VILLAGE OF ENOSBURG FALLS
Meeting of the Board of Trustees
August 28, 2018

Present: Trustees - Walter Scott, Guy Breault, Ellen St. Marie, Samuel Vaillancourt, Leonard Charron
Staff – Jonathan Elwell, Matthew Miner, Gary Denton, Dave Westcom
Guests – John Lavigne, Paul Becht, Tom Benton, Sarah Downs, Ivonne Kio, Suzanne Hull-Parent, Sandy Ferland

Meeting called to order by Walter Scott at 6:31 p.m.

1. Modifications/Changes to Agenda
   There were no modifications or changes to the agenda.

2. Public Comment
   There was no public comment.

3. Review/Approve Minutes August 14, 2018
   Sam Vaillancourt made the motion to approve the minutes of the August 14, 2018 Meeting of the Board of Trustees as written. Seconded by Leonard Charron. Unanimously approved.

4. Hydro Renovation Project Status Report – Paul Becht, HL Turner Group
   Paul Becht from HL Turner Group, the engineers for the Hydro Renovation Project gave a project status report hitting on several key points:
   A site visit was conducted today to obtain updated information.
   Mr. Becht reviewed that phase II of this project was started approximately a year ago and $2 million dollars was approved by voters to bond this project. The turbine and generator were the main objectives of the renovation. Badly worn turbine blades where replaced and upgraded from four (4) blades to five (5) blades, which increases the turbine's production capacity from 600kW to 730kW. New wicket gates were also fabricated and installed. A new hydraulic unit was installed. Final test stages are underway. Additionally a new Programmable Logic Control (PLC) system has been installed that allows for automated control.
   The original contracted date of substantial completion was August 31, 2018. Kingsbury Companies LLC, the primary contractor on the project has submitted a request in writing to extend this date to September 21, 2018, however during today's site visit amended that request to September 18, 2018. Kingsbury cited the delay has resulted from late arrival of a DC Battery Charger. Substantial completion will mean that the plant will be able to generate power, but will not mean that all work has been completed. The estimated date to finish remaining scope of work, including new roof installation, would be September 25, 2018.
   Dry testing began today and wet testing should begin September 10, 2018. Mr. Becht reviewed the contract cost and change orders and reported that currently the project is projected to come in approximately $5,000 under budget. Mr. Becht pointed out that the village has the right per contract to impose $500 per day liquidated damages for any delay in substantial completion beyond August 31, 2018. It is HL Turner's and staff's recommendation that the Board not

impose these liquidated damages if granting the extension for substantial completion to September 18, 2018. However, Mr. Elwell did suggest that the Board consider imposing liquidated damages if the delay of substantial completion goes beyond September 18 or if the delay of final completion goes beyond September 25, 2018.
Mr. Becht reminded the Board that the original scope of the project recommendations was estimated to cost nearly $4 million dollars from actual bids received in 2016, and was adjusted to focus only on the most important requirements to keep the project within the available $2 million dollar funding.

John Lavigne continued the presentation to review the project objectives which included improving the plant condition so that its life expectancy would more closely match the thirty (30) year duration of the planned upcoming renewal of the current FERC license which will expire in 2023. The other major objective was to restore the plant capacity to five (5) million kWh annually. Mr. Lavigne believes the project goals have been met. He further discussed possible future improvements the Village may consider for the Hydro plant, including repairing water leaks in the head gate and power house intake which will improve head capacity of the plant. Dredging the tail race was also discussed although at this time Mr. Lavigne believes the cost of these improvements would not have as good a return on investment as the repairs to the intake systems.

Guy Breault made the motion to approve the contract extension to September 18, 2018 for substantial completion and final completion by September 25, 2018 without imposing liquidated damages. If either date is not met, liquidated damages will be applied. Seconded by Leonard Charron. Unanimously approved.

5. Town of Enosburgh Conservation Commission, Wild & Scenic River Kiosk Request
Sarah Downs spoke to the Board regarding the goal to install an information kiosk to display information for residents and visitors including human interest, information about the river and about the history of the area. The proposal is to build a three sided sign/kiosk near the intersection of Route 108 and Duffy Hill Rd, near the newly renovated Diesel #1 plant, commonly referred to as Eco Park. The construction and installation of the kiosk would be funded by a Wild and Scenic grant. Ms. Downs indicated that the Conservation Commission would be responsible for maintaining the kiosk and its information content. All that was being requested of the Board was permission to construct the kiosk on Village property.

Sam Vaillancourt made the motion to approve the installation of the kiosk at the Diesel #1 Building Property. Seconded by Guy Breault. Unanimously approved.

6. Town of Enosburgh Recreation Department, Town Athletic Fields Report

Ivonne Kio reported to the Board that the Town Recreation Department is working to apply for a municipal land grant from the VT Agency of Housing and Community Development to make improvements to the recreation field.

