

Barton Village, Inc.
Regular Trustees Meeting
Monday, June 10, 2024
6:00pm
Barton Village Memorial Hall

Attendance: Gina Lyon (Chair), Marilyn Prue (Trustee), Ellis Merchant (Trustee), Vera LaPorte (Business Manager), Jacqueline Laurion (Clerk), Bruce Melendy and David Snedeker of Northeastern Vermont Development Association (NVDA), Justin Rabidoux of Stantec Engineering, Torey Littlefield of AC Disaster Consulting, James Coe of Coe + Coe Architecture, Allyson Howell and Meghan Wayland of Northeast Kingdom Organizing (NEKO), David Billado, Richard Royer, Mackenzie Shanahan, Susan Penharlow, Lawrence Cincotta, Donna Cincotta, Naomi Dean, Krystal Perry, Lillian Vezina, Paul Labreque, Tamie Stone, Nicholas Zieman

Agenda

Full agenda with additional details can be found at <https://bartonvt.com/agenda-minutes/>

- A. **Call to Order** – Gina Lyon called the meeting to order at 6:00pm.
- B. **Changes to the Agenda/Additions or Deletions** – Marilyn Prue added under Discussion Items the hiring of a financial office position to the Village office staff, labeled **L1**. Gina Lyon made a motion to move **Discussion Item G - Resilience Initiative for Vermont Empowerment and Recovery (RIVER) Project** to the beginning of the meeting, ahead of Action Items. Marilyn Prue seconded the motion. Motion carried.

DISCUSSION ITEMS:

- G. **Resilience Initiative for Vermont Empowerment and Recovery (RIVER) Project** – Dave Snedeker and Bruce Melendy from the Northeastern Vermont Development Association (NVDA) spoke to the Board and crowd, which was largely represented by Glover Road residents, regarding initiatives that RIVER hopes to achieve with the Village and Town of Barton. He will be asking for public meetings throughout the year to discuss individual concerns or needs and or Village/Town requests for assistance due to river damage based on the July 2023 flooding. This can include home buyouts, shoring up the riverbanks or bridge replacements. Bruce Melendy addressed the meeting regarding homeowner buy outs. Meghan Wayland of NEKO also addressed the crowd regarding home buyouts and specifically Glover Street being recommended for home elevation so if any future flooding takes place, those homes previously impacted would be spared due to having the houses elevated. Susan Penharlow asked if a Church could also be open for a buyout. No solid answer was given to this question because small businesses had to take a different route for FEMA assistance, and it is understood that a Church would also have to take a different route.

In terms of river management, the Village would need to engage with the Vermont Agency of Natural Resources. In addition to berms that could be created along the river to hold the water back, the Village would have to reach out to the Agency of Natural Resources and set up a meeting to review the riverbanks. Many in the crowd expressed frustration and concern about all the land they lost as well as being lost in the mix of impacted property owners. Much to the crowd's dismay, it appeared that the presence of NVDA at the meeting was not to answer questions but to merely introduce the RIVER project and offer advice as to what needs to be done next and what grants or State agencies the Village would want to invite into the discussion.

Gina Lyon stated that she would like to have a meeting with the Village of Orleans, Barton Town and the Village of Barton including the Vermont Agency of Natural Resources and have it announced in advance so Village, Town and impacted Orleans Village homeowners can come together to discuss next steps and brainstorm. Having it in a larger establishment such as a school gym or cafeteria was also discussed.

- C. **Privilege of the Floor** – Residents of Davis Court inquired about water/smell coming out of the ground at the entrance of the street and are concerned about it being toxic or sewer. Vera LaPorte advised that as far as they knew it was not toxic nor wastewater. This stems from a very deep water leak that manifested a few months back and has taken a bit to have repaired due to trying to locate the right safety equipment to use for the fix. It was advised a repair was in the works for 6/11/2024. The residents of Davis Court will be notified if anything more comes out of the repair work that is set to take place. Donna Cincotta then asked the Board about the unused road that bisects her property. Gina Lyon informed her that since it was a legal question, it would be discussed under Executive Session.

