

**Town of Londonderry, Vermont
Village Wastewater Committee
Special Meeting Minutes
Tuesday, August 20, 2024 – 6:00 PM**

**Neighborhood Connections, 5700 VT Rte. 100
Londonderry, VT**

Village Wastewater Committee (VWC) Members Present: Sharon Crossman, Tom Metcalfe, Gary Hedman (online), Larry Gubb.

Others in Attendance:

Matt Bachler (Windham Regional Commission – Senior Planner), Pamela J. Spaulding (Planning Commission, Resident).

Online:

Chrissy Haskins (Dufresne Group – Project Engineers), Emily Hackett (EI - Environmental Engineer – VT DEC), Achouak Arfaoui – (Indirect Discharge Technical Analyst and Regional Engineer – VT DEC – ARPA Program)

1. Call Meeting to Order

The meeting was called to order at 6:11 PM.

2. Additions or Deletions to the Agenda

No additions or deletions

3. Approve Minutes

Sharon made a motion to approve the minutes of the July 16, 2024 meeting of the VWC, Tom Metcalfe seconded. Motion passed unanimously.

4. VWC – Project Status Updates.

a. Review of schedule for Design and Submissions.

Tom reintroduced

b. Status of Design Elements of Concern

- i. Leach Field Designs N & S and easement survey/description
- ii. Service Connections Plot Plans

c. Status of Appraisals

d. Status of supplemental borings for mainline design

e. Review and discussion of Concept WW Ordinance

Tom began with the schedule Matt had put together for the schedule. Tom said he was pleased to see “completed” on portions of the schedule. He then asked about an update for the north village site and where things stood as far as doing things like clearing, surveying, test pits, archeological review. Chrissy responded the test pits have been done and the archeology for the test pits has been done, the 30% design has been done to locate the field. She said she had a meeting this week to nail down the tankage and all of the infrastructure, other than for the field. This will allow delineation of the clearing of the site and the easements. She repeated from prior meetings that no clearing can occur until winter or beginning on November 1st in her recollection. She added that because of the restricted time frames Dufresne Group (DG) was suggesting that the clearing be done this 2024-2025 winter season, citing that the work has to be done between November and April.

Tom asked if Chrissy expected to find anything that would affect the design. Chrissy responded that they are using Lidar currently for design but will be able to have a clearer picture of the topography once the site is cleared. Tom asked removal of stumps. Chrissy said that because the system would be a mound system, the stumps would not be removed but would be cut flush with the ground and left in place.

Looking at the schedule Tom asked about surveys of connection easements prior to the 60% design submittal, planned for early September. He also asked about the number of people that needed to be contacted and if the number had been reduced. Chrissy responded that it had and added that she had written up a summary of all contact activity since the last meeting. Tom said the VWC would like to hear the summary she had put together.

Chrissy began by saying that in general, covering bot, 30% design was submitted to the committee and the Water Investment Division on August 10th and she has not yet heard back from Emily hoping to have comment from her by August 19th, but had not heard anything yet. She said there was a wetlands site visit tentatively scheduled for August 27th, with the State for them to concur with the wetlands delineation DG has done. She said an application was submitted on August 10th to the Vermont Agency of Transportation (VTrans) regarding a permit to do the borings for the piping along the State R.O.W. (Right-of-Way).

The schedule to do the borings depends upon the permit issuance and Chrissy said VTrans has been in contact with her so she knows they are working on review of the application. She said as long as all is in order, a permit should be issued relatively quickly and as soon as the permit is issued, Chrissy said she has a boring company that does work only for her projects so they are standing by and ready when they are needed. Tom asked if the boring is for samples. Chrissy answered that the borings are looking for ledge and water table. Matt added that the Londonderry Selectboard had given the go ahead to do borings on the Town roads. Chrissy confirmed. She had asked Shane if a road permit was

also needed and Shane had responded that because the Town had given approval for the borings a road permit was not necessary. Tom ask what the intent was with regard to routing the piping and if they would remain off the paved portion of the highway. Chrissy said that because of potential constraints, sometimes the piping may have to run where there is pavement, but the borings would all be conducted off the pavement.

