

Waterbury Village Water and Sewer Commissioners  
March 13, 2017  
4:30 pm, 28 N Main Street – Steele Community Room  
Minutes

Present: P. H. Flanders, C. Parks, R. Finucane, Commissioners; B. Woodruff PWD, Pete Krolczyk, Brandon Guyette, Karen King – secretary

Public: Dennis & Rose Cassidy, Eric Law, Ralph & Penny Holibaugh, Don & Anne Einhorn, Dave DiDomenico, Heidi Hals Dugan & Matt Dugan

Flanders called meeting to order at 4:30pm

**APPROVE AGENDA:** A number of items to be added to the agenda. Board has received a Maintenance Agreement proposed by Waterbury Commons for the sewer lines on Tyler Ridge. W. Shepeluk, absent from the meeting, requested time to discuss two properties with allocation applications.

The board has received a Maintenance Agreement drafted by Waterbury Commons Developer and their attorney. This document was received Sunday 3/12 and the commissioners did not have an opportunity to review this prior to tonight's meeting with Tyler Ridge residence. A moment was taken to allow for this document to be read.

K. King requested on W. Shepeluk's behalf the commissioners consider waiving an allocation previously billed to a former owner of the property located at 53 South Main Street. Current owner Quinland Properties Two, aka Jim Quinn, purchased the property July 22, 2015 – at that time there was an outstanding allocation invoice in the amount of \$1933.86. W. Shepeluk feels the Village staff did not have the processes in place to ensure this fee was paid at the time of closing and therefore collection of the fee now to the current property owner is unjust. Commissions agreed with W. Shepeluk; processes need to be put in place such as liens to ensure outstanding allocation fees are collected. **R. Finucane moved to waive the collection of the connection fees for the failure to notify "the purchaser" of the outstanding invoice. C. Parks seconded the motion, a vote was held, and passed unanimously.**

Jeffrey Rand has completed an Allocation Application to ensure the former Squier House located at 26 Union Street is in compliance with his number of beds for residence. W. Shepeluk drafted a memo to the commissioners, see attached, detailing his research on the property. **R. Finucane moved to concur with the recommendation of W. Shepeluk's water and sewer allocation of 26 Union Street. C. Parks seconded the motion, a vote was held, and passed unanimously.**

**BOD Capacity & Sewer Expansion Feasibility Study:** P. Krolczyk spoke – BOD Capacity Study is waiting on winter temperatures. Testing was scheduled to occur Tues 3/14 however the storm has caused them to reschedule for the 21<sup>st</sup>. The Spring/Summer testing is complete with 22 data points. A full report is due sometime in April. Low NTU at this time, 1 ½ - 2 warmer months it's 30-40. Staff is optimizing and economizing the chemical use saving the Village thousands of dollars.

Sewer Feasibility Study will be conducted by A. Tuscany but has not yet begun.

**Fats, Oils & Grease Summary:** P. Krolczyk has submitted photographs of sewer lines that show the consequences of undersized grease traps at locations in the Village. P. Krolczyk has conducted an inspection of all locations, would like to perform testing and sample waste streams. P. Krolczyk is stressing the importance of updating the Water/Sewer Ordinance as the parameters are outdated.

**Waterbury Commons Sewer Line:** Several families appeared before the board for information relating to the sewer lines servicing Tyler Ridge Waterbury. There were a number of questions to be answered **please see attached notes.**

**Monthly Reports:** The monthly reports were discussed and reviewed. P. Krolczyk spoke briefly about some of the items on his report.

**Update on Village meeting article:** P. Flanders and W. Shepeluk will meet with Attorney Paul Guilianni to begin drafting a charter change for the Village of Waterbury. C. Parks asked why a 5 member board and P. Flanders stated it was chosen to mirror the current Select board format.

**Eldredge Company Inc. increased water invoice:** K. King requested a moment of the commissioner's time to consider an allowance for Ms. Eldredge due to a water heater failure. R. Finucane stated W. Shepeluk has the authority to reduce an invoice under \$100. K. King to research and speak to W. Shepeluk.

**Casella Sludge Disposal Contract:** P. Krolczyk stated in his monthly report that the commissioners need to sign this contract at tonight's meeting however; there was no paper copy available for signature. R. Finucane made a motion authorizing the board chairman, P. Flanders to sign the contract on behalf of the board. C. Parks seconded the motion, a vote was held, and passed unanimously.

Due to a needed correction the meeting minutes from January 23, 2017 will be accepted and signed at the next meeting.

There being no further business, the meeting was unanimously adjourned at 7:00pm.

