



VILLAGE OF HYDE PARK

Board of Trustees

Minutes of July 13, 2022

Executive Session of the Board of Trustees

The duly warned executive session of the Board of Trustees was held on Wednesday, July 13, 2022 in the Lanphear Memorial Library from 6:00 p.m. to 7:00 p.m. for the purpose of discussion of confidential attorney-client communications made for the purpose of providing professional legal services to the body.

Trustees: Chair Riki French; Peter Gallo, Dan Young, Adam Lory and Sue Trainor
Staff: Carol Robertson, General Manager and Karen Wescom, Clerk/Treasurer
Attorney: William F. Grigas, Esq.

Regular Board of Trustees Meeting

The duly warned regular meeting of the Board of Trustees was held Wednesday, July 13, 2022 in the Lanphear Memorial Library.

Trustees: Chair Riki French; Peter Gallo, Dan Young, Adam Lory and Sue Trainor
Staff: Carol Robertson, General Manager and Karen Wescom, Clerk/Treasurer

Chair Riki French called the regular meeting to order at 7:10 p.m. There were no public comments. There were no additions to the agenda. The detailed list of past due accounts by customer was reviewed. Warrants were reviewed and signed.

Motion by Peter Gallo and second by Adam Lory to approve the Minutes of June 8, 2022. The motion carried. Warrants were reviewed and signed.

Motion by Adam Lory and second by Peter Gallo to allocate 245 gpd for wastewater and 360 gpd for water to serve the new home construction site plan for 160 Morey Road. The motion carried unanimously.

Motion by Adam Lory and second by Dan Young to allocate 245 gpd for wastewater service to 140 Eden Street. The motion carried unanimously.

There was a review and discussion of the Water and Wastewater Proposal by Simon Operation Services, Inc. to provide certified operator services to meet the requirements set by the State of

Vermont for the guidelines applicable to the system and perform the tasks required by a certified operator under state rules and regulations was reviewed and discussed. It was noted that Simon currently provides these services for the wastewater system and this agreement adds the water system to the agreement.

Motion by Adam Lory and second by Dan Young to approve the agreement with Simon Operation Services, Inc. and authorize the GM to sign the agreement. The motion carried unanimously.

Following legal review and recommendation, motion by Adam Lory and second by Dan Young and unanimously carried to approve the following actions and statement:

We have determined that in order to make drinking water bond payments it is necessary to recover legal costs associated with the Lamoille County lawsuit starting with September bills and continuing each month until full cost recovery.

Legal costs will be allocated on a fixed charge basis in alignment with the percentage allocation established across the rate base. The "County Lawsuit Defense" charges will be adjusted in the event that sufficient revenues are not being recovered.

If the court orders the County to pay a portion of our legal fees, each customer will receive a refund of their fair share once it is determined that water bond payments can be paid on time. If the court orders the County to pay all legal fees, each customer will receive a refund of their "County Lawsuit Defense" payments. In the event that at the conclusion of the lawsuit, there has been an incidental over billing, customer overcharges will result in a bill credit to each customer.

The "County Lawsuit Defense" fixed monthly charge by rate class:

\$687.50 GP Governmental/Public fixed monthly charge.

\$62.50 GP2

\$62.50 Commercial

\$62.50 C2

\$13.00 Residential

\$19.00 R2

\$13.00 Industrial

Motion by Adam Lory and second by Peter Gallo to approve the plan for soonest notification of the "County Lawsuit Defense" fixed charge contingent on constraints of staff time and Meridian Cooperative's ability to meet deadlines. Publish the motion and summary page on the Village website, together with a link to the Cost-Causation Principle document reviewed by legal counsel. Include the summary page in the July tax bill mailing; send the motion in an insert within the August utility bills; publish a September message on utility bills. The summary, bill insert and bill message will include a link to the website to learn more about the fixed charges. The motion carried unanimously.

The GM gave a brief update on utility operations, power supply and a regulatory update.

The GM presented the need to enter executive session for the purpose of negotiating or securing of real estate purchase or lease options. Motion by Adam Lory and second by Dan Young to enter executive session at 8:15 p.m. The motion carried.

Motion by Dan Young and second by Peter Gallo to end executive session at 8:30 p.m. The motion carried. No action was taken.

There being no further business, motion by Dan Young and second by Peter Gallo to adjourn at 8:40 p.m. The motion carried.

Riki French, Chair

Date