

**Town of Londonderry, Vermont
Village Wastewater Committee
Special Meeting Minutes
Monday, November 19, 2024 – 6:00 PM**

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

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

Others in Attendance:

Online:

Shane O’Keefe (Londonderry Town Administrator).

Chrissy Haskins (Dufresne Group – Project Engineers).

1. Call Meeting to Order:

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

2. Additions or Deletions to the Agenda:

Regarding Agenda item #6 - Matt reported that John Kiernan of RCAP Solutions has not completed budget estimates and is planning to have them ready for the next regular meeting of the VWC (December 6, 2024).

3. Approve Minutes:

No minutes available for approval. Approval to be deferred to the next meeting.

4. Project Status Updates:

a. Review of Schedule for 90% Design and Permit Application submissions:

Chrissy said she is still waiting for comments from the State and is unable to provide a schedule until those comments have been provided.

b. Status of State Review of 60% Design plans and Specifications:

Chrissy stated that these are the comments she is waiting for.

c. Status of Design Elements of Concern:

i. VT Approval of Disposal Field System for Bidding

Chrissy responded that this is regarding the pre-selection of the Drip Dispersal system vendor. She has been working with the State on this and her contact is hoping to have an answer on this by tomorrow (11-20-24). She said that if his

colleague agreed with him he would send something in writing to say pre-selection was not required. This would be then provided to Emily Hackett for review.

ii. North & South Village Easement Survey/Descriptions/Appraisals

Chrissy said the only easements needed in the south village would be the connection easements which would come later, and appraisals will not be done for those. The only appraisal needed will be for the disposal field in the north village. She said she has drafted both temporary and permanent easements for this and the temporary allows for more space during the construction period to allow for stockpiling of materials and working area. The permanent easement will reduce the area to what the Town will need to operate and maintain the system in the long term. She is working on confirming what the final setback will be for the tree line which will allow the Town to keep opened and away from the pipeline. Once confirmed she will send to Shane and to Matt for their work on having an appraisal done.

iii. Service Connections and North and South Village Plot Plans

Chrissy reported there were two more properties that confirmed interest in connecting in the south village. She added those properties were surveyed last Friday. She said each interested potential connection will be shown on the overall site plan and will not have individual plans done for each. She said the overall site plan has been drafted, apart from these two last properties, which will be added in. She said that both the properties mentioned were already on Priority Option #1 list that the Selectboard had already approved.

Matt asked if all the properties on the Priority Option #1 list approved by the Selectboard had been surveyed. Chrissy said they had been, and she had updated the Priority Option #1 list prior to the Selectboard meeting last night so all on the list are both surveyed and approved.

She added that all people have allowed survey of their properties and survey of their piping inside their structures, but none have made any sort of official commitment to connect to the system. Chrissy suggested this was an important next step for the VWC to work on.

iv. Supplemental Borings/Probes for Ledge Along Pipeline Routes

Chrissy said the truck that does the testing was in Town last Friday to finish up the borings testing/probing along Rte. 100 in the south village, saying they had already done portions coming from the south village toward the north village and some coming from the Prouty Town property south toward the south village. Unfortunately, the truck broke down and was unable to complete the testing/boring. Chrissy said parts have already been ordered so it is hoped testing/borings can resume very soon. Chrissy added that the boring that had

been done showed varying depths of ledge meaning ledge removal will be required. She said what remains now is to finish up the testing/borings to be able to assess how much ledge removal is needed and adjust the budget accordingly.

Chrissy asked if anyone had questions about her updates. Gary asked if there was a specific time that the securing of an official commitment from property owners needed to be made. Chrissy provided an example of how a change in wastewater system would normally proceed. An individual property owner would be required to apply for a WW (Wastewater) permit individually. She said that since the State will be permitting the entire Londonderry wastewater systems, the individual property permits would be included in that process, rather than having each individual property owner apply on their own and will document the change in their wastewater disposal systems. She said she was not certain how that process will proceed and when the State will need to know who will be connecting. She said this was an unusual permitting process and wasn't totally sure how this would go forward. She said if the State did not need to have the commitment information, that it still would have to be before the project went out to bid to know who is connecting and what the quantities are.