7. Lincoln Park Permits Request, Champlain Chevrolet

The Board reviewed a permit application submitted by Champlain Chevrolet to hold an event in Lincoln Park on October 6, 2018 from 10am to 5pm, which would include a BBQ, bingo, live music and a raffle with giveaways. The event is in honor of Val Bonk and proceeds would be donated to the Enosburg Opera House.

Ellen St. Marie made the motion to approve the permit request. Seconded by Guy Breault. Unanimously approved.

8. Lincoln Park Alcohol Permit Request, EBA Harvest Fest

The Board reviewed a permit application submitted by the Enosburg Business Association (EBA) to allow alcohol sampling during the September 15, 2018 Harvest Festival. Mr. Elwell brought to the Board's attention that the permit form was submitted one (1) day late according to Village Ordinance requirements and additional information which should have accompanied the permit form was submitted five (5) days late. The Board did not feel the late submission had caused any undue hardship and was willing to overlook.

Leonard Charron made the motion to approve the permit request. Seconded by Sam Vaillancourt. Unanimously approved.

9. Lincoln Park Permit Request, Jehovah Witnesses

The Board reviewed a permit application submitted by the Jehovah's Witnesses to allow the use of a literature cart in Lincoln Park, the purpose of which would be to distribute literature about the Jehovah's Witnesses organization. Although the permit requests permission to place the cart weekly on Saturdays from 9:30a to 12:00pm, a letter accompanying the application also indicated that Sunday or another week day would be acceptable, but did not specify a duration for the activity. Mr. Elwell shared with the Board an email from the Village attorney that recommended the Board not approve the application on grounds relating to the Establishment Clause of the First Amendment, disallowing religious symbols on government property because they can be seen as the promotion of a religion, also citing the Supreme Court ruling Lemon vs Kurtzman and other rulings. Suzanne Hull-Parent cautioned the Board in their decision on this subject as it could hinder a resident's right to express their religion in the park.

Guy Breault made the motion to not approve the permit request per the Village attorney's recommendation. Seconded by Leonard Charron. Unanimously approved.

10. FERC Hydro Relicensing Meeting

Mr. Elwell reported to the Board that the next step in FERC relicensing, which began in April 2018, is to schedule a public meeting with the State of VT, Federal Officials, and the general public to discuss the process and any issues that may be relevant to its success. Suggested dates for this meeting where November 6, 7, 8 or 19, 2018. Mr. Elwell asked the Board if it has a preference for one of these dates. The meeting would involve two stages, first a tour of the Village's Hydro Facilities, second would be a discussion in the Board Meeting Room starting around 4pm. A preference of November 6 was the consensus of the Board. Mr. Elwell will work to see if the meeting can be scheduled on this date, but the final date and time of the meeting may change base upon availability of all participants.

11. Manager's Report

Mr. Elwell reported to the Board on two items:

The EBA has decided not to hold a block party on October 13 but is still planning a different community event to tie in with the Vital Village event scheduled on that date. More details will be forth coming as they become available, with an update scheduled for the September 11 Trustee's meeting.

The Public Utility Commission (PUC) recently hosted a meeting with members of the VT Public Power Supply Authority on August 17, 2018 to solicit feedback about challenges and issues affecting the utilities. The discussion covered two main topic areas, Solar Net Metering and FERC Relicensing. Mr. Elwell reported that the meeting was positive and it was appreciated that the PUC had provided this opportunity to be heard. Mr. Elwell also shared a letter received from the PUC after the meeting thanking him for attending this meeting and indicating that similar meetings would be held in the future.

12. Other Business

The Board reviewed a request from the Enosburg Fire Department asking permission to hold a coin drop on September 15, 2018 during Harvest Festival from 9am to 12pm at the intersection of Main St and Orchard St with four (4) volunteers present.

Ellen St. Marie made the motion to approve the request. Seconded Leonard Charron. Unanimously approved.

13. Executive Session – Personnel

Samuel Vaillancourt made the motion to enter Executive Session for the purpose of discussing personnel issues at 8:02pm. Seconded by Ellen St. Marie. Unanimously approved.

Matt Miner left the meeting at 8:03pm.

Respectfully Submitted,

Matthew Miner, Director of Finance

Mr. Elwell left the meeting at 8:20pm

Leonard Charron made a motion to come out of Executive Session. Seconded by Sam Vaillancourt. Unanimously approved. The Board re-entered their Regular Meeting at 9:30pm.

As a result of Executive Session, Sam Vaillancourt made a motion that Jonathan Elwell receives a 4% increase in salary effective September 1, 2018. Seconded by Leonard Charron. Unanimously approved.

14. Adjourn

There being no other business to come before the Board at this time, Leonard Charron made a motion to adjourn. Seconded by Ellen St. Marie. Unanimously approved.
The meeting adjourned at 9:30pm.

Respectfully Submitted,

Walter Scott, Board Chairman

These minutes were approved by the Board of Trustees at their Regular Board Meeting September 11, 2018.