Tom said there was a concern about culverts and not being sure where some may be when doing borings. Chrissy said that is a part of what they are meeting with VTrans and the Town highway department. Tom asked when the Chrissy thought the borings for the Town roads could begin considering permission is given to begin working on them now. Chrissy said that generally they like to do them all at one time, to maximize the efficiency of utilizing the boring rig. Tom wondered how long it might take to get a VTrans permit to do the borings and Chrissy responded that VTrans has no turnaround requirement for issuing permits, but she had communicated that she wanted to begin doing borings next week, August 26th.

Next Chrissy said they had a meeting tomorrow to coordinate with Oakson, the vendor for the drip dispersal system. She said that their design is already underway with a completed concept design already sent to her. In the meeting they will discuss tankage, what is required for sizing and what the building size needed, would be. The meeting would be about both the north and south sites.

Tom asked if they were a proprietary system. Chrissy responded yes and has Emily if they can get a sole source approval for that or do a “or equal” specification. She is going to ask for clarification on and if the design was by Oakson, would that mean that Oakson has to be the vendor used. In any case it has to be something that is approved by the State.

Tom asked if it is permitted to use an “or equal” if there was a known “or equal” Chrissy said she was unsure and needed to find out. Tom also asked what the State’s position was on “sole source”. Chrissy said if the Town had a written material standard as a town with an existing system would, the State would allow a “sole source”, but because Londonderry does not, an RFP or RFQ process would have to be done now. She thought if an “or equal” was allowable, that would help expedite the process. She and Emily are researching whether this would be permissible. Chrissy said there are not a lot of companies in the nation that do drip dispersal systems and all the one’s she is aware of in New England are by Oakson. Tom thought it might be a good idea to ask Oakson where they have done other systems in Vermont especially to see how they got through the permitting process. Matt added that it would be a good question for Emily saying he thought there were not a lot of similar systems in Vermont currently. Chrissy said there were other drip dispersal systems in Vermont by Oakson, but none have been funded by ARPA. She said no drip dispersal systems have gone to construction under ARPA funding yet.

Emily and Achouak joint the meeting at 6:31PM. Tom asked Emily if she knew of any othe drip dispersal systems in the state. Emily said that Montgomery, VT is also using a drip

dispersal system and that they went through and RFP process for pre-qualification. Tom asked if more than one firm prequalified and Emily said she was not sure, but would go back and review. She said they may have had to go back out with an RFP to get more than one, saying that if it is not an “or equal” that would be the process Londonderry would have to go through. Tom asked how long that process might take and how does Londonderry begin the process to see if the ARPA funding will accept it. Emily said that is something she could work with Chrissy to set up, when she is ready. Tom asked if the savings was significant for this type of system over a more traditional system. She said that after the meeting tomorrow with Oakson she and Mance Engineering can do a cost analysis. Tom asked Emily if that would inform the State’s position and ARPA’s approval of an alternate system based on cost?

Emily responded that the PER contained both a trench and a drip dispersal system so there would be no additional expense if the design went to a trench design. For clarification Chrissy asked Emily if Londonderry could by pass the pre-qualification process if the cost for a drip dispersal system was significantly lower than a trench system. She added that she thought perhaps not since the “or equal” would be trying to compare the same types of systems, not two different systems.

Emily responded that the concern would be a system type change would mean a change in permitting, if there was no pre-qualification process gone through. She said that they go through the process for SBR’s (sequencing batch reactor systems) because some tanks are round, some are square. She said she thought it was worth doing if we are only dealing with one company.

Matt asked when the pre-qualification approval would have to come in the design process to keep things moving on the schedule. Emily said that Chrissy is still working on some design, but it would be good to have it done by the 60% design submittal and for sure the 90% design, because the 90% is what goes to Achouak’s group for permitting. Achouak confirmed this.

Tom asked Chrissy if it might be possible to show two options for design, one being a traditional trench design and one the drip dispersal hoping that the difference between the two in their function would not be great, but for the differences in the equipment needed for each. Chrissy said that Londonderry would still have to go through the pre-qualification process to do drip dispersal as an alternate and Emily confirmed this. Emily also questioned whether there would be any advantage to designing both types of systems since the permit will have to be based on the type of system chosen in the permit application.

Tom asked if the State has any preference with regard to the type of system. Emily said that the State had no preference, but that many projects were going with the drip dispersal system because it was more cost effective.

