

**Town of Londonderry, Vermont  
Village Wastewater Committee  
Special Meeting Minutes  
Friday, February 2, 2024 – 9:00 AM**

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

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

**Others in Attendance:**

Susan Westa (Windham Regional Commission), Emmett Dunbar (Resident)

**Online:**

Chrissy Haskins (Dufresne Group – Project Engineers), Martha Dale (Londonderry Selectboard), Shane O’Keefe (Town of Londonderry, Town Administrator)

**1. Call meeting to order**

The meeting was called to order at 9:04 AM.

**2. Additions or Deletions to the Agenda:**

No additions or deletions

**3. Approve Minutes of 01/10/23 meeting**

VWC agreed to defer approval of 01/10/23 minutes until the next meeting

**4. Discuss and Debrief - 60% Report: Public Information Meeting - January 22nd Selectboard Meeting - Key comments and remarks from attendees: What questions/issues do we need to address?**

Gary mentioned that Chrissy was currently on the telephone with a property owner and asked if she could defer her report until she was able to spend some time in discussion with the property owner. The VWC approved.

**5. VWC Motion to show support for SB Motions to authorize ARPA grant agreements.**

Sue asked if Sharon would like the VWC to make a motion recommending authorization of the ARPA grant agreements. Sharon said yes, but that she had not prepared a specific

written motion to make. Shane said that there was a motion by SB to authorize the SB Chair or the Town Administrator to sign the ARPA agreements at the next meeting.

Sue recommended a motion. “The Village Wastewater Committee supports the Selectboard approval and authorization of the ARPA grants agreement for the north and south village wastewater projects.”

Tom Metcalfe moved the motion, Sharon seconded. The VWC agreed unanimously.

**6. Review VWW Ordinance – Discuss Model Proposed by WRC / Julie Beth Hines (Sue & JB)**

Sue had sent out an ordinance model specific to Londonderry that the VWC had not widely had a chance to review prior to the meeting and suggested discussion be held off for another meeting. Tom asked if this was something the Selectboard needed to endorse. Sue said that yes, there were a lot of decision points that need to be decided upon. Tom suggested providing identification of those decision points so that they could be reviewed and discussed by the VWC so a recommendation can be made to the Selectboard. Sue suggested waiting until after Town Meeting to do a more in-depth review and discussion for recommendations.

Sharon suggested picking up discussion in the next regular meeting. Tom asked if potential fee structures were in the draft ordinance. Sue responded that there is a schedule at the very end, but it remains blank until further information developed. She said Julie Beth Hines had sent her a spreadsheet of how costs can be laid out and discussion with Chrissy about her figures in the 90% report can help develop how the fee structure will look.

**7. Critical Path -- Potential Fee Structures (Chrissy & Shane) ---Discuss RFP for Easement Appraisals for Purchase and/or Donation of Private Properties**

Shane asked Chrissy if she thought the timelines for the north village project were realistic, mentioning that Chrissy had signed off on the south village project. Chrissy said she would check again after the meeting and get back to Shane. Shane said the Town attorney had reviewed the ARPA agreements and said they looked fine and all that remained was for the Selectboard to authorize someone to sign them on behalf of the Town.

Tom voiced a concern of the committee VWC in that they have not seen the ARPA agreements. He asked Shane if there was anything that the VWC should know in relation to the agreements that might affect how they put together support for the project. Shane responded that the agreement is largely pro forma stating what the funding is and what the Town’s obligations are as far as the local match of the funds. He said the ARPA timeframes are included and the scope of work that the grant will cover.

He said most important will be a show of support by the committee that will help get the local match funding (bond vote) approved. Chrissy added that the schedule or timeline has not changed from what it has been.

Tom asked if Chrissy's (Dufresne Group's) commitment to meeting the timeframes has not changed. Chrissy responded that they have not.

Shane mentioned that at some point there will have to be a new contract with Dufresne Group (Chrissy). Chrissy said that they are approaching the end of their preliminary design report contract. Chrissy said she will be drafting something regarding final design and permitting. She mentioned that there has been no finalization, but the State intends to fund design work regardless of the outcome of the bond vote. She added that her plan was to provide the engineering contracts for the Town's review to cover design and permitting as there would be no cost to the Town to pay for them.

Shane asked if the State would waive any requirements for solicitation. Chrissy said that this was already done when the RFQ (Request for Quote) was submitted.