Gary said he believed that it would be important to put the obtaining of commitment at the forefront of the VWC's work. Chrissy added that as part of the request for an official commitment, there would also be a request an easement for the Town to operate and maintain the equipment the Town will be installing. The VWC will have to work with the Town attorney as to how that will work and if it will be a separate document that he would create a template for, does a figure need to be created for each one for the records. All of this is needed because the Town will have to own, operate and maintain the infrastructure they will be installing including the septic tanks. She added that temporary and permanent easements will be needed, and they should be included at the time of commitment to connecting to the system.

Gary said the draft ordinance should also be forwarded to hammer out the edits and revisions spoke about in September Matt added that RCAP Solutions was also reviewing the ordinance and plan to have their comments done by January 2025. He said the VWC could still take a look at the draft ordinance sooner to look at areas that need to be edited to fit closer to Londonderry's specific projects.

Tom believed that there should be plot plans for each property with a list of what the Town's responsibility will be. Chrissy said that would be standard language. He suggested that plans should show where the existing septic is, where the replacement tanks will go, where the control box will be placed, where an emergency light would be placed, if they were a part of the design so all were clear as to what was going to occur on their properties. How will the pumps be served electrically and possibly even more detail about operation and management and who will they call if there is a problem, all in an effort to give them confidence in how the system will benefit them.

Chrissy said a lot of this will be in the system O&M and in the Ordinance, saying what people will be doing is filling out an application which will ask for the commitment to connecting as well as

the easements. Tom wondered whether Matt or Chrissy might have some sort of standard application form.

Matt responded that he had worked on a preliminary draft of an application/commitment form several months ago. He wondered whether the VWC was thinking about a single communication with property owners that would include the commitment form, the easement approval information and was not certain of whether it should wait to also include the Ordinance at the same time. Tom wondered how refined the numbers will be at the point we are ready to send out this communication and wondered if we would even have close numbers before the time the bids come in. Gary believed the cost of construction would not affect the user fees. Chrissy said there is a portion of the construction that is not funded. Gary asked what portion that was. Chrissy said it is the 10% match of the construction costs and her figures for this meeting was \$4.6 million for the south village project, which still included a lot of contingencies that may be reduced as time goes on. She said that currently there is a gap in the funding versus the estimate which can be reduced by applying for a “Congressional Directed Spending”, but she thought there may be some capital costs associated with the project that are not funded.

It was believed the Town had not decided regarding how the capital costs will be covered, whether by the grand list or by users only. Tom reiterated that the initial preliminary Phase/Step did contain estimates for user fees and breakouts based on spreading the cost across the grand list or only having the users pay for those costs. He said the Bond vote was largely sold on the idea of a minimal (the cost of a bought sandwich) for every \$200,000 of assessed property value and said he would stick by those numbers until something significantly changed in the estimates.

Chrissy said the contingencies are still high but expected they will come down as more and more is known and nailed down about various aspects of the project. Tom said there was some concern about the costs of ledge removal. He said that now there is a priority list for the south village and known connections and capacity for the north village, estimates can be narrowed down a bit. He asked if the overall site plan would include a profile. Chrissy said the profile would only be for the main pipe.

Tom also spoke of the need to have the easements delineated and concerns of the archeological review with regard to any digging in previously undisturbed soil. Chrissy spoke of the typical easement plans and mentioned that driveways, because they are already disturbed soil are a good place to locate connection pipes will be used, when possible, but will try to follow alongside a drive if someone has just recently paved their drive. There may also be alternative areas where the soil is already known to have been previously disturbed. Tom thought it was important to let property owners who have expressed an interest in connecting, just how their property will be affected as part of asking them to sign on to a commitment. Gary said that earlier discussion suggested that the VWC try to work on the commitment form and the Ordinance to prepare it by early January to place alongside RCAP Solution’s edits and recommendations so we could possibly have something to send to property owners by the end of January. He asked Chrissy what would be included on the site plan regarding detail. Chrissy said the plan would include where the service line goes in, where the tank is located and said the panels would likely be field

located in coordination with the onsite engineer and the property owner. Gary suggested then it should be relatively easy to then provide each property owner with a plan view of the service pipe, the tank and mention of how the panels would be located. Chrissy said that she thought Tom was discussing individual plans or boxes on the site plan for each individual property, but in Dufresne Group's experience, the delineation for the properties shown on the overall site plan has been sufficient.

