformat and/or rewrite the application for the Board’s consideration with the context that the Board would ultimately approve such applications.

- N. **Flood Updates:** An update was provided to the Board regarding ongoing FEMA and STATE efforts. As noted above under "Privilege of the Floor", two representatives from NEKO will continue to use the hall for several weeks and FEMA is expected to remain for approximately one more week. Village staff has met with representatives of FEMA for the Village's application for FEMA reimbursement.
- O. Management/Staff Report: A brief update on ongoing activities was provided. Of particular note, was the furnace at the BMB that is expected to be installed by early September.

OTHER ITEMS:

- P. Other Business – no other business what brought before the Board.

EXECUTIVE SESSION ITEMS:

- Q. Executive Session - Legal Action: 1 V.S.A. § 313 (1)(E):
R. Executive Session - Personnel: 1 V.S.A. § 313 (a)(3):

Gina Lyon made a motion that due to the nature of agenda item Q (pending litigation), the premature general public knowledge of the discussion would place the public body or a person involved at a substantial disadvantage. Marilyn Prue seconded the motion. The motion was approved.

Gina Lyon made a motion to enter executive session at 8:30 pm for the purpose of discussing potential litigation as allowed under 1 V.S.A. § 313 (1)(E) and to further discuss personnel as allowed under 1 V.S.A. § 313 (a)(3). The motion was seconded by Ellis Merchant. The motion was approved.

The Board came out of executive session at 9:15 p.m.

No action was taken on agenda item Q.

Agenda item R: Gina Lyon made a motion to accept the resignation of Tim Dagesse received via email on August 24, 2023 with an effective date of August 20, 2023. Further, it was noted that the employee (Tim) breached Section 7 of the contractual agreement (offer of employment letter) dated November 24, 2021 and accepted on November 29, 2021. Section 7 requires a minimum of 90-days notice if the employee wishes to end the relationship with Barton Village. As Tim has breached that part of the contract/agreement, he has foregone his right to be paid for unused vacation leave upon leaving. Therefore, upon advise of legal counsel Gina Lyon made a motion to withhold all accrued vacation pay remaining as of August 20, 2023, due to his breach of contract. The motions were seconded by Ellis Merchant. Motions approved.

- S. Adjourn

Regina Lyon, Board of Trustees Chair

Upcoming Meetings:

Regular Board Meeting: September 11, 2023

Regular Board Meeting: September 25, 2023