The next regular meeting is tentatively scheduled for Monday April 24<sup>th</sup>, 2017 at the Waterbury Municipal Center.

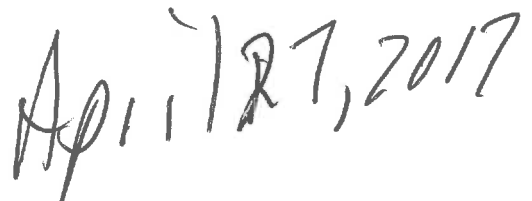
Respectfully submitted,

Karen King, Secretary

Approved:



Date:



Questions:

1. Explain why the Village hasn't taken ownership of the sewer lines at this time? Are there any other reasons?

The Village of Waterbury has not taken over ownership of the sewer lines is because they were not installed to specification. These specifications are, but are not limited to, TR16; 10 State Standards, Normal Engineering Standards & Material Manufactures Specifications.

2. What is the Village requesting or requiring (or has requested or required) the developer to do (i.e., test, repair, replace, etc.) in order for the Village to take ownership of the sewer lines? Are there any written communications with the developer? Responses?

In order for the Village of Waterbury to take over ownership of the sewer lines the lines must first pass all specifications including mandrel testing. The Water and Sewer Commissioners in the March 23, 2015 meeting minutes have previously stated the system must pass testing and there must be a waiting period of 2 years, a second set of tests conducted and if the system passes the second set of testing the Village will consider taking over the system.

3. Does the Village have any ordinance, specification, or standard protocol or procedure that speaks to what is required to be met before the Village will take ownership? If so, what are those?

See question 1

4. Is the Village aware of any actions taken by the developer over the past year to address the Village's requests/requirements? What are those actions? Has the developer identified them in correspondence?

The last known work to the Village of Waterbury was September 2015

5. We have heard the developer is proposing that the Village maintain, but not own the lines. Is that true? If so, what are the terms and conditions of this proposal? Are there fees involved? Who is responsible for paying the fees? What are the fees? What is the Village's responsibility under this arrangement (repair, replacement, etc.)?

The Village has received a proposed Maintenance Agreement which it has not had proper time to consider. B. Woodruff will forward such proposed agreement to Don Einhorn.

6. What is the estimated cost to replace all three segments of sewer lines (MH1 to MH4) if they required replacement?

The Village of Waterbury is not capable of estimating this cost. Suggestion made to get a professional quote to 'pipe burst' or directionally bore the problem areas.

7. What is the basis of that cost estimate? Can you provide those calculations?

8. Is there a typical cost (i.e., per linear foot) to replace a sewer line in the Village? What is the basis (regulation, ordinance, etc.) of that number? If not, what is the metric to determine the cost of replacement?

9. Is there anything that makes replacement of the Waterbury Commons sewer lines different or more challenging than other lines in the Village? (topography, soil makeup, new regulations or standards, etc.)

Challenges include depth of the system, limited access and heavy clay soils

10. Has the Village taken ownership of the water lines of the Waterbury Commons? If so, when? If not, why not, and when will this happen? Are there any conditions for taking over the water lines? What are they?

The Village of Waterbury has taken over ownership of the water service lines Phase 1 Waterbury Commons known as Tyler Ridge. This occurred on October 24, 2016

11. If the Village was comfortable about taking over the water lines, why is it still not willing to take over the sewer lines? What's the difference to the Village and its residents? Explain.

The water lines were installed to specifications – the sewer lines were not.

12. When did the Village begin to take over sewer lines from developers? How many sewer lines has the Village taken over during this period time?

As could be recalled by the board members Clover Lane was taken over by the Village. There was testing and corrections necessary before this development could be taken over. Main Street Cottages were also developed and taken over. It's fair to say this is a 'practice' of the Village.

13. During this time has the Village ever rejected a proposal to take over sewer lines? If so, which development(s), what were the reasons and how were those resolved?

14. Are there any developments where the Village simply maintains the development's sewer lines because the Village had rejected the sewer lines proposed by the developer? Which developments?

15. Are there specific regulations contemplating rejection and therefore the Village would simply maintain the rejected sewer lines? What are those regulations and please identify them.

TR16 – Ten State Standards – Manufactures Specifications

16. What is the status today with the developer of Waterbury Commons relative to the sewer lines?

The Village has received a proposed Maintenance Agreement drafted by the developer for their consideration. Commissioners have not had proper time to consider yet.

17. Is there anything else we should know as homeowners about the sewer lines/water lines?

**Noteworthy:**

The sewer lines in Phase 1 Waterbury Commons Tyler Ridge were constructed from SDR35

The Sewer lines in Phase 1 Waterbury Commons Tyler Ridge have passed the II (Infiltration Inflow) testing.

