

Barton Village, Inc.
Regular Trustees Meeting
Monday, September 23, 2024
5:00 PM
Barton Village Memorial Hall

Attendance: Gina Lyon (Chair), Marilyn Prue (Trustee), Ellis Merchant (Trustee), Crystal Currier (VPPSA), Vera LaPorte (Business Manager), Nate Therrien (Wastewater Plant Manager), Jacqueline Laurion (Clerk)

Agenda

Please note: Due to scheduling constraints, the Board of Trustees is expected to immediately enter Executive Session for the purpose of discussing Legal Action - 1 V.S.A. § 313 (a)(1)(E) at 5:00pm. The rest of the agenda items will begin at 6:00pm.

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

Audio recording of the meeting can be found for 30 days following the official approval of these minutes at the next Regular Board of Trustees Meeting on October 14, 2024 at <https://bartonvt.com/agenda-minutes/>

- A. **Call to Order:** Gina Lyon called the meeting to order at 5:04pm and made a motion to enter Executive Session for the purpose of discussing Legal Action - 1 V.S.A. § 313 (a)(1)(E). Ellis Merchant seconded. All approved and the motion carried. The open session started at 6:23pm.
- B. **Changes to the Agenda/Additions or Deletions:** None.
- C. **Privilege of the Floor:** None.

ACTION ITEMS:

- D. **Minutes from the Regular Board of Trustees Meeting September 9, 2024:** Marilyn Prue made a motion to approve the Minutes from the Regular Board of Trustees Meeting September 9, 2024 as presented. Gina Lyon seconded. Motion carried.
- E. **Minutes from the Special Informational Hearing September 9, 2024:** Gina Lyon made a motion to approve the Minutes from the Special Informational Hearing September 9, 2024 as presented. Ellis Merchant seconded. Motion carried.
- F. **Bills and Warrants:** Gina Lyon made a motion to approve the Bills and Warrants by the end of the meeting. Ellis Merchant seconded. Motion carried.

G. Financial Reports for the period ending August 31, 2024:

Highlights:

Village:

Cash - \$440,349.35; Net Village - \$241,090

Due (to)from other Funds: **(\$199,260)**

Net Profit (Loss) to date: **\$39,467**

- Revenues – Minimal to date
- \$1,614 interest income from WW loan
- Pageant Park exceeding budget – need to review for '25 deposits
- Grant Funds pertain to VT Community Foundation [Flood Recovery Resiliency Celebration] and ERAF [\$20K received]
- Annual Rents received from departments.

Expenses – \$11,351 or 11.2% overbudget overall (excluding depreciation)

- VPPSA Management fees overbudget [delay in new hire]
- Insurances – paid through Q3
- Boiler/Machinery Ins- includes missed payment from CY 2023
- Outside Services – repairs to BMB hall bathrooms/septic
- Village FICA/Medicare/Retirement Expense – needs reallocation to other depts.

Highway:

Cash on Hand: **(\$108,796)**

Liabilities: Added Ally Municipal Lease \$14,549 – **Paid in full in June**

Net Profit (loss) to date: **(\$236,936)**

- Revenues: Minimal to date, State Street Aid received
- Expenses: 3.0% overbudget overall (excluding depreciation)
 - Tools/Equipment
 - Garage Fuel/WS budgeted under “village”
 - Insurances paid through Q3
 - Additional of endorsement for new truck
 - 2nd Installment for Winter Maintenance to Barton Paid
 - Winter Labor – overbudget
 - Backhoe
 - Roadside Trimming
 - Bridges/Culverts/Storm Drains

Electric:

Cash on Hand: \$204,139

Customer advances on hand due to NEK/Comcast Make-Ready work [\$226k]

LTD to total Assets Ratio: 43.1%

Net Profit: \$558,384 (unadjusted)

Estimate Net Profit (Loss) as Adjusted: \$272,782

- Revenues:
 - Sales: Slightly underbudget
 - Customer Jobs: overbudget, includes Comcast/NEK