Tom thought it would be good to design a conventional and a drip dispersal system for the sites and let the price proposals dictate which system to use. Emily said the problem would come with funding the cost for designing two systems for each site.

Achouak said that if a design is for an indirect discharge system, the advantage of a drip dispersal system is a reduction on the size of the second field from being 100% the size of the initial field or two identical fields $100\% + 100\% = 200\%$. With a drip dispersal system the second field can be 50% of the initial field.

Chrissy asked Emily what would happen if it could be documented that there were no competitors (“or equal”) to Oakson’s drip dispersal systems in the New England region. Emily did not believe that might be cause to go without a competitive bid, but she would check with Lynnette Claudon and others to see if that might be a way to get around the difficulty of finding competitor vendors. Chrissy said she will search again for any competitors to Oakson in the areas for drip dispersal systems and asked if Emily would check with Montgomery to see if they found any competitors for Oakson.

Matt was worried about meeting the pre-qualification process within the planned time schedule and deadlines for submittal of the 90% Design at the end of September. Emily said there is some time flexibility, saying it is not uncommon for some things to be delayed slightly.

Tom briefly touched on substitutions and Chrissy said that generally their designs did not allow for substitutions. She said “or equals” are allowed for. Emily asked if Chrissy would confirm in her meeting with Oakson that they are Build America Buy America (BABA) compliant.

5. Other

a. Status of N & S areas field surveys and status of base maps for project areas.

Chrissy said that site visits began on August 12th and 19 properties in both villages have been completed out of a total of 54 properties that have responded as interested who are inside the service area. Some responses came from outside the service area. All potential properties will be surveyed even if some may not be able to connect in the initial phase of the south village system. In the south village 11 properties have been surveyed. Three people have been contacted with no response. 8 properties she just received contact for yesterday. 9 properties still need to be contacted in the south village for a total of 31 properties that have responded with an interest in hooking into the system. The interest need amounts to 10,000 gal/day within the service area. There were another 9 properties outside the service area which would need another 2,000 gal/day. Phase I of the south village system would provide 6,480 gal/day. Because of the 10,000 gal/day need, there will have to be decisions made as to who can connect the system in the first phase. Chrissy believed that would have to be a VWC decision with a recommendation to the Selectboard. Chrissy has plotted all properties who are interested

on her drawings and said there were two properties that would be very large users. She said they are outside of the original service area, but the pipe does go past them and both would need pre-treatment. She said the totals for those two properties would be 3,000 gal/day. There is the question of who pays for the pre-treatment capital cost and then how to charge those who need pre-treatment when it comes to user fees. She said there were 2 properties that would need a longer pipe length just to get to each one of them with no one else interested along the route before those properties. They would together, need 1,045 gal/day. One of them is the Town Hall. She said there is only one other property on Middletown Road within that same vicinity that have expressed an interest in hooking into the system. She said without those four properties, the need drops back to 6,000 gal/day, which means two more houses could be added.

Tom asked if one of the properties that needed pretreatment was a property he was familiar with, Chrissy confirmed and said the property already had pre-treatment and two separate wastewater systems, but only one had the pre-treatment. She said their needed capacity was based on their permit information. Chrissy said the property will still be surveyed and their information gathered.

There was discussion around what is required by the state for restaurant seating. For 2 meals a day the requirement is 27 gal/day/seat and if serving 3 meals a day the requirements is 40 gal/day/seat.

Chrissy said the two properties that are in the south village that are in the floodway are both interested in connecting. One being the fire department, one being a house. There are two other properties in the flood plain with one property owner interested in connecting, another who has not responded. Some properties in the vicinity of the fire department expressed an interest in connecting, some have not responded.

Emily asked if the ordinance was written so that people in the floodway were required to connect. Matt asked for clarification. Emily said that properties in the floodway will never be able to get a new wastewater system permit and that the more properties in the flood plain that are hooked into the system, the better. She said that it may mean having a priority system for which properties are hooked in, saying West Burke has done this. Chrissy said she can let the VWC know which properties in the floodway and floodplain have not responded.

