

**Town of Londonderry, Vermont
Village Wastewater Committee (VWC)
Meeting Minutes
Tuesday, September 24, 2024 – 10:00 AM**

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

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

Others in Attendance: Shane O’Keefe (Londonderry Town Administrator), Martha Dale (Londonderry Selectboard), John Kiernan (Vermont State Lead, Community Resources at RCAP Solutions, Inc.)

Online:

Chrissy Haskins (Dufresne Group – Project Engineers, Matt Bachler (Windham Regional Commission – Senior Planner

1. Call Meeting to Order:

Tom Metcalfe called the meeting to order at 10:10 AM

2. Additions or Deletions to the Agenda:

None

3. Approve Minutes:

Minutes of the August 20, 2024 meeting were unanimously approved

4. Project Status Updates:

Chrissy stated that the 60% Design plans were submitted to the State for both villages on September 20, 2024 and she is awaiting 30% comments from Emily. She as spoken to Achouak Arfaoui last week and Chrissy had gotten her comments directly, most of which were minor changes.

She had heard from the State about archeological review and recalled that Emily had recommended getting Phase I investigations done this year. The archeological resource assessment has to be submitted and that is scheduled for early October, for both villages. Following that the Vermont Department for Historic Preservation (VDHP) has 30 days to review. If the archeologist concurs with it then they must submit a Phase I Plan, which VDHP has another 30 days to review, but that it cannot do any investigations outside of growing season. This means that it would be unlikely that Phase I would have a complete review this year. She said

this does not affect the design work, it holds up the environmental information document which Emily needs to approve. She said it will not affect Emily's ability to do other review work. Martha asked if this would throw off any other parts of the project timeline. Chrissy said it would not harm any dates, but would affect the intent to begin bidding in the spring of 2025. She said this would mean bidding could not be done until all the Phase I archeological and environmental reviews are done.

Shane asked where these archeological reviews would occur. Chrissy responded that they would occur at each system's site as well as each service connection. Shea added the sewer main was located in the highway right-of-way where no archeological survey would be needed. She said working with VDHP has not been easy as things tend to change.

She said test borings were underway beginning last week. Local roads were done on Thursday and Friday and State roads are tentatively scheduled to be done October 2nd and 3rd. A meeting with VTrans (Vermont Department of Transportation) was held yesterday (9/23/25). A part of the discussion with VTrans included the design of the bridge crossing in the north village. Shane asked who the VTrans representatives were. Chrissy said she met with Tyler Birchmore who works under Mark Pickering.

Tom had a comment about an air release at the bridge stating that the bridge, being the highpoint would seem to be the best place for an air release. Chrissy said those are some of the details she will be working with VTrans to figure out. Matt had a question about how property owner outreach was proceeding and if there were any that still had not been connected with. Chrissy said there were 3 more property owners connected with in the south village who wanted more information before deciding to connect. She had spoken to a real estate agent in the north village who will contact their client with information. She added that there was still excess capacity which would allow more properties to be connected. She said there was more demand than capacity which will mean deciding who connects and who cannot connect. She said there were two properties in the south village that were in dire need of a connection. Oe will meet with Chrissy this week and the other is still deciding whether to connect.

5. Meet with John Kiernan, RCAP Solutions:

John introduced himself and that he works for the Rural Community Assistance Partnership (RCAP) which is a national non-profit that helps small communities with water and wastewater issues as well as some community development. He said RCAP is comprised of 6 regional companies and he works for the northeast company. RCAP National competes for grants to help with technical assistance and training. He is the Vermont State Manager running all the activities in Vermont. He said Chrissy had reached out earlier for assistance, but RCAP could not provide long term assistance and instead could do 40-80 basis to help. He had also spoken with Matt about where he might fit into Londonderry's project. He said he was very aware of the process, having been an engineer for 25 years. His part would be to help the transition of the non-technical pieces to the point of operation inclusive of ordinances, rates, connection policies. Shane suggested all at the meeting introduce themselves to one another.

John said he had spoken with Lynnette Claudon about the need for training for all wastewater committees with projects going forward in the State and John could help us with that and interactions with other communities doing the same. This would involve creating a training program on how to hire an operator, how to deal with ordinances. John suggested that having a hire demand than capacity would be a complicated situation and Chrissy explained that there is a Phase II to the project in the south village only, that is currently not funded, but would double the capacity of Phase I by adding pretreatment. She added that there is a space for a Phase III which is not slated for design or construction currently, which could add another 6,000 gal/day on top of what would be roughly 13,000 gal/day with the combination of Phases I and II once constructed. Phase I would be fully funded through construction as would the design stage for Phase II, which currently has no funding.

