

## Meeting of the Village Water/Sewer Commissioners

Monday, June 29<sup>th</sup>, 2015

43 S Main Street, Main Street Fire Station

Present: P.H. Flanders, R. Finucane, C. Parks, Commissioners; William Shepeluk, Manager; Alec Tuscany, Public Works Director; C. Nelson, Staff

Public: Paul Arnot, Eric Law

Flanders called the meeting of the Water and Sewer Commissioners to order at 4:35pm.

The Commissioners reviewed the draft agenda and did not make any changes.

**Discussion with Paul Arnot about Waterbury Commons Development Wastewater System:** A discussion was held about the current status of the wastewater system at the Waterbury Commons Perry Hill Development. Mandrel testing has only been completed for two of the three segments, and one of the segments has passed all testing successfully. Arnot discussed his prior communications with the Village regarding the Village's possible ownership of the water and wastewater lines once the project is completed, and he expressed a lack of clarity with the Village's decision. He referenced a letter dated November 2013 in which Tuscany expressed the following:

"The Village of Waterbury is willing to take ownership of the water lines and sewer lines in the proposed Sparks Holdings Development with the following conditions:

1. Construction shall meet the Village of Waterbury Water Department and Sewer Department standards.
2. An engineer, registered in the State of Vermont, shall certify that all construction meets the State and Village standards including all required testing.
3. Since the development road will be private the Village will need to be deeded an easement to allow the Village to maintain, replace, rehab and/or repair the water and sewer lines."

At the time that the letter had been sent, the board had discussed the possibility of taking over ownership but no decisions had been made. Arnot stated that no written specifications exist for the systems to be tested to, but Tuscany believes that there are specifications embedded in the 1978 Village Sewer Ordinance. Testing of the systems was discussed. During constructions, the public works department found several concerns that they believed warranted further testing of the system, including notification from the contractors that the initial line needed to be re-laid in certain sections. At that time, TVing of the line was performed and several segments appeared to be out of round, sagging, or both. Arnot argued that regardless of concerns, if all testing is completed successfully that Village must take ownership of the lines immediately. Park referenced the minutes of the March 23 meeting of the WS Commissioner's which stated,

"R. Finucane made a motion for the Village not to take over operations and ownership of the sewer system at the Waterbury Commons Development, until no earlier than 2 years from the time that all issues that can be identified by Tuscany or by testing have been fixed, provided a second round of testing is successfully completed at the end of the 2 years. The motion was seconded by C. Parks and passed unanimously."

Arnot disputed that the letter sent to him in November 2013 did not reference a waiting period or additional testing, and that no further conditions should be implemented. The board argued that given the history of the project, and the issues that have appeared thus far, they as representatives of the rate payers must be diligent in insuring a functioning and enduring system before taking on the financial burden of owning the lines. Finucane discussed the fact that municipal operations are run differently than private companies, and that the board has a right to decide not to take on ownership of the system if they do not feel that it has been built to the appropriate standards. Shepeluk proposed that perhaps the waiting period be reduced to one year from the first round of successful testing, and then after a second round of completed testing the Village would resume ownership. Flanders would prefer not to lessen the waiting period until the test results are received, but that once the issues are defined he would be willing to ask the board to reconsider the length of the waiting period. Arnot does not wish to have to wait for test results and does not believe a tow-year waiting period is fair in either case, and believes that the Village has a responsibility to take ownership as soon as successful testing is completed. Eric Law asked why the initial TV tests were requested, Tuscany responded that upon hearing news that the lines need to be re-laid in certain areas, knowing the unstable soil conditions of the project area, and based on the fact

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that all Village sewer lines are TV'ed prior to use he felt the need to request the testing. Some discussion was held about the nature of these public meetings, and whether or not parties involved on the posted agendas should be individually invited upon each meeting. **By consent, the commissioners agreed to have the lines retested, and upon successful completion of the testing a two year waiting period will commence, unless information is provided to the board that indicates a lesser waiting period may be appropriate. Otherwise, after the two-year waiting period, a second round of testing will be completed, and if successful the Village will take over ownership of manholes 1 through 4 and the corresponding sewer lines.**

Tuscany pointed out that he had previously recommended to the board that if the mandrel testing was successful, the Village may cover the cost of the testing. **Finucane moved to approve the Village to pay for the cost of successful end-to-end mandrel testing, once completed, and that once all testing is completed and the two-year waiting period begins, the Village will take over routine maintenance of the wastewater lines (without maintaining ownership until the waiting period is completed).** Parks seconded the motion. **By unanimous vote, the motion passed.**

**PWD Director Discussion:** Tuscany will be retiring at the end of the summer and a discussion of his replacement was held. The current personnel policy states that all open positions must be advertised publically before filled. As the position of PWD has already been offered to an existing staff member, Shepeluk and Tuscany recommended that the board waive the need to advertise as the position would be filled internally. **Finucane moved to waive the advertising of the position of Public Works Director upon Tuscany's retirement. Parks seconded the motion, a vote was held and the motion passed unanimously.**

**Monthly Reports:** Tuscany presented the water department and public works department monthly reports. No report was available from the wastewater department this month, though Tuscany was able to provide updates about progress at the treatment facility.

There being no further business, the meeting of the Water and Sewer Commissioners was adjourned at 6:12pm.

The next meeting will be held on July 27<sup>th</sup>, 2015.

Respectfully submitted,  
Courtney Nelson, Utilities Billing Clerk

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

 