- Misc Revenues includes sale of scrap metal; VERT reimbursement
- Expenses: 10.4% underbudget overall (unadjusted and excluding depreciation); 10.7% overbudget overall (adjusted and excluding depreciation)
 - Gross Revenue Tax – annual exp paid
 - VPPSA Expenses for July/Aug pending – Power settlement for Jul/Aug, Operations & Mgmt. Fees for August
 - Labor for outages – overbudget
 - Insurances – paid through Q3

Water:

Cash on Hand: \$32,493

LTD to total Assets Ratio: 22.3%

Net Profit (loss) to date: (\$22,926)

- Revenues: Water sales slightly underbudget [rate increase not implemented until May/Jun]
- Expenses overall – \$12,873 or 7.8% overbudget (excluding depreciation)
 - Labor – overbudget by approx. 69% or \$26K
 - Storm Related
 - Meter Reading
 - Office Supplies
 - Computer Expenses
 - Outside Services – Repairs at facility
 - Insurances paid through Q3

Wastewater:

Cash on Hand \$71,423

LTD to total Assets Ratio: 17.9%

Net Profit (loss) to date: \$7,197

- Revenues: Wastewater sales underbudget [rate increase not implemented until Apr]
 - Segregated Glover revenue from general user fees for clarity
- Expenses overall 12.4% or \$41K underbudget (excluding depreciation)
 - Overbudget items:
 - Training costs
 - Interest Expense (includes \$1,600 for interest to Village)
 - Lift Station Equipment
 - Computer expense – new PC
 - Insurances paid through Q3
 - Meter Reading
 - Office Supplies

Marilyn Prue made a motion to accept the unaudited financial reports for the period ending 8/31/2024 as presented. Ellis Merchant seconded. Motion carried.

H. **Dubois & King Engineering Proposal:** This is specific to the HYDROELECTRIC PROJECT. With the approval of the Bond the Village can move forward with the project. At one of the informational meetings the question was asked if Vermont Emergency Management could assist

with getting a generator for the Hydro Plant. Outreach will be made to them and research for another grant through VEM. There may be a limit on how many grants the Village would be awarded since the Village received 2 grants for the Salt/Sand shed project.

Gina Lyon made a motion to approve the Engineering Proposal from Dubois & King as presented. Ellis Merchant seconded the motion. Motion carried.

- I. **Large Commercial Non-Profit Intermittent Service Rider:** As the Board is aware, Steve Farman at Vermont Public Power Supply Authority has been working on a tariff rider for Large Commercial Nonprofit Intermittent Service, at the Board's request. Steve Farman has completed the supporting documentation and testimony and the rider is ready for submission to the Public Utility Commission (PUC).

A reminder of the highlights:

- Considered an 18-month pilot program and will be reviewed at the end of the term for efficacy;
- Customer's monthly peak load does not exceed 15% of their total annual peak load for at least (6) months of the year;
- Removes demand ratchet in exchange for higher demand charge per kWh (\$13.81 to \$18.00);
- Eligible customers must commit to participating in efficiency measures/programs and meet annually with Barton Village to review business prospects;
- Will go into effect November 4, 2024.

At the end of the pilot term there will be a separate process to file as a permanent rate schedule with the Public Utility Commission (PUC).

Gina Lyon made a motion to authorize the submission of the Large Commercial Non-Profit Intermittent Service Rider to the Public Utility Commission as presented. Ellis Merchant seconded. Motion Carried.

- J. **Lien Discharge:** On May 13, 2024, a lien was placed on 31 Congress Court in Barton for unpaid electric/water/sewer services totaling \$1,720.24. The balance has been paid down and the accounts are now in good standing. The owner has requested a lien discharge.

Gina Lyon made a motion to approve filing a lien discharge for 31 Congress Court in Barton as presented. Ellis Merchant seconded the motion. Motion carried.

