

Draft Meeting Minutes for Londonderry Village Wastewater Project

March 7, 2025

Attendees:

Online Attendees: Chrissy Haskins (DuFresne Group), Shane O’Keefe (Londonderry Town Administrator), Martha Dale (Londonderry Select Board), Patty Eisenhauer (Londonderry Housing Committee), Nancy Jensen (Londonderry Housing Committee)

Village Wastewater Committee Members: Gary Hedman, Sharon Crossman, Thomas Metcalf, Larry Gubb, Corey Mack

Guests: Pamela Spaulding (Londonderry Planning Commission), Gary Kleiman

The meeting was held at Neighborhood Connections, recorded to the cloud, and transcribed via AI Companion.

The video can be viewed at:

<https://us06web.zoom.us/rec/share/k0zqWcDLupcGJ57LkblZEXy1RM7bWd3CJfFj-sO0xFRBOWFpDh4cGQj6LHXbwSJT.oOzctCWjtXS3I1Bi>

Passcode: q\$!41yPR

Meeting was called to Order at 9:05 AM

Quick recap

The committee welcomed Corey Mack to the Village Wastewater Committee (VWC), discussed project updates, the draft wastewater ordinance and fee structure, and pre-construction application for connection. An Open Meeting Law (OML) Complaint Form was presented and discussed by the VWC. Motions were made and passed to present the draft ordinance and fee structure and pre-construction application to the Select Board, and acknowledging that the OML violations had occurred and have been remedied through the submittal of past meeting minutes. Discussion of property appraisal for the North Village infiltration area was added to the Agenda under Other Business.

Next steps

- Matt to send the draft wastewater system fee schedule, draft application for pre-construction connections, and draft wastewater ordinance to the Select Board ahead of their March 17th meeting.
- Shane to follow up on the Peele property appraisal and make a motion to the Select Board to approve moving forward with the appraisal in the event that the appraisal is necessary.
- Shane to send an email to the OML complainant regarding the violation and the VWC’s response.
- Chrissy will have a follow up conversation with Patty Eisenhauer about property owners interested in adding housing units, as well as potential “infill” properties.

- Shane will work with Heather Stephenson on congressionally directed spending for Phase 2 of the wastewater project.
- Matt to add caveats or exclusions to the summary of the wastewater fee schedule that will go to the Select Board.

Project Status Updates

Chrissy provided updates on the North and South Village projects. At this point, the Plans/permit application include all variance requests. Typical variances would include not meeting the minimum required distance/setback from private drinking water wells, driveways, or existing septic systems. The State will not issue a formal approval at this point, but will communicate any issues to Chrissy. Chrissy mentioned that, due to the design of the infiltration systems, the State has indicated that the minimum separation to groundwater (from the bottom of the disposal bed system) had been reduced from 3 feet, to 2 feet, which will allow for a reduction in the amount of sand that will need to be imported during construction of the disposal beds. Chrissy also explained that the new septic tanks that will be installed at each property will not be installed in the same location as the existing tanks, primarily to accommodate project phasing and need to maintain service at each property throughout construction. Tom and Corey asked about the progress of site plans and plot plans for the individual service connections, and Chrissy confirmed that all the interested properties in the South Village have a design at this point. Easements will be discussed with the town attorney to determine the best approach. Corey asked if he could be provided with the most up to date design plans, and Chrissy indicated that the 60% plans would be shared with him.

As previously discussed, Shane O'Keefe is no longer the Londonderry Town Administrator, but will be staying on in a limited capacity to help coordinate on-going projects. Aileen Tulloch is the new Town Administrator, and will begin her tenure on March 24th. The VWC noted their appreciation for Shane's contributions to the Village Wastewater project, and agreed to help bring Aileen up to speed on the project once her tenure starts.

Patty, Chrissy, Matt, and the VWC discussed the potential for future housing units in the South Village. Chrissy clarified that there is approximately a thousand gallons of excess capacity left over, which could accommodate around ten new housing units. The town would need to decide how to handle properties that could potentially install their own septic systems. Patty suggested that the town could prioritize properties in the floodplain or those with limited space. The discussion also touched on the possibility of affordable housing and the need for further information on the primary use of these potential units. Patty also mentioned that the Housing Commission is working on a village plan to identify potential opportunities for new units and is preparing properties for potential development if funds become available.