#### **8. Next Steps for 90% Report (Chrissy & Emily)**

Chrissy reported that 90% report went to Emily Hackett and Achouak Arfaoui from the Vermont DEC, as required. She said the VWC had not yet gotten the 90% report because one of the properties in the north village concept plan would require an additional easement and she did not want to publicize the 90% report before speaking with that landowner first. She said that she had set up a meeting to speak with them and was on the phone earlier this morning with a landowner about a disposal system. She said she could send the 90% report now, after speaking with the landowners.

She said the 90% report has some minor changes in sections 1-3. Some information about pre-treatment options were added to section 4 and the north and south village evaluations were updated based on the mounding analysis received for each site and what the recommendations were for each site and village, including all cost estimates in section 5. In the appendix some figures were added in for all the concepts, including the collection system concept and the disposal system concept for each village.

On the Prouty property, the northwest corner of the property was being looked at as the potential site area for the disposal system. In the analysis of the property, it was found that the entire lower plateau of the Prouty property is in the FEMA floodplain. The FEMA mapping was incorrect, which was unusual, but another location was found on the property which would match the planned capacity and was out of the floodplain.

She said this happened just before the Selectboard meeting, but all of the bond votes approved by the Selectboard were based in the latest revisions.

North village \$3,385,000 million, which would utilize the grant fully to the point Londonderry would only be paying 10% of construction costs. The bond vote amounting to \$282,000 was approved, based on the option of 6,490 gal/day system. She mentioned the discussion of an 8,000 gal/day system in the north village, but the cost analysis ran above the funding and meant a bond of \$500,000. She said the Dufresne Group recommendation was to go with the smaller system because the additional 1,500 gal/day would provide only 6 additional residential connections for the added cost, in consideration of what would be over and above the grant funding, meaning an expense to the town of more than 10%. The Selectboard agreed to the smaller system. Chrissy said the system would cover all of the current use needs for everything on the south side of Main Street, in the north village. In the cost estimate adjustments, some costs rose some costs went down and the contingency was raised to 35% and added in a larger amount for ledge excavation, based on test pit experiences. Numbers were refined for drip dispersal and pre-treatment systems based on vendor input.

South village costs came in at \$4,525,000 million, requiring a bond vote of \$515,700. This was also approved by the Selectboard for the bond vote. It was based on a 6,480 gal/day system, based on the revised concept for the south village. There is the option to do a 12,000 gal/day system there, but it would greatly exceed funding causing the local match to rise into the millions of dollars. The Dufresne Group recommendation to the Selectboard was to phase the project, beginning with the 6,480 gal/day system and have a second phase which can be designed currently, but held until a source of funding could be found. It would include a second field, plus pre-treatment and any additional collection portions of the system that would have to be constructed. The Selectboard approved the phasing.

Sue had a question about how the costs were broken out asking about the 10% as well as what happens if the bond vote approves one project, but not the other. Chrissy responded that the Town gets 100% for all engineering, project administration, coordination and land acquisition. The Town pays 10% up to \$4,009,331. Any additional costs are paid for by the Town. She said the projects are two separate projects according to the State. If one bond vote fails, the other can still proceed. There will remain funds for design of the system and land acquisition for the project that does not pass bonding approval, but construction would not be possible with grant funds, unless the Town was able to fund the amount of the bond that failed on its own. The bond vote necessity is only if the Town needs to borrow money to pay for the local match.

All information has been updated in the 90% report.

Chrissy will send a link to the 90% report to all for the report and the appendix as two separate files.

Shane had a question regarding the 90% report and if the VWC wished to share it with the Selectboard. Tom felt confident that the estimates were updated and asked Chrissy if she felt confident the estimates were good and she responded that estimates are not always exact, but that she and others have reviewed the numbers several times and with the increase in the contingency and the additional costs for ledge. She said that she had never done a previous report with a contingency high of 35%, believing it should be sufficient.

Shane asked the VWC if they would approve of his uploading the 90% report and the 60% report to the Town website for review. The VWC agreed. Gary asked if visuals were also updated for the Prouty property. Chrissy responded, yes. Gary said he thought it would be very helpful for all to see, including the Conservation Commission as well. She said both north village property owners have the updated site plans to review. Tom asked if there might be any concern by the landowners about the 90% report showing the sites on their properties and Chrissy responded that both were made away their properties would be shown in the 90% report, and one was okay with it being shown the other had not objected.