DISCUSSION ITEMS:

- K. **New Wastewater Ordinance:** As the Board is aware, one of the State's compliance directives from the March 4, 2023 inspection report is the revision of the Village's wastewater ordinance. The ordinance was revised and presented to the Board in December 2023 but tabled for further discussion. Key differences between the existing ordinance and draft revision:

PART 1: Sewer Use Ordinance for Barton Village

- Addition of new Article regarding Ownership and many definitions;
- Articles IV and V are essentially unchanged since they specifically reference the Village's local application and connection requirements;
- Article VI has been completely replaced with updated language, requirements, and conditions including high-strength wastes, pollution prevention, and strengthened fats, oils, and greases (FOG) requirements;
- Article VII has been completely replaced with updated language;
- Article VIII has been updated though a significant amount of original Ordinance language remains (other language has been added to reflect currently used language and conditions);
- Article IX contains the same requirements as Article VI in the current Ordinance and simply moved to a new location;
- Article X has been restructured but still contains the language from the current Ordinance since it references the Village's local requirements and procedures.

The use of italics in the draft Sewer Use Ordinance is to denote significant changes and/or new and updated language.

PART 2: Wastewater Surcharge Procedure for High Strength Waters and Wastes from Industrial and Commercial Discharges

- Will provide the Village with a defined mechanism to recoup costs from high strength dischargers that cause additional operational costs at the WWTF that are above the costs of treating normal domestic sewage, such as dairies, breweries, cideries, distilleries, wineries, and specialty foods producers;
- Some "example values" in the Procedure will need to be discussed by the Village before finalization, specifically the amount of Biochemical Oxygen Demand (BOD) that will trigger the Procedure and types of pollutants/cost breakdowns applied to the discharge for reimbursement (these items are highlighted in red).

Wastewater Operator Nate Therrien will also provide his input and expertise. Adding Glover to this updated ordinance will also be on the horizon.

One topic largely discussed is additional hook ups not being utilized due to vacant lot, abandoned homes. This will be discussed in a future meeting.

- L. **Pageant Park:** The 2024 Pageant Park season successfully wrapped up Labor Day weekend. Despite early growing pains, the Village has received several compliments about this year's caretakers, Don and Leona Farnsworth.

Business Manager Vera LaPorte is currently working on the contract for the 2025 seasonal campers and will review the finances with Crystal Currier to determine if there needs to be a rate increase.

A seasonal camper caused a few problems. While on personal time at the park, one of the Trustees had a conversation with this person. It was clear in the way they talked to the Trustee that they still had a difference of opinion on a few matters. One concerning their apartment building's electrical issues from several years ago and second their concern over the \$200.00 increase in site fees for the 2024 camping season that they felt was unjustly placed on the Seasonal Campers after the deposits were paid. They have stated publicly a few times that the Village of Barton Trustees are a "bunch of thugs" and does business "mafia style." A few attempts at resolving issues with this person's electric issues have been made and considered wrapped up and in good standing by the Village. At the end of the 2024 camping season, this person was telling other seasonals that the Village was going to apply \$200.00 to each seasonal's account for the following 2025 camping year. They had no authorization to have stated as such. This person was advised to call the Village Business Manager, Vera LaPorte to discuss their concerns on any matter. The Trustees will send this person a letter on overall conduct for future camping seasons and interaction.

M. Flood Update:

Important information on how to apply for FEMA assistance for July 2024's flood events (DR-4810):

- Go online to DisasterAssistance.gov
- Call the FEMA Helpline at **800-621-3362**
- Download [FEMA's Mobile App](#)
- Visit a Disaster Recovery Center. For location and hours, visit fema.gov/drc
- The application deadline is October 21, 2024

Important information on how to apply for Physical Disaster Loans through the SBA for July 2024's flood events (DR-4810):

- Schedule an in-person appointment at the [SBA Disaster Recovery Center](#) in advance
- Go online to sba.gov/disaster
- Call the SBA's Customer Service Center at 800-659-2955 or email disastercustomerservice@sba.gov
- The application deadline is October 21, 2024