ACTION ITEMS:

- D. **Minutes from Regular Board of Trustees Meeting May 29, 2024** – Marilyn Prue made a motion to accept the meeting minutes as presented. Ellis Merchant seconded the motion. Motion carried.
- E. **Bills and Warrants** – Gina Lyon made a motion to review at the end of the meeting. Marilyn Prue seconded the motion. Motion carried.
- F. **Resolution for Wastewater-Internal Borrowing from Village Reserve Fund** – Gina Lyon made a Motion to approve the Resolution for Wastewater-Internal Borrowing from Village Reserve Fund as presented. Marilyn Prue seconded the motion. Motion carried.

DISCUSSION ITEMS:

- H. **Barton Motors Site (James Coe of Coe + Coe Architecture)** – James Coe of Coe + Coe Architecture reported that they are working with Jason Sicard (owner) on future development of the location and are currently in the environmental cleanup phase. The plan is to currently build one office building that Jason Sicard would be the main office occupant and lease out the other spaces. This first phase would be completed in 2025. The first office space would be two stories and up to 6,000 square feet of space. Engineering would involve parking, sidewalks and planting

of trees. The Village will be updated as the project progresses. The project will be done in phases, and could include housing, retail and office space along with parking adequate for the outcome of the project. Dave Snedeker also stated NVDA is involved with this project regarding grants that are available to Mr. Sicard and Coe + Coe Architecture.

- I. **Coin Drop Letter from BASSI** – Barton Area Senior Services, Inc. (BASSI) applied for a coin drop to be held on 06/29/2024. The Board approved the application at the Regular Board of Trustees Meeting on 05/29/2024 with the stipulation that the coin drop location be moved from Church Street (in front of C&C Supermarket) to Glover Road (in front of JP Sicard’s) because of safety concerns.

The Board of Trustees has received a letter from BASSI asking the Board to reconsider the location for the coin drop and allow them to hold it at the original location on Church Street in front of C&C Supermarket.

After a discussion with Mr. Richard Royer of BASSI and citing the Village Ordinance the board decided to hold true to their original decision and not allow the Coin Drop to take place in front of C&C Supermarket.

- J. **Abatement Request for Sewer Charges** – The Board has received an abatement request for sewer charges from Arthur and Evelyn Corda related to their property located at 121 Lakefront Lane. This started in 2019 and brought to the attention of the previous board where research was to have taken place. It seems nothing was done at that time and the email trail ended in 2020 with Mr. Corda and Mr. Nate Sicard. Gina Lyon stated she would like to have more research done on this prior to getting back to Mr. & Mrs. Corda with a decision.

- K. **Department Operations Updates** – Vera LaPorte updated the Board on the activities of the Village departments.

Electric Department

- After-hours on-call answering service – Business Manager Vera LaPorte has demoed two potential after-hours answering services (Specialty Answering Service and AnswerForce). So far Specialty Answering Service is in the lead but Vera LaPorte would like to demo a third company before deciding.
- OCFA tariff rider – Steve Farman with VPPSA is currently analyzing the OCFA’s usage data/history and in the meantime, Vera LaPorte has asked the Board to assist in providing reasons why they believe the OCFA is “deserving” of a tariff rider catered to their situation to shore up their petition to the PUC.
- Hydro facility bond vote – According to Eli Emerson at Primmer & Piper (the attorney working on the Section 108 filing on behalf of the Village to the PUC) that any financing for the hydro facility repair project must be voted on by Australian ballot. Village Clerk Shelia Martin has asked that the Board choose a date for the bond vote soon as she and Town Clerk Kristin Atwood are required to participate and have several other obligations this summer. This will be addressed at a later meeting.

Wastewater Department

- Water/sewer overtime reconnection fee – According to 129 VSA § 5151, “a municipality providing water and sewer services may charge fees for collection of overdue accounts and reconnection of service disconnected because of nonpayment. Fees charged shall not exceed the following schedule:

Collection Trips – \$25.00 maximum, regardless of number

Reconnection – Normal Hours \$25.00, Overtime \$37.50”

Marilyn Prue suggested that the Village should not be required to go out after hours to do a reconnection given the number of opportunities Barton Village customers have to bring their accounts current prior to the disconnection taking place. Even so, Gina Lyon directed Vera LaPorte to update the fee schedule to reflect the statutory overtime amount of \$37.50.