Matt said the ordinance so far only refers to the Department of Environmental Conservation (DEC) regulations for the floodway. He also asked if the VWC wanted to consider requiring all properties in the flood plain to connect. Chrissy brought up the issue of whether there is enough capacity for all the properties that might then be required to connect. She added that in the north village, most properties on the south side of main street fall into the floodway, but only two property owners expressed an interest in connecting to the system.

Tom was also familiar with another property in the north village who had expressed an interest in hooking into the system. The same owner owns another property adjacent to it. Neither of which are currently habitable.

Chrissy continued to discuss the 30% plans mentioning that because there was space for a third field on the south village site, the overall capacity could be built to a total of 19,440 gal/day. The collection system would be designed to accommodate the full build out. Tom asked about the tankage and control building and whether the linkage to the full build-out would mean doubling those. Chrissy said that some of the equipment would need to be sized for the full build-out, but some of the tankage could be designed to expand in the future and be installed later. She added that some of the drip equipment needed to be build for the full build-out. Emily said that this was fully supported by her team. Tom said it would be great to have a system that was easily expandable.

Chrissy moved on to the north village saying that 9 properties have been surveyed, 3 have been contacted with no response yet, one has scheduling in process, 9 more need more information from, (10 properties, 9 owners). 23 properties total that are interested. Capacity needs are 5,040 gal/day of 6,480 gal/day available. 4 other properties outside of collection area interested. There remain two unknown uses so the total capacity need may need adjusting.

Tom asked what the VWC could do to help Chrissy contact property owners and to set up a priority system for the two systems. Chrissy said she could do a quick marked up printout to show where properties are in relation to the floodways and floodplains.

She said there are 3 properties (2 property owners) on the south side of Main Street in the north village. 5 properties on the north side of Main Street. 2 properties in the High Street Hell's Peak intersection area. 1 on Rte. 100 North. 6 on Middletown Road and 6 on Edge Hill Road.

Tom mentioned that the system design does not yet show anything going up Middletown Road from the north side. Chrissy said it was all included in the cost estimates, but was not yet on the plans. She said it essentially goes up to the area of the Londonderry Arts and Historical Society (LAHS). She said there is one property that has responded that would need pre-treatment. The Selectboard still needs to decide whether pre-treatment would be included in the capital cost of the project, with a service fee for users built into the fee schedule.

Sharon asked if Chrissy would still like to get the missing contact information for some property owners. Chrissy said that all information would be valuable to have to keep for the potential expansion of the south village system or any potential for more capacity in the north village and the budget includes collecting information on all the properties that have expressed an interest in hooking into the system. The design of the expansion of the south village system is included in the budget and will have to be reviewed to allow

permitting at a later date. Chrissy is updating the list of the property owners that have expressed interest and a property has been sold so the list will have to be monitored for any changes as the project moves forward. She asked what the VWC would like to do about properties that are for sale and how to handle owners that have signed up, then sold their properties and the new owner may not want to sign up. How to present some sort of commitment. There are some properties for sale. Tom mentioned that information about what properties would face to replace their systems. Chrissy said once permitting begins there will have to be some commitment.

Emily mentioned owners who do not want to connect who then sell their properties and the new owner wishes to connect and keep in mind there will still have to be a Vermont State Historic Preservation Office (SHPO) review, but would not be covered in the budget after a certain point of progress in the project. Chrissy said the commitments should be locked in as much as possible by the 90% Design submittal.

Matt asked Emily how other villages have handled connection commitments. Emily responded that each town is different and how the VWC and the Selectboard choose to handle commitments. Matt asked if there has been any discussion with the Selectboard about requiring connection. Chrissy said Londonderry has stated that there would be no requirement to connect. Tom mentioned that from his understanding property owners in the floodway should be made aware that they cannot replace their systems should they fail, if they are in the floodway. Properties in the floodplain still have the potential to replace a failed system if they have the area for a replacement. The dilemma is having the capacity to match any requirement to connect to the systems.

Gary said that some vehicle to carry the connection commitment forward should be investigated with the Town attorney.

Discussion continued to the costs and how the system would be paid for and then the operation and maintenance (O&M) cost. The general thought of the VWC was that the capital costs would be covered by the grant and the bond match to the grant and O&M costs would be covered by user fees. Chrissy also asked another question with regard to when the fees would start as there would need to be funds in place before the system is turned on for the first time. Tom also mentioned the transition from existing individual systems to the start up of the public system and how that will be handled. Chrissy said that they have worked this out for a number of projects and it will be in their plans.