Tom asked if there would be cast iron curb boxes for each connection at the street. Chrissy said yes that they were a combination curb stop and check valve to prevent anything flowing back up the service pipe from the main.

Matt spoke of the draft budget that RCAP is working on will be bringing more detail to what the O&M costs are and that will allow RCAP to develop different fee schedule options to provide the Selectboard, including cost comparisons for capital costs being covered by the grand list or by the users only. He said that trying to put everything together for Gary's suggestion of the end of January seemed realistic and thought that it would be difficult to complete before then.

Tom asked where RCAP Solutions was in their work at the time of this meeting. Matt said that John Keirnan of RCAP Solutions expected to have the budget portion done by Friday November 22, 2024. Matt said he thought he could get what John has done to the VWC, plus some questions John has of the VWC prior to the December 6th meeting so the VWC could look them over and perhaps be able to answer the questions and have comments ready. Tom said he had marked up a copy of the draft Ordinance and passed them on to Matt and wasn't sure if some of the mark ups he had made were the reason for some of the questions. Matt didn't think the mark ups were the reason for the questions and said he was going to rely more on RCAP Solutions edits and recommendations because they have more technical experience in developing ordinances for these types of systems than he does. He said that until the Selectboard decides upon an approach to the fee structure some things in the Ordinance cannot be finalized. He added that the Ordinance will have to be updated to reflect a forced main type of system vs. a gravity system. He believed the Ordinance is well along, but for some detailed information and not a lot of additional work that needs to be done. He said the Ordinance has been shared with the Selectboard up to the point it had been edited in September for them to begin reviewing.

Tom asked if any Selectboard members have commented or attended any meetings of the VWC. Matt reiterated what steps have been taken with the Selectboard saying that until some remaining steps are taken the Ordinance cannot be approved. Gary said that if RCAP has gotten the Option #1 listing the Selectboard approved last night, they can have more detail to work on the basis for their fee structure. Chrissy had not yet sent them the approved Option #1 list but would do so right away.

Tom said the Ordinance was an important part of the project and mentioned the future flows and where 3115 Main Street stood regarding connection. He asked how the WVC might help Dufresne Group with contacting the owners. He suggested if anyone may go by and seeing a

vehicle there to have them contact Chrissy or to send them a letter to have them contact Chrissy and the VWC to let them know what their interest is.

Gary mentioned the thought of sending out an update to all interested property owners (in both villages) to let know what has been done to date and to inform them of where the project stands and what still needs to be done. Tom agreed, Larry agreed, and Tom asked what the excess capacity was in the north village regarding the design capacity and properties signed up to connect. Chrissy said the north village properties interested and surveyed amount to 3,485 gals/day. The design capacity is 6,480 gals/day (meaning the remaining capacity is 2,995 gals/day). Chrissy said there was one additional property that expressed interest in connecting. There was no need to survey as there is currently no structure on the property and Dufresene Group has their design plans. Chrissy was unsure if they were still interested as they did receive a wastewater permit for a private wastewater system. Their flow would be 675 gals/day bringing the used committed capacity in the north village to 4,160 gals/day. Chrissy will reach out to them to find out what they plan to do. Gary suggested that maybe the letter to potential property connectors in the north village add a note to say there is still some capacity available if anyone has an ADU (Accessory Dwelling Unit) and would like to connect it, to let Chrissy and the VWC know as soon as possible. Chrissy said there was one property that was considering adding a second residential unit on their property, but did not want to commit to adding it currently and another property owner that is planning on construction and adding another building and has asked to be added.

Tom asked if we should send out another letter to some property owners who initially were not interested, in seeing if they may want to reconsider. Chrissy has a list of owners who, including new owners. She said there were two new owners, one of which the previous owner would have connected, but for not knowing what the new owner would have wanted. Chrissy has the name of the new owner, but not their contact information, but could get it from the land records. She said the new owners are not primary residents. Gary said it looks like two different letters, each specific in some ways to each situation. Matt asked Chrissy if there was a deadline she had in mind to get a least initial commitment from enough properties to fill up the capacity in the north village. Chrissy responded that as soon as possible would be best as properties would have to be surveyed and snowfall would affect doing that. She also mentioned that it would be good to have them added before permit applications are submitted. Also, once the 90% design review has been submitted, the State Division of Historic Preservation will be doing their archeological review.