- Glover agreement – Mike Mainer from Aldritch & Elliott is currently analyzing Glover’s flow data and will return to the Board with his thoughts and conclusions when he is through.
- The wastewater treatment facility continues to operate well and all reporting deadlines are being met.

Water Department

- Water/sewer overtime reconnection fee – See Wastewater Department.
- Fairview Estates – Vera LaPorte has sent Mark Bean a copy of the Village Water Ordinance and a letter requesting the balance of his service bill be paid for the costs he incurred by his actions in January 2024.
- The water treatment facility continues to operate well and all reporting deadlines are being met.

Highway Department

- Paving – Damage to the decking on Bridge 55 (Elm Street) has been repaired and DPW Utility Workers Garrett Heath and Jeremiah Borsoi have begun various paving projects around the Village.
- Water leaks – The water leak on Elm Street was repaired on 05/30/2024 and the water leak on Main Street near Davis Court is scheduled for repair on 06/11/2024.
- Salt/sand shed – Barton Village was unfortunately not selected by Senator Welch’s office for funding through the Congressionally Directed Spending (CDS) program. The Board answered some questions from the audience, mostly about the cost of the construction, what the shed is for, and why it was necessary to seek funding.

Village Department

- ATV Ordinance – Due to the potential of the Regular Board of Trustees Meeting on 06/10/2024 running very long, Trustee Chair Gina Lyon asked Vera LaPorte to move the topic to the 06/24/2024 Regular Board of Trustees Meeting agenda.
- State Budget Adjustment Act (Act No. 87 – H.839) – Vera LaPorte informed the Board that the \$80,000 in “flood recovery money” due from FEMA via the State was tied up in a federal audit with no release date in sight. Marilyn Prue asked about the

approximately \$124,000 FEMA reimbursement due to the Village for road repairs. Vera LaPorte informed the Board that FEMA had additional follow-up questions for the contractor that performed the work but had been having trouble contacting them. She has asked DPW Foreman Andy Sicard to assist them.

- School crossing signs – Vera LaPorte is working with John Morley from Orleans Electric on the best placement for the signs based on ease of electrification.
- NEKO would like to hang a banner for the August celebration taking place the week of 8/12/2024-8/17/2024. The Trustees approved this request.

L. **Management/Staff Report** – See ongoing list of items in the Board packet at <https://bartonvt.com/agenda-minutes/>

L1. **Village Office Part-Time Finance Job Opening** – Due to Crystal Carrier retiring from VPPSA at the end of 2024 it means the end of her work with the Village of Barton. The Trustees will be advertising the new position and hoping to have someone in place for Crystal to train in time prior to her retirement.

OTHER ITEMS:

M. **Other Business** – The Board of Trustees would like to take a tour of all the Village facilities including the hydro plant on Thursday, June 20th, 2024 at 8am. A special meeting will be warned and all are invited to attend the Village Facilities Tour.

EXECUTIVE SESSION ITEMS:

- N. **Executive Session - Legal Action: 1 V.S.A. § 313 (a)(1)(E)** – Gina Lyon made a motion to enter Executive Session at 8:17pm. Marilyn Prue seconded. Motion carried.
- O. **Executive Session - Personnel: 1 V.S.A. § 313 (a)(3)** – None.

The Board came out of Executive Session at 9:21pm. No action was taken pursuant to Legal Action: 1 V.S.A. § 313 (a)(1)(E). Though off topic, they revisited Discussion Item J – Abatement Request for Sewer Charges and set a hearing date for July 8, 2024.

P. **Adjourn** – Gina Lyon made a motion to adjourn at 9.22pm and Ellis Merchant seconded. Motion carried.

Upcoming Meetings:

Regular Board Meeting: June 24, 2024

Regular Board Meeting: July 8, 2024