Tom had some concerns on meeting the schedule with all the additional work that needs to be done.

Emily said that some of the sequencing for the transition is due to the construction contractors as they move from property to property and hooking into the system.

Tom brought up the discussion about whether the Town property to be appraised for the purposes of purchasing an easement for the project as per Shane's thoughts. Emily responded that she believed Shane was looking for an easement value that could be used as part of the 10% match portion for the grant funds. Emily is not sure how that would work or if the grant would pay to purchase an easement for Town owned property since the Town is already getting the benefit of the grant monies to build a system on that property. She said she still has not gotten a clear answer from upper management regarding that.

Matt discussed that an appraisal is still needed for the north village system site and asked Chrissy if there was enough information yet to get an appraisal. She added that an additional property owner needed to be contacted again about a potential easement across their property for a main pipe.

The VWC then moved on to discussion of the ordinance. Tom mentioned the importance of how to prioritize connections to the systems in relation to the system capacities and then making sure all interested property owners provide some sort commitment or refusal as a process of due diligence and to protect the Town from future disagreements as to who committed and who refused to commit. Matt asked for some sort of spread sheet if Chrissy had one about each property to create a matrix of property information and commitments.

Emily said it is important to develop a user fee schedule to allow interested users to determine what the cost of connecting will be so they can then decide to commit to connecting. Matt said he had met with the Lamoille County Planning Commission staff who are working with Wolcott to develop their fee schedule and they have developed a flat fee for residential users. with a slightly reduced fee for 1-2 bedroom residences. For commercial users they do a per gallon per day charge based on the State regulations for use. He said that the VWC could go to the Selectboard with the general category fees to get approval and then work with someone like Juli Beth Hinds from Birchline Planning to work out the actual costs. Emily added that watching the Wolcott discussions on development of fees to get an idea of how to figure costs. Wolcott will not have to borrow money for their system, but they will still have O&M costs. Londonderry will still have to consider the bond amount to cover the 10% match to the cost and how to include or not include it in the fee structure.

Tom asked if the PER cost estimates are in line with the 30% Design cost estimates. Chrissy responded that they are not yet in line as the contingency has not yet been reduced, as more detailed cost information is gained. Chrissy said she wanted to keep the contingencies high as she works to complete the more detailed designs. Chrissy added that the bond vote accounted for the potential to need more than 10% of the grant amount. She also mentioned another potential grant opportunity through Northern Borders that the Town can apply for. Sharon asked if those grants were rolling. Chrissy said there were two rounds a year and that Londonderry should do a pre-

application in order to qualify for the full application. Pre-applications are due September 6th. Emily added that they do not have the ARPA deadline. Chrissy will send a link to a previous webinar to see how to apply.

6. Next VWC Meeting

Matt suggested the VWC get together to discuss the ordinance. He said Monday August 26th at 3:30PM would be a good date and time. The VWC agreed contingent upon the availability of the space.

There was discussion to see if Juli Beth Hinds may be available to do the fee structure prior to the next meeting. Matt will contact her to see if she would be available to do that.

The next regular meetings of the VWC will be **the first Friday of every month at 10:00 AM** and the third Tuesday of every month at 6:00 PM

The VWC agreed the next regular meeting of the VWC will be on Friday, September 6, 2024 at 9:00 AM

7. Adjourn

Tom made a motion to adjourn.
Gary seconded.
Motion passed.
Meeting was adjourned at 8:08 PM

Respectfully Submitted,
Larry Gubb
Secretary, Village Wastewater Committee

Approved_____.

Village Wastewater Committee

Sharon Crossman, Interim Chair

Link to AV recording of August 20, 2024 meeting below.

Topic: Village Waste Water Study (Gail Mann- 802-856-7669)

Date: Aug 20, 2024 06:08 PM Eastern Time (US and Canada)

You can copy the recording information below and share with others

https://us06web.zoom.us/rec/share/I9znSJ9M0rUk9dHF4YjTewqw8QzMktP1lBEHBAb248b_BGcf4RzwC8wHBjxOBvZc.GbPrUXYhiM62Lv3u

Passcode: *LC&C9w*

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