Wastewater Fee Schedule Review and Recommendation

Gary attended the March 3rd Select Board meeting to voice support for Corey Mack's application to join the VWC, and informed the Select Board that the VWC would be providing a draft Wastewater Ordinance and system fee schedule prior to the Select Board meeting on March 17th. Shane mentioned that this item has already been added to the meeting agenda for the 17th. Matt mentioned that he had received comments from John Kiernan at RCAP and Tom, but the ordinance was still a work in progress. Shane suggested making a motion to forward the draft documents to the select

board. The VWC agreed, emphasizing the importance of getting the documents to the Select Board sooner rather than later. Matt also mentioned the need to finalize the fee schedule, including an application fee and a connection fee. The committee discussed the three scenarios for the percentage of grand list support for debt service and the corresponding monthly user fee. Matt agreed to add some initial caveats or exclusions to the summary for the Select Board. Gary asked Shane to confirm when the Draft Submittals should be presented to the Select Board and Shane indicated that the prior Thursday or Friday would be appreciated.

Tom then made a motion to:

Submit the Draft Wastewater System Fee Schedule as prepared by John Kiernan/RCAP, the Draft Pre-Construction Application Form, and the Draft Wastewater System Ordinance as prepared by the Windham Regional Commission to the Select Board ahead of their March 17th meeting.

Larry seconded and the motion was approved unanimously.

Other Business:

Property Appraisal Cost and Alternatives

Shane discussed the cost estimate he had received for the appraisal of the North Village effluent disposal bed property, which was \$10,000. He suggested that due to the high cost, the Town could explore alternative methods of establishing/appraising value. Shane also mentioned that Chris Rutkin, a local expert, could potentially do the appraisal work. Chrissy clarified that they had a budget of \$3,500 for the appraisal and \$29,000 for legal costs in the project. Shane proposed moving forward with the appraisal at the approved cost, subject to Select Board approval. Chrissy also provided an update on the property's assessed value and the size of the easement area.

Village Wastewater Committee Open Meeting Law Complaint

The village wastewater committee acknowledged and cured past violations of the Vermont Open Meeting Law. The past due meeting minutes from the September 24, 2024, October 4, 2024, November 18 & 19, 2024, December 6, 2024, and January 21, 2024 have been submitted to the Town and are available on the Town website. The VWC plans to use AI meeting recordings for future minutes to prevent future violations, are considering a rotating schedule for preparing the minutes, and have appealed to the Select Board for a paid meeting minutes taker.

To formally respond to the OML complaint, and comply with 1 VSA 314(b)(2), the VWC voted unanimously on the motion below. The motion was made by Gary, seconded by Tom.

“To acknowledge receipt of a complaint from Londonderry resident Chad Stoddard alleging that the Village Wastewater Committee has not timely made minutes of several of its meetings available to the public within 5 calendar days as required under Title 1 V.S.A. 312. And as required by 1 V.S.A. 314(b)(2), the Committee hereby acknowledges that there were violations of the Vermont Open Meeting Law as alleged, and that it is its intent to cure the violations timely. To cure the violations, the Committee has already made available to the public and posted to the Town website all of the meeting minutes of its past meetings, and hereby adopts the following specific measure to prevent

future violations: The Committee will have its meetings recorded through an artificial intelligence tool that provides an almost instant synopsis of the meeting that will be used as a basis for creating draft minutes for timely public review”.

Next Village Wastewater Committee Meeting

The next village wastewater committee meeting is scheduled for Tuesday, March 18th at 6:00 PM.

Tom made a motion to adjourn, seconded by Larry, and the meeting adjourned at 10:47

Note – Draft meeting minutes are generated through AI technology. While we strive for accuracy, the generated draft meeting minutes may contain errors or omission, and are subject to revision prior to approval.