John asked if this meant an indirect discharge permit for the south village system. Chrissy said she believed that to be the case since Phase II would bring the size of the system to 13,000 gal/day, which would require an indirect discharge permit. The north village is limited to a 6,480 gal./day system.

Shane asked if there may be some money to fund Phase II that would come as unused money from other projects? Chrissy did not want to speak for Emily Hackett, but suggested that would be the case if the money became available so that it was used where it was needed. Larry said he had heard there was not going to be any further ARPA funds redirected, but was not certain if that was correct.

Tom had a question to about the scheduling in relation to the archeological delays due to restrictions about that work only being allowed during “growing seasons” and whether it might be possible, if it made sense to contract for doing all of the main piping and work in the streets which would not be affected by the archeological review? He was concerned about the timeline for completing the work. Chrissy responded that she believed final design approval would have to be granted before anything could be bid and that would include final design for both the north and south villages. She said there may be a possibility to break them into part to get separate approvals, but would have to speak with Emily to see if that were possible.

Shane went back to taking about what sort of assistance RCAP could provide for the Town. He said in discussion with the Selectboard the thought was the Town would need assistance with establishing user fees, the ordinance and how all costs are considered and paid for. John brought up the issue of how the capital costs would be paid for, whether shared across the Town or paid for only by the users. Martha said that had not yet been decided and Shane said that it was understood O& M costs would be born by the users. He added that early discussion seemed to lean toward the idea that the capital costs would be shared across the Town as parr of any sort of town infrastructure, like bridges, but asked John what other towns were deciding in that regard.

John said that it is in many ways what the sentiment of the community is like. He gave the example of Rochester where the entire community was all for paying for the capital costs and

another community not far away, wanted the opposite. Larry spoke of the Town meeting vote on the bond and the wording of the warning and whether it indicated whether there was any connection to that question. He said during Town meeting where the committee was allowed to provide information about the bond issue, he believed the information suggested the sharing of the capital costs, townwide. Martha said she believe there were folks who came down on both sides of whether the capital costs would be shared townwide or born solely by the users which would make a difference in the user fees and their affordability. Shane mentioned the analysis Chrissy had done with different breakdowns of costs involving the two scenarios. Chrissy said if the capital costs were shared the cost per \$200,000 of property value would amount to roughly \$12-\$13. Without spreading the capital cost across the Town, the user cost would be approximately \$1,100/year for a residential user. If the capital costs were paid for by the grand list the user cost would be approximately \$600/year for a residential user. Tom asked if those numbers still looked good. Chrissy responded that costs look higher, but the high contingency figures used had not yet been adjusted downward as it is expected they will.

John asked if the governance of the wastewater system had been decided and whether the Selectboard would take that role or some other entity. Shane and Martha said it had been discussed, but not decided. John will help provide some advantages and disadvantages to doing it either way. Shane added that he would be looking for things that we had not thought of with this process. John asked about incentive to connect policies. Chrissy clarified that the incentives would be for those who committed to connect now and not after the design and permitting were already completed. John mentioned a need then to provide what the fee would be after the initial incentive period was over. Tom said a connection fee, a capacity fee and an annual O&M fee. John said there would be a number of assumptions made initially and that a reserve fund would have to be included. He said establishing a budget for the costs known and unknown would be a good idea.

Gary asked about high strength waste and who would be paying for those properties and would there be an add-on for high-strength waste to cover the costs of operating and maintain those systems. Matt said that this was brought up at the Selectboard meeting last evening and that a surcharge could be added for high strength waste and the cost of the construction of those systems and if the Town wanted to bear those costs. The Selectboard wanted more information on which properties in each village would need pretreatment. He said without a specific number, he said 2-3 to give them a sense of the number of properties at a low end cost of \$50,000 to \$60,000/system to offer an overall cost. John asked if these properties were projecting a future need or if they already had high strength waste permits. Chrissy that one of the properties had a high strength system, but was of an older “AdvanTex” type which would likely no longer be suitable. She’ll have to check with the State to see if using that system would still be acceptable. Another property has not yet been constructed. She said others are operating without pretreatment and are grandfathered. Shane asked if the grandfathered systems would have to be upgraded. Chrissy and John said they would likely have to if they wanted to expand. Shane said this might be a good incentive to get them to commit to connecting. She said that both of these properties, one in the north village, one in the south

village are both in the floodplain and possibly in the floodway. Martha asked if they were in the same village. Chrissy said one was in north village, one in the south village.

John said he can work on the non-technical aspects of the system which would save Chrissy from having to do that work and so she could concentrate on the engineering portion of the project.

