



VILLAGE OF HYDE PARK
Board of Trustees
Minutes of September 14, 2022

Executive Session

The duly warned executive session of the Board of Trustees was held Wednesday, September 14, 2022 in the Lanphear Memorial Library.

Trustees: Chair Riki French; Peter Gallo, Dan Young, Adam Lory and Sue Trainor
Attorney: Michael J. Hall, Esq.
Staff: Carol Robertson, General Manager

The Chair called the executive session to order at 6:13 p.m. Attorney Michael Hall led the executive session after determination that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage; for the purpose of discussion of confidential attorney-client communications made for the purpose of providing professional legal services to the body. The executive session adjourned at 7:15 p.m. No action was taken.

Regular Meeting

The duly warned regular meeting of the Board of Trustees was held Wednesday, September 14, 2022 in the Lanphear Memorial Library.

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

Chair Riki French called the regular meeting to order at 7:15 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.

Motion by Peter Gallo and second by Adam Lory to approve the Minutes of August 10, 2022. Sue Trainer did not attend the meeting and abstained. The motion carried. Warrants were reviewed and signed.

There was a discussion regarding the Affordable Community Renewable Energy (ACRE) Program. HPE did not apply because we cannot add new generation to the distribution system, which is a requirement to qualify for funding. The GM asked the Board of Trustees to consider contributing Hyde Park Electric's \$36,915 to the VPPSA project in exchange for the right, not the obligation, to purchase RECs generated from the project at the same price as a VPPSA member and according to HPE's percentage of grant contributions; provided that HPE has no ownership, obligations or participation. This cooperative agreement with VPPSA could benefit both parties without risk. The Public Service Department reviewed this option and suggested that we propose it to VPPSA, which was done. The PSD expressed the need for soonest decision. Following discussion, motion by Adam Lory and second by Dan Young

to authorize the GM to approve this agreement provided that the PSD and VPPSA approve. The motion carried unanimously.

The GM gave the Hyde Park Water Department report and links to more information. There were no safety incidents.

Fire Flow Protection – Savings: Informative accessible at www.villageofhydepark.com. To lower insurance premiums and reduce expense to Town taxpayers, in April, 2022 water department staff assisted the Insurance Services Office (ISO) in performing tests on 5 hydrants, 4 connected to the water mains within the water bond defined pressure zone and 1 located at the Fire Station on Centerville Road, as well as the fill pipe for tankers.

Water Main Flushing – to Maintain Fire Flow Protection: A detailed Fact Sheet is accessible under the News & Information section at www.villageofhydepark.com. Water Department staff will begin an annual schedule September 27-29. We plan to flush the dead-end line hydrants in the fall and all Village hydrants in the spring.

Lamoille County Lawsuit Defense Charge: Detailed information is accessible under the section “Send a Message to Your Board of Trustees” titled “*County Lawsuit Defense, Summary of Board Action and Cost-Causation Principles*” at www.villageofhydepark.com. The charge began with September billings. Customers are asking for more information than is provided by these documents. As directed by our attorney, we continue to provide this information without discussion. Following resolution of the lawsuit, we will provide a report on the financial impact to the Town of Hyde Park.

Protection of Assets: We begin a comprehensive study to assure compliance with Vermont statutes, laws, standards, and regulations for the benefit of water customers. In the future, this discussion will be listed on the agenda as Protection of Assets.

Following discussion, the GM gave the Hyde Park Wastewater Department report and links to more information. There were no safety incidents.

Protection of Assets: We begin a comprehensive study to assure compliance with Vermont statutes, laws, standards, and regulations for the benefit of water customers. In the future, this discussion will be listed on the agenda as Protection of Assets.

Following discussion, the GM gave the Hyde Park Electric Department report and links to more information. There were no safety incidents.

Net-Metering: The GM reviewed “*Vermont Utilities Comments*” to the Public Service Department which is available at www.villageofhydepark.com. She provided Vermont’s 2022 Comprehensive Energy Plan, section 4.5.4 discusses net-metering interconnection; begins with “Cost Allocation is a fundamental regulatory principle that, in the current practice (cost-causer pays)...” Vermont Utilities Comments joined together to express their unified concerns regarding net-metering impacting lower income customers. To quote the document “*One area of great complexity is net-metering, with Vermont’s structure perhaps being amongst the*

most complicated and costly in the nation from a customer perspective.” Intermittent generation added to the distribution grid will lead to addition capital investment funded by HPE ratepayers without effective cost-causation principles applied. In 2021, HPE customers paid roughly \$57,000 in above market rates to fund net-metering credits. A discussion followed.

There was a review and discussion of the Public Utility Commission’s IRP, 2022 Guidance for Cost of Service, PUC Section 5.611 Customer Line Extension Rule, and the 2022 Integrated Resources Plan Schedule.

Protection of Assets: We begin a comprehensive study to assure compliance with Vermont statutes, laws, standards, and regulations for the benefit of water customers. In the future, this discussion will be listed on the agenda as Protection of Assets.

In consideration of all utilities and assets, these statutes were reviewed and discussed.

13 V.S.A. § 3782

13 V.S.A. § 301

13 V.S.A. § 3705

13 V.S.A. § 3729

13 V.S.A. § 3784

13 V.S.A. § 3785

After making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage; for the purpose of discussion of contracts; the negotiating or securing of real estate purchase or lease options; pending or probable civil litigation or a prosecution, to which the public body is or may be a party, motion by Adam Lory and second by Dan Young to enter executive session at 8:45 p.m. The motion carried unanimously.

Motion by Peter Gallo and second by Adam Lory to end executive session at 9:00 p.m. The motion carried. No action was taken.

There being no further business, motion by Sue Trainor and second by Riki French to adjourn at 9:05. The motion carried.

Riki French, Chair

Date