N. Department Operations Updates

Electric Department

- After-hours on-call answering service – Demo scheduled with New England Call Center on 09/24/2024. Lyndonville Electric is very satisfied with their service;
- Tariff rider is pending Board approval/PUC submission;
- Hydro plant bond vote 09/20/2024 – 55 votes for YES & 9 votes for NO. The Hydro bond vote passed;
- Meeting with Lyndonville Electric and Orleans Village went well. Several issues that affect all three utilities were discussed, such as communication coverage (radios), linemen (finding and keeping them), mutual aid, and AMI;
- Scheduled outage for both Barton electric customers and Orleans Electric customers overnight from October 1, 2024, to October 2, 2024. Ads will be placed in the Chronicle,

the Newport Daily Express, the Caledonia Record, and sent to all affected municipalities. Rain date is October 2, 2024, to October 3, 2024.

Wastewater Department

- All data requested submitted to John Merrifield for the Collection System Capacity Survey;
- The wastewater treatment facility continues to operate well and all reporting deadlines are being met.

Water Department

- The Vermont Bond Bank/ARPA Funds tier 1 applications for flood damage are currently being accepted. Tier 2 applications for age related defects will be accepted sometime in the fall;
- The water treatment facility continues to operate well and all reporting deadlines are being met.

Highway Department

- Paving continues between flood recovery projects;
- Salt/sand shed – Barton Village has been awarded an additional \$138,900 in grant funding from the USDA Community Facility REAP Grant, bringing the total to \$231,900. An additional \$77,300 needs to be funded to complete the project;
- The Village has received \$97,542.54 in FEMA reimbursement for road repairs stemming from the July 2023 flood;
- See Flood update for additional information.

Village Department

- School crossing signs – All the prep work has been done to install the signs but they are more expensive than originally anticipated (over \$5,000). Currently getting more quotes from suppliers;
- The Village received \$20,000 of the promised \$80,000 flood recovery funds from the FY24 Budget Adjustment Act. No news on when the rest can be expected;
- The BOT inspected Washington Terrace (TH422) on 08/21/2024 as part of the process of discontinuing the road. Vera LaPorte working on easement with Kevin Henry at Primmer & Piper and the final report;
- The VT-ALERT system has been used effectively several times to communicate with Village residents about hydro facility information;
- Vera LaPorte was confirmed by the Judicial Bureau as the Custodial and Enforcement official for the purpose of writing tickets and enforcing ordinances. Ticket book and envelopes are on their way;
- See Flood update for additional information.

OTHER ITEMS:

- O. **Other Business:** Katherine Sims sent out an email where Gina Lyon was looped in. Katherine Sims would like to bring key players of the State to a meeting on 10/18/2024 9:00am with the Trustees to discuss potential funding opportunities the Village has access to and the right folks from the state that can assist.

Water Street has a stick with green caution tape sticking up on the side of the road. Andy Sicard will be alerted to investigate.

Capital of the Day: On 9/25/2024 the Governor of VT (Phil Scott) will be at the Orleans Country Club to meet with municipalities. The Trustees plan on attending.

The 150-year incorporation of Barton Village anniversary is coming up in November. The trustees would like to host an event in the Memorial Building Hall to celebrate. More to come on this.

EXECUTIVE SESSION ITEMS:

- P. **Legal Action - 1 V.S.A. § 313 (a)(1)(E)** - Due to scheduling constraints, the Board of Trustees entered Executive Session at 5pm for the purpose of discussing Legal Action - 1 V.S.A. § 313 (a)(1)(E). They came out of executive session at 6:23pm with no action taken and entered the Open Session meeting for the public. At the end of the open session meeting for the public, Gina Lyon made a motion to go back into Executive Session at 8:13pm still under Legal Action - 1 V.S.A. § 313 (a)(1)(E). The board came out of executive session at 8:59pm with no action taken.
- Q. **Executive Session - Personnel: 1 V.S.A. § 313 (a)(3):** None.
- R. **Adjourn:** Gina Lyon made a motion to adjourn at 8:59pm. Ellis Merchant seconded. The motion carried.

Upcoming Meetings:

Regular Board Meeting: 10/14/2024

Regular Board Meeting: 10/28/2024