John mentioned an example of what happens if there is a zoning change, like a change in use to a property which may affect the user fee or the capacity. This should be written in the zoning by-law so all is coordinated through the by-law and the owner to avoid having the operator check for the changes for changes in charges where applicable and review works in both directions.

Shane said the Selectboard authorized him to enter into an agreement with RCAP. Tom added that additional assistance would be helpful in follow through with regard to zoning by-laws and any places where there is a connection to wastewater to be considered. For example, what happens when a property changes hands or work is done on the property and ensuring it is in line with the ordinance. Tom asked about how to bring costs to the residents when they may still change at the point the last change order is submitted. He wondered if the contingency being high would cover any changes in cost when the final billing is submitted. Chrissy responded that the contingency will continue to come down to a certain point where it is then held for the Town.

If costs come in which do not require use of the contingency, it may be used for other things. She said estimate will have to be used and because the fee structure will not be part of the ordinance, the fee can be adjusted on an annual basis. They may be high the first year without experience to know more exactly what they might be and then adjusted in the following year to better reflect a lower or higher cost. The user fees will have to be established before the systems begin operating.

Martha suggested using a range of costs as a possible means of letting people know what the costs may be. John suggesting posing it as a new start-up business where some cost adjustments will be needed as final costs and operating costs become more realistically known. There will be some surprises which should be covered by the contingency reserve, but some trust will have to be given to those who are putting the estimates together with constant adjustments all along to keep them as accurate as possible. He added that the grant monies that are paying a very large amount of the costs greatly reduce the exposure. Tom added that without the funding the projects would not be possible.

Martha had to leave the meeting at 11:00AM. Shane mentioned before she left that all the amendments to the ARPA agreement have been signed and are set to go and he would send copies to all.

6. Discuss feedback from Selectboard at 9/23 meeting:

Matt talked about what he discussed with the Selectboard. One of the items discussed was the connection requests versus the capacity of the south village system and how to work through

various ways to prioritize properties which showed an interest in connecting. He suggested a spreadsheet, which Chrissy said she had already done could show the properties, their features which could be used to prioritize their connecting in Phase I.

He said there was discussion about a sewer/wastewater commission and whether the Selectboard would act in that capacity or whether a separate commission would be created. He said they discussed whether the Town wished to reserve any wastewater capacity for itself and the Selectboard seemed to feel they wanted to maximize the use of the system and allow private properties somewhat of a higher priority to connect in Phase I and discuss setting aside some reserve capacity at the point Phase II finds some funding for construction. Shane felt the VWC should be making the recommendations for priorities and other considerations to be more formal in where the recommendations are coming from.

7. Review and discussion of draft Wastewater Ordinance:

Shane asked Matt if he knew where the base ordinance model from Birchline consultants came from and whether it was from another town and may have had some manner of legal review and who may have done that review so Londonderry's Town attorney could communicate with them and possibly expedite the time and save some cost of the Town's attorney reviewing the draft. Matt said he did not know, but would follow up with Birchline to find out.

8. Other

Chrissy mentioned that for the Town's local share there is an option to request Congressional Designated Funding. She said the towns that have been successful at this are not requesting huge amounts. They have been asking for several hundred thousand to help with their local shares. She said this could reduce the amount for the share for Londonderry. She said the process begins in the fall discussing with representatives and senators and the applications are due in February and it then goes to committees in the house and the senators.

Matt suggested that Phase II funding be included in the conversation if this is undertaken. Chrissy said projects asking for large sums of money are generally turned down, but those asking for less are considered and finding success.

Gary supported the idea of attaching the funding to helping the businesses that need it with the cost of pretreatment.

Shane asked about grants from Northern Borders. Chrissy said that the concern with Northern Borders is that they restrict the funding to 80% maximum federal grant funds and that Londonderry is already getting more than 80%. Shane also mentioned trying to get onto the BDCC (Brattleboro Development Credit Corporation) Priority List. Matt added that Northern Borders would fit well for Phase II, since Phase II is not funded in under the current grants.

9. Next VWC Meeting:

The next regular meeting of the VWC is Friday, October 4th at 9:00AM, Neighborhood Connections, 5700 Mountain Marketplace. Londonderry, VT

10. Adjourn:

Tom made a motion to adjourn. Larry seconded, all approved. The VWC meeting was adjourned at 11:17 AM.

Respectfully Submitted,
Larry Gubb
Secretary, Village Wastewater Committee

Approved_____
Village Wastewater Committee

_____, Interim Chair

Link to AV recording of September 24, 2024 meeting below

Date: Sep 24, 2024 10:09 AM Eastern Time (US and Canada)

Duration:01:07:22

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