Sewer lines between manholes 3 – 4 are currently out of round. The 8” pipe has a 22° deflection and is 6” x 9” causing it to fail mandrel testing.

Mandrel testing was successful between manholes 2 – 3; The Village of Waterbury is not aware of any other mandrel testing performed.

To: Water-Sewer Commissioners  
From: W. Shepeluk, Manager  
Date: February 14, 2017

Re: Application for Water-Sewer Allocation, 26 Union Street

Jeffrey Rand, owner of the property at 26 Union Street where Maple Hill Residential Care Home (formerly The Squier House) has applied for an additional water-sewer allocation for that property. I believe he is in the process of selling the property and wants to make sure the necessary allocation is in place. I have attached a copy of the application. To be clear, he is asking for an allocation to allow him to have 14 residents at the facility and 4 employees. His current allocation is based on 13 residents and 4 employees.

Looking back in the file for this property I found a letter I wrote to Mr. Rand in February of 1993 in response to an allocation application he submitted at that time. In the letter I cited Appendix 7A that called for an allocation of 125 gpd of capacity for each resident of an elderly care facility. However, I told him that the village used a standard of 100 gpd/resident for this type of use. The application was for 12 patients and one resident staff person. I called that 13 residents and determined the necessary allocation was 1,300 gpd. The facility already had an allocation of 400 gpd so I sent him a bill for a water-sewer allocation of 900 gpd. The total fee due the two utilities was \$8,844.

At a meeting of the commissioners on May 24, 1993, Skip Flanders reported that he had had a discussion about this allocation with Shirley Egan who was hoping to open a new "nursing facility" in the property she was renting from Rand. Skip suggested the facility was not a nursing home and wondered whether 75 gpd per resident was better. He also suggested that a credit of 150 gpd per bedroom be given when a residential property was converted to a commercial use. Information was also provided at the meeting that the Planning Commission had determined the use of the property to be a boarding house. Bob Finucane made a motion, which Bob O'Brien seconded "to allow the Egan-Rand expansion of their boarding house to receive their required allocation without fee given that the planning commission has determined the facility is a boarding house, which (according to Appendix 7A) has an allocation (requirement) of 40 gpd/resident". The motion passed unanimously.

In June of 1993, I wrote a letter to Shirley Egan explaining the commissioners' decision and its impact on the allocation need of the facility. The commissioners credited the facility 150 gpd for each of the six bedrooms pre-existing the increase in boarding house residents from 8 to 13, giving the facility an allocation of 900 gpd. At 40 gpd/resident x 13 residents the facility needed an allocation of 520 gpd. I told Mrs. Egan in the letter that this left her with 380 gpd of excess capacity, which would allow an additional 9 residents in the future if she had the room. I also told her that her base charges would increase from 2 units (when she had 400 gpd of capacity) to 5 units, given the 900 gpd of capacity that she now had been given (for no fee). The owners complained about the increase in base units, but at a meeting held on September 13, 1993, the commissioners upheld the decision to increase base units to five.

On January 4, 2017, the Waterbury DRB heard a request from Mr. Rand who was seeking approval to expand the non-conforming use of his elder care facility at 26 Union Street to serve 14 residents. His facility is licensed by the state for 14 residents. At the hearing, the DRB determined that the facility's use is a Nursing/Community-Care Home. Their determination goes on to state that the individuals living there are unable to care for themselves. Given the decision, it is no longer considered to be a boarding house.

The state's water supply rules and Appendix 7A require an allocation of 125 gpd/resident for this facility. If you have read my attached draft letter, a narrow reading of the rules require an allocation of 1,629 gpd for the facility. If this were a new business applying for an allocation that is the capacity I believe should be issued. In the case of this existing facility, that seems quite unreasonable, especially when looking at historic quarterly consumption.

I have attached the history of consumption at this facility from February 2014 through January 26, 2017. I threw out consumption of 905,900 cf that was read in May of 2015. The meter rolled over and that bill was adjusted. Over the 11 quarters where accurate consumption levels are known, the average usage has been 5,809 cf per quarter. That translates to an average of 491 gpd of consumption. It seems very unreasonable to allocate 1,629 gpd to the facility given this historic consumption of water.