Tom iterated a concern about all that needs to occur for approvals and permitting and the prospect of trying to add properties during the approval/permitting process or even during the construction process and how that might affect the overall project. He and Chrissy added that signing up later would neither be free nor inexpensive for those property owners. Chrissy said there is one other potential property that she will reach out to, that could potentially take a good portion of what remains of the still uncommitted capacity.

5. Updates from the Selectboard November 18th Selectboard Meeting:

6. Review Draft Wastewater System Budget from RCAP Solutions:

See #2 above (Additions and Deletions to the Agenda)

7. Discussion about Public Communications on Project Updates:

Gary mentioned that we had covered a few of the updates in the previous discussions. Matt said that related to that and the letters to the north and south villages may be the inclusion of FAQ's for both those receiving letters and something that could be placed on the Town website to provide updates to the entire town. He was unsure of who should be taking the lead on drafting the letters but said he would be glad to help with FAQs to include.

Tom said he could put together some drafts and asked what we would like to include. Gary said that he thought for the south village, a recap of this week's meeting that identified the prioritized property owners, reported that an ordinance and fee structure is being drafted by the committee with RCAP Solutions and that we plan to have more detailed information on them sometime after the new year. He said add that 60% Design Phase/Step plans have been submitted to the State. Gary added that the letters should say that more details about the O&M, plus the easements that will be asked for, will be forthcoming, but include in the letters and overview of what they are about. Tom thought the letter to the north village could be much the same with the addition of the note about there being capacity available should someone want to reconsider, have a need for an additional connection (like an ADU) or new property owners who do not yet know about the wastewater system.

Gary said it is important now to get an update out to let people know where the project stands after months having passed since the initial information was publicized.

Tom said he would be interested in seeing what RCAP has done so far and where they may be in the process, as far as a quarter of the way there, halfway there or some other status so the VWC can begin to discuss and agree or disagree.

Matt will check with John Keirnan of RCAP Solutions to see if John can provide some indication of where he is with review of the draft Ordinance and send up whatever he has to the VWC to begin review. Tom asked when the VWC would need to have the Town attorney begin to review the Ordinance. Matt responded that the base ordinance model used by Juli Beth Hinds for another town has been extensively reviewed by attorneys, but Londonderry's attorney would certainly need to review, especially where changes have been made to make it Londonderry specific. Tom said he saw some things that he didn't understand, which may have been a part of the legalese he was not familiar with. Chrissy said that legal review fees were funded as a part of the grant.

Tom said we should begin to get the Town attorney started as soon as possible. Gary agreed we should get a working draft to the attorney to begin reviewing. Matt said that he provided Shane with a draft that Shane could pass on to the attorney, but wanted to let Shane work out how and

when to have the attorney begin working on review, because there are costs associated with it. Sharon said the VWC can contact Shane to talk about this.

Sharon asked if we wanted to do something between this meeting and the next regular meeting. Gary said that all we needed was what RCAP Solutions has done to date and in consideration of it being a model from an actual approved and working ordinance, the key will be more to make it Londonderry specific where needed and in the fee structure so those changed can be reviewed along with the entire Ordinance. Natt said he would try to send out what has been done, if anything before Thanksgiving or before the next meeting

8. Next VWC Meeting:

The next regular meeting of the VWC is Friday, December 6th at 9:00AM, Neighborhood Connections, 5700 Mountain Marketplace. Londonderry, VT

9. Adjourn:

Sharon made a motion to adjourn. Gary seconded, all approved. The VWC meeting was adjourned at 7:20 PM.

Respectfully Submitted,
Larry Gubb
Secretary, Village Wastewater Committee

Approved_____.

Village Wastewater Committee

Sharon Crossman, Interim Chair

Link to AV recording of November 19, 2024 meeting below

Topic: Village Waste Water Study

Date: Nov 19, 2024 05:58 PM Eastern Time (US and Canada)

Duration: 01:11:13

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