Tom brought up discussion of RFP for easement appraisal. Tom was asking when the easements need to be completed by. Chrissy said the easements on the two north village properties would need to be done by the end of September 2024, at the point of final design, but suggested sooner is better. She said the State will be looking for some sort of confirmation from the property owners that they are willing to provide the easement once the bond votes are approved (if they are approved). She recommended trying to get on the schedule of appraisers, soon as they have been very busy in recent years. Shane thanked Sue for her help in putting together and RFP for appraisal work, saying that he would put the RFP out for pricing, soon to try to ensure an appraiser is on call and ready to do the work to meet the critical path schedule. Tom asked if the RFP is basically to retain an appraiser to do all the required appraisal work once the commitments are made by the property owners. Chrissy responded that yes, we don't have all the information yet on the properties and a decision must be made as to what the easements will look like based in the more detailed design of the systems, including space for access, maintenance, and the alignment of the pipe to each system.

Tom had a question about the south village area and how the pipe will follow VT Rte. 100 for a long distance. He asked if we might need easements across some private landowner's properties. Chrissy responded that all the work will be within the public right-of-way (R.O.W.). She said there will be easements that need to be made regarding the service lines and any collection tanks, but those easements do not need to be finalized until late summer 2025. Who will be connecting will need to be known by this August of 2024. Then finalizing those easements can be worked on throughout fall 2024 and winter 2025.

Shane had a question about easements for each service hookup. He said that generally the municipality maintains the system up to the service connections and the service lines would be maintained by the property owner and asked how this would be different. Chrissy said that with this being a new system the easements would be needed to construct the service lines and install the collection tanks. Shane asked if the easement would then only be temporary, converting to owner maintenance for the service line, if not both the service line and the collection tanks. Chrissy said she would ask Emily for more detail regarding this.

Shane had another question regarding the decision to go with following Edge Hill Road versus directional boring under the river. Chrissy responded that she had spoken to a property owner in the north village who had considered drilling under the river and decided against it because of ledge, but they were able, because of an operable low level flood gate at the Williams Dam to drain the pond and then close the gate allowing a period of time to place two precast concrete boxes on a small island in the middle of the river which are known to sit on ledge. Today it may be unlikely that the same could occur, even if the low level flood gate was still operable at the dam. There remains an option to drill. Gary added that it makes sense to bypass the drilling option because of all the risks involved. He thought that using the concrete boxes option and the permitting to do such a thing would be very straightforward. Chrissy said the advantage to running the pipe up Main Street then Edge Hill Road would be that it would allow others to potentially connect along the route to try to ensure that all the capacity of the system was used, if there were properties along Main Street that decided they didn't want to connect or would not connect for some reason.

Sue had a question about a need to know who will be connecting and who will be doing the work to find out who would like to connect. Chrissy said there were already some people who had said they wished to hook up, but obviously more are needed. She suggested it would be the work of the committee based on it being better if done by the community, rather than someone like a consultant, but that work on this should probably wait until the results of the bond vote are known. Chrissy has a priority list the VWC could use when needed.

Martha had a question as to how best to market the project or to present it to the public before and after the bond vote. Chrissy said some sort of meeting to present the project positively, especially regarding the funding the Town has access to would be a good idea.

Shane suggested that the required informational meeting about the bond vote is going to be a very critical piece of the entire process. Sue asked if the Selectboard (SB) would take the lead in getting the word out about the informational meeting. Shane suggested that the VWC should get information out as the SB will also need to warn it and to post notices about the meeting at 6:00 PM on the 29<sup>th</sup>. Sue said a flyer and press releases would be good to add. Shane added that there should be some good information people can pick up and take home with them at the bond informational

meeting. Sharon and Sue suggested using boards we have used in the past and adding any new information that would be relevant. Martha suggested having as many committee members present as possible to help answer questions one-on-one. Chrissy said she had folks stop her outside of the SB meeting to ask her questions about the projects because they didn't feel comfortable asking questions during the meeting.

Tom asked if the informational meeting includes any other items on an agenda. Shane's answer was no, the only discussion at the informational meeting on the 29<sup>th</sup> will be the bond vote for the wastewater projects.

**9. Public Relations Campaign ---Develop strategy for addressing email Comments /Questions (Sharon) ---Educate residents and business owners re: Bond Issue Vote (Sue, Sharon)**

Sharon said she has spoken to someone who set up a means for people to submit questions to be monitored and answered and would run it through the Town website. Sue said there were already some questions that needed to be answered on the Village Wastewater Gmail account, that she has already submitted to Sharon. She said there were only a few currently, but more may be forthcoming. Chrissy said she knew of some questions as well and that the VWC needed to select someone to be the point person that would respond to the questions asked. She said that more recent inquiries have been about requests to connect to the system, and she would write a response that the VWC could use for those inquiries. Tom volunteered to respond to inquiries with consultation with Chrissy. Sue said she has responded telling people a member of the VWC would respond further to them. Tom said he needs the e-mail addresses of those who have made inquiries. Chrissy asked to have all e-mails sent to her so she can add to her report and advise on responses.

Sharon spoke to the use of prior materials to update for the bond vote informational meeting as well as for Town Meeting Day.

**10. Other Business ---Consider Repeat Water Testing Program: Request fresh kits for both Villages ---Consider need for Project Over-site, i.e. Manger/Point Person during phases of construction.**

Sharon brought up discussion of testing water and wastewater to see where someone may need help and asked if anyone might be interested in returning to testing for water or wastewater.

Tom asked if any water tests were that still needed complete testing were outstanding. Sharon thought that the tests at the Town Hall were out of date. Chrissy said that only the tubes for the bacteria testing may be out of date and need to be checked. She said there were 9 complete test kits and there should have been two additional bacteria test

kits for two properties tested that did not have their water tested for bacteria, but had all other tests done.

Unfortunately, the kits have not been used. But for the bacteria tests, they should be okay. Rich Phelan said he would be willing to pick up the tested water from sites that requested testing and then have them driven to the State labs for testing. All testing would be both anonymous and volunteer by property owners.

Sharon mentioned the oversight/Point Person for the project. Shane said that on his own, he could not handle management of the wastewater projects on his own. Martha suggested that there were or asked if there were funds to cover a position to help with the management of the project. Shane mentioned that the Town hired someone from the Windham Regional Planning Commission to help with a current project and suggested doing the same for the wastewater projects would be needed. Shane confirmed that Chrissy had said there were funds to hire someone for administration of the project. He said there is likely not a huge amount of work, but that it would take enough time away from his other duties to the Town that it would not be practical to have him do the administrative work.

Tom asked if administration was a part of Dufresne Group's (DG) scope of services. Chrissy said they do provide construction services on their projects. She said the State does projects in 3 steps. The first being "preliminary", the next step being "final design" and the third step being "Construction". The project requires an onsite resident engineer during construction. They will do change orders, reviewing and recommendations on pay applications, coordination with contractor, review of schedules and more. She said they can also help with funding assistance during construction. She added that they can also do reimbursement requests during construction to the state which BDCC (Brattleboro Development Credit Corporation) is currently helping with. She suggested that the VWC may want to consider a project coordinator in general who would help keep things moving along that do not fall under the engineering scope, like working on the ordinance, decisions about fee structure. She added there is money in the funding for that purpose but said there was a cap on that amount and any other administration.

Tom asked Shane if the Town attorney could review any ordinance that may be configured to ensure it was enforceable and would not cause any detectable problems. Shane said the Town has worked for decades with Bob Fisher of Fisher & Fisher Attorneys stating that Bob is also the Town attorney for Brattleboro as well as several other municipalities. He said that the Town would also look at other communities to see what they have done, mentioning an organization called RCAP Solutions that can help with fee structure as well as ordinances. Tom said there has been the ordinance from Westford adapted to Londonderry that should be reviewed by the VWC, the Selectboard, Shane and the Town attorney to make sure everyone is on the same page and it is fitting for Londonderry. He suggested it could take place as one big joint



meeting or a series of smaller meetings, but that it needed to come soon. Sue suggested that a project coordinator could help organize and guide through the process.

Sharon said we can discuss potential ideas for moving a coordinator forward.

Tom wanted to give Emmett Dunbar a chance to speak about his concerns or thoughts. Emmett said he was at the meeting to catch up and educate himself more about the project after having been a member of the Planning Commission several years ago. He also volunteered to provide some help with getting information out about the project. Sharon thanked him and he added that it is good to know more about it as it comes up on conversation and it helps to be current on what is going on to be able to discuss it with folks.

### 11. Next VWC Meeting

The next meeting would be Tuesday, February 20<sup>th</sup>, 2024, at 6:00 PM Neighborhood Connections.

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**

### 12. Adjourn:

Tom made motion to adjourn, Sharon seconded. The meeting was adjourned at 10:27 AM

Respectfully Submitted,  
Larry Gubb  
Secretary, Village Wastewater Committee

**Approved** \_\_\_\_\_  
**Village Wastewater Committee**  
Sharon Crossman, Interim Chair

Link to AV recording of February 2, 2024 meeting below.

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

Date: Feb 2, 2024 08:51 AM Eastern Time (US and Canada)

You can copy the recording information below and share with others

<https://us06web.zoom.us/rec/share/2bfooMylyMhCyurf6VSdF8F1TqFe0qOIAysHrZbK9UJl7DX3LH3KAvg0YF8lXaNR.8lyS4XtQ9-bmUD8R>

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