Going back to 1993 the facility has been assigned an allocation of 900 gpd and it has been and is still charged for 5 base units ( $900\text{gpd}/200\text{ gpd/unit} = 4.5$  units, rounded up to 5 units). I propose to allocate an additional 113 gpd of capacity to the property for the one additional resident requested. That would be 125 gpd per Appendix 7A with a 10% discount for low flow fixtures. The cost of the new allocation will be \$1,020.96 for the water and sewer allocation together at existing rates. The capacity allocated to the facility would increase to 1,013 gpd (900gpd existing plus 113 gpd new). I propose that the number of base charges be maintained at 5 units by rounding down ( $1,013\text{ gpd}/200\text{ gpd} = 5.065$  units), which is contrary to current practice.

Does this make sense to you commissioners?

# Wastewater Progress Report

February, March 2017

## • Process:

- *Sewer Commissioners need to approve and sign Casella sludge disposal contract tonight*
- CoMag process continues to meet permit limits.
- Switched over from using Ferric Chloride to PAC as a coagulant. Although PAC is a bit temperamental and not as stable as Ferric, can reduce caustic use by annual savings \$10,000.
- Cross Training of Brandon Guyette and Matt Hunt is in its second month and is going well. Matt hopes to sit for his 2DM wastewater test sometime this summer and Brandon sitting for the water exam sometime in the fall. Brandon is also obtaining his class B CDL; practical test next month.
- Electronic monthly DMR reporting begins April 15<sup>th</sup>. Pete /Brandon attended training seminar put on by the DEC. Untreated Discharge electronic reporting was also part of the seminar.
- Wastewater Licensing now has been turned over from the DEC to the Secretary of State Professional Regulation (OPR). This is another change that is requiring much training and adjustments.
- March 3, had new O&M Dec Inspector Nick Giannetti tour the facility. Evoqua rep. Tom Miles and Tom Joselyn attended as well.
- Continuing lagoon winter testing for organic capacity study data. Evoqua Engineers scheduled for week of March 13<sup>th</sup> to complete study.
- Seepex sludge pump issue continues. Waiting on a response to Alec's latest proposal from Seepex, Stantec, and BDP regarding financial compensation to the Village. Design and installation flaws should've be caught. Presently, one sludge pump is operational and will await decision before repairing the other 2 pumps.
- 2017 WWTP budget complete awaiting Town Meeting
- Flow totals
  - January:
    - Influent: 5.45 MG, average 0.176 MGD
    - Effluent: 6.66 MG; process ran 15 days/month; avg. 0.444 MGD
  - February:
    - Influent: 5.75 MG, average 0.205 MGD
    - Effluent: 5.30 MG; process ran 11 days/month; avg. 0.482 MGD

## • Collection System:

- Wastewater Personnel spent one day repairing washed catch basin; assisted Highway Dept.
- Need to determine if Waterbury or the owner will install FOG (fats, oils, grease) inspection taps in restaurants. Many facility grease traps are undersized to meet present hydraulic loading and some owners have been alerted the FOG program will begin soon.
- Could the Sewer Commissioners establish a completion date for the updated Sewer Ordinance? This was put in electronic format nine years ago for this purpose but has yet to be done.

## • 2017 Projects:

- Organic Capacity Study, Phase II – to begin March 13th
- Sludge removal to Casella Grasslands Chateaugay – Contract needs to be approved
- MPS Flood Door Refurbishing – Eric Bauer chosen, materials take off next week
- 2017 Collection system flushing, pump station cleaning, and TV work – scheduled for May
- CoMag coagulation injection point and fish screen installation – Screen being fabricated
- Lagoon Aerator, pontoon, cable upgrade
- Bay one enclosure project – awaiting building permit
- Man-hole repairs – begin in spring, possibly April



# Public Works Report

Waterbury, Vermont  
Feb 2017

## Water Update...

- Review Ashford Lane Water Plans for new construction
- Meet with water operators about goals for 2017
- Meet with engineers from Ben and Jerry's regarding future changes
- Water utility locations with GMP
- Review Micro Hydro Proposals
- Work with operators in advance of Sanitary Survey
- Micro Turbine meetings and planning
- Training to maintain Water Operators License
- Meet with A. Tuscany on projects for 2017
- Barb Parker water line negotiations
- Conservation of Waterworks discussions

## Sewer Update

- O&M manual review
- VOSHA training
- Review of Main Street plans
- Operator Cross Training
- Maple Commons maintenance agreement

## Other works...

**Micro Hydro:** Bids were received from two vendors and reviewed.

**Main Street:** Submit comments on Water , Sewer , Stormwater plans

**Rate Increase:** Begin assessment of possible rate increase to sewer bills

**FOG talks** with Pete

**20 year Master Plan:** Meet with Red Dufresne on possible 20 year master plan

## Coming down the pipe...

- Micro Hydro
- Reservoir Ashford Lane Water Line
- Meter testing?
- Crossroads Water